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LARGE SERIES

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# National Reform Documents



MARRIAGE AND DIVORCE,

OR

LAWS AFFECTING THE  
FAMILY.

(SECOND EDITION.)

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VOL. III. No. 6.	}	Entered at the Philadelphia Post-office as second-class matter.	{	ISSUED BI-MONTHLY
				PRICE, \$1 00 A YEAR.

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THE ALDINE PRESS CO.,  
No. 1520 CHESTNUT STREET, PHILADELPHIA, PA.  
MARCH, 1890.



**DIVORCES, 1867 TO 1886, BY STATES AND TERRITORIES.**

[FROM THE SPECIAL REPORT ON THE STATISTICS OF MARRIAGE AND DIVORCE MADE TO CONGRESS BY CARROLL D. WRIGHT, COMMISSIONER OF LABOR, FEBRUARY, 1889.]

STATES AND TERRITORIES.	1867.	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.	1886.	TOTAL.
Alabama.....	78	91	90	114	106	117	143	163	146	188	104	268	327	300	413	395	480	412	515	632	5,204
Arizona.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	237
Arkansas.....	121	83	113	113	132	120	143	144	157	243	236	334	383	461	510	422	407	520	577	30	4,041
California.....	200	206	207	298	287	368	489	535	573	588	680	694	664	683	682	858	968	1,010	874	1,655	12,118
Colorado.....	4	9	30	30	28	42	59	63	88	91	102	138	133	260	362	410	420	1,076	874	451	3,987
Connecticut.....	500	403	407	412	412	440	461	531	498	380	412	412	325	316	326	401	428	341	308	420	8,542
Dakota.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,087
Delaware.....	25	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dist. of Columbia.	28	23	52	39	47	67	64	78	56	58	74	104	130	149	153	174	200	158	201	75	1,105
Florida.....	42	82	112	118	148	143	175	182	106	107	211	123	223	253	245	284	258	292	201	325	3,959
Georgia.....	12	7	112	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Illinois.....	1,071	1,125	1,170	1,178	1,250	1,745	1,787	1,678	1,647	1,659	1,617	1,748	1,842	2,139	2,326	2,375	2,455	2,312	2,273	2,005	36,072
Indiana.....	1,006	1,126	1,210	1,170	1,190	1,157	1,092	1,062	1,047	1,014	1,151	1,183	1,271	1,423	1,465	1,540	1,607	1,531	1,304	1,655	25,168
Iowa.....	504	553	584	570	627	617	706	682	675	845	854	842	854	1,001	1,063	1,150	1,043	1,161	1,113	1,327	16,564
Kansas.....	70	113	122	158	256	280	286	296	270	261	291	337	387	442	404	558	613	574	500	817	7,101
Kentucky.....	292	320	332	368	414	401	400	406	402	510	550	531	537	567	600	615	610	603	753	757	10,248
Louisiana.....	283	341	365	357	402	387	365	468	447	493	405	410	510	600	496	529	373	344	382	374	1,607
Maine.....	408	413	395	377	381	387	371	381	377	401	383	382	460	128	103	138	157	173	167	165	2,185
Maryland.....	348	369	386	404	380	337	492	501	547	501	520	572	550	550	387	352	691	649	623	565	9,853
Massachusetts.....	419	469	481	554	630	637	715	794	861	800	927	993	1,110	1,140	1,115	1,228	1,383	1,230	1,272	1,349	18,433
Michigan.....	43	73	71	82	101	108	137	131	135	148	172	151	178	228	221	303	277	301	358	379	3,623
Minnesota.....	43	50	51	85	102	170	160	176	171	173	172	180	205	229	221	303	277	301	358	379	3,623
Mississippi.....	362	387	420	401	415	534	621	664	608	608	728	737	727	930	951	1,020	1,107	1,107	1,112	1,217	16,278
Missouri.....	17	11	11	14	19	37	30	37	17	15	115	130	184	198	191	271	315	314	338	381	822
Montana.....	10	23	40	28	49	37	72	72	65	72	80	84	84	64	61	44	51	57	38	44	3,064
Nebraska.....	37	143	186	163	153	200	209	281	291	242	237	235	265	352	303	318	308	312	314	381	4,979
Nevada.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Hampshire.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Jersey.....	771	701	824	761	668	592	630	716	657	629	569	657	704	834	853	983	881	953	956	1,000	15,355
New Mexico.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New York.....	21	24	22	41	22	37	46	53	65	65	48	74	77	81	81	101	88	103	117	103	1,338
North Carolina.....	901	848	1,013	992	973	1,065	1,126	1,060	1,177	1,153	1,160	1,345	1,441	1,553	1,504	1,701	1,758	1,736	1,840	1,889	26,367
Ohio.....	81	66	69	64	81	615	712	710	655	698	677	789	732	771	1,000	1,170	1,210	1,188	210	249	2,600
Oregon.....	575	606	667	623	665	707	703	710	655	698	677	789	732	771	1,000	1,170	1,210	1,188	210	249	2,600
Pennsylvania.....	195	209	207	202	165	222	193	240	184	191	197	213	226	274	287	280	265	270	225	257	10,020
Rhode Island.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Carolina.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tennessee.....	287	225	269	284	319	363	431	394	387	400	503	515	551	580	586	500	629	628	787	801	9,625
Texas.....	91	104	108	103	233	236	286	249	370	376	455	493	611	786	979	1,024	1,185	1,171	1,182	1,328	11,472
Utah.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Vermont.....	167	101	137	164	211	132	170	182	200	197	178	192	173	138	145	141	102	146	142	119	4,078
Virginia.....	90	77	67	62	86	65	88	91	106	112	113	133	132	161	179	190	214	212	185	129	3,288
Washington.....	20	29	13	15	20	29	29	35	21	26	25	37	40	65	67	73	99	109	104	111	2,635
West Virginia.....	72	60	85	80	85	89	103	91	91	98	110	118	142	150	204	176	193	194	235	217	2,555
Wisconsin.....	406	378	417	386	414	419	390	416	455	471	395	480	468	535	569	638	679	637	698	700	9,988
Wyoming.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<i>The United States</i> .....	9,937	10,150	10,939	10,962	11,586	12,390	13,156	13,989	14,212	14,800	15,687	16,039	17,083	19,063	20,702	22,112	23,198	22,994	23,472	25,535	328,716

[Returns have been received from and are included above for about 96 per cent. of the counties in the United States, covering over 95 per cent. of the population. The counties from which returns are not included are wholly the most distant, inaccessible, and sparsely settled.]

PHILADELPHIA, SEPT., 15, 1889.

REV. AND DEAR SIR :

The following address on the subject of "Marriage and Divorce ; or, Laws Affecting the Family," was delivered at a National Conference on the Christian Principles of Civil Government, held in this city in April, 1888. The statistics appended are taken from advance sheets of the yet unpublished report made to Congress in February of the present year, by the Hon. Carroll D. Wright, Commissioner of the Department of Labor. We place them in your hand, with the following specific requests :

1. We ask you to discuss this subject in your pulpit with the care and thoroughness which its importance deserves. Sound instruction in the moral principles underlying the family relation is needed as never before. The nation's guilt incurred by corrupt legislation should be faithfully pointed out by the ambassador of Christ. The church, too, has vital interests here, for if the evil continues it will infect her life and corrupt her discipline. The interests of souls, of the church and of the commonwealth call on the Christian ministry to lead the way in a true reformation.

2. We ask you to discuss the subject as opportunity is afforded you in the public journals, both religious and secular, local and general ; and, especially that you will allow no false, unchristian teaching on this vital subject to pass without your protest.

3. We ask that this matter may be brought up in all church courts or representative bodies, from the lowest to the highest, for earnest consideration and faithful deliverances. The action of the Protestant Episcopal General Convention in 1886, forbidding clergymen of that church to join in marriage persons who have been divorced for insufficient cause, has had wide influence for good beyond the limits of that body. Every branch of the Church should thunder her unceasing protest against laws which sanction adulterous marriages, corrupt the family, and invite the dissolution of the home.

4. We appeal to you scrupulously and vigilantly to refuse to solemnize marriage between persons one or both of whom have been divorced on unscriptural grounds ; and, in general, to refuse to marry any persons who are unknown to you unless they are vouched for by responsible parties as being morally free to enter into this holy relation.

5. We ask you to sign, and forward to this office for transmission to Congress, the following, or an equivalent, petition :

*To the Senate and House of Representatives in Congress assembled :*

In view of the inconsistencies and contradictions, and in many cases the positively immoral provisions, of our divorce laws, the undersigned, citizens of the United States, respectfully request your honorable bodies to take steps for the enactment of a national Marriage and Divorce Law, carefully conformed to the moral laws of the Christian religion.

Will you also secure the utmost possible number of additional signatures? Two blank petition tablets, one for each house of Congress, will be sent to any one forwarding two cents for postage.



6. Meanwhile, since the procuring of national legislation will be tedious and uncertain, we ask you, by a personal letter or jointly with your fellow citizens, to lay these facts and arguments before the Governor of your State or Territory, asking him to recommend to your Legislature such changes in your statutes as will tend to relieve the conflict of laws, and bring lax laws to a better standard.

7. We ask you, in conjunction with your fellow citizens, to ascertain the number of divorces granted in your own county, and the proportion which they bear to marriages and to population; and to inquire how far, under the laws of your State, the discretion of the judges, supported by a stronger public opinion, could be exercised to lessen the number of divorces.

The National Reform Association invites all Christian citizens to hold County Conferences on the Christian Principles of Civil Government, similar to the National Conference at which the following address was delivered, as the most effective way of bringing this and kindred subjects before the public mind. The full proceedings of this National Conference (pamphlet, 176 pp.) will be sent, post paid, to any address for twenty-five cents.

8. Will you not procure and circulate, or aid in circulating, suitable literature on the right side of this question. Copies of this document in which this letter to clergymen is replaced by an appeal to citizens, can be obtained as follows: Single copies, 2 cts.; in quantities, 15 for 25 cts. Contributions to aid in distributing it are respectfully solicited. Those who receive it and are stirred by it are requested to order it, on the foregoing terms, to be sent to lists of names which they may furnish.

9. The National Reform Association is composed of a great body of citizens, united to maintain and promote the influence of the Christian religion in the American government. Full information concerning its work, together with the Call for its next National Conference to be held in Washington City in April next, will be sent FREE to any address on application. Your co-operation in its labors is earnestly requested.

We appeal to you, together with the whole body of the Christian ministry, to all of whom, so far as possible, this document is sent: Shall we not make a united and determined stand in the name of Christ against these fearful evils? Can we not turn the tide, so that the next ten years shall show a marked proportionate decrease in the number of divorces? Let us hold up boldly and uncompromisingly the law of Christ as the standard for all our legislation and for our whole social life. The Lord will honor and bless his own truth. With the power of the Spirit for our help, and with the prayers and sacrifices of our fathers recorded on high as they labored to found and maintain a truly Christian State, we must not despair of the Republic.

Hoping for your cordial compliance with these requests, I am, in behalf of the Association,

Yours truly, T. P. STEVENSON,

Corresponding Secretary, N. R. A.

Address, 1520 Chestnut St., Philadelphia, Pa.

## MARRIAGE AND DIVORCE.

BY THE REV. HERRICK JOHNSON, D. D., CHICAGO, ILL.

The essential elements of modern civilization may be grouped as theistic, individual and social; involving the idea of God, the idea of a personal, responsible self, and the idea of fellowship.

The idea of God is a potent and pervading factor in the life of to-day, for modern civilization is unchallengeably Christian.

An intense individualism is also the mark of this later civilization. The essence of the Protestant principle pervades the modern world. Institutions are for man; not he for them. The right of private judgment, the ought of conscience, the imperatives of reason, personal liberty and personal responsibility in all realms—it is the recognition of these that has led to a new conception of the dignity and worth of the individual man.

But the social element is equally an essential feature of the age. It is the deepening sense of brotherhood, leading to a community of interest, finding expression in the family, in the sweet amenities and sanctities of home, in the care of the unfortunate, in the elevation of woman, in the comity of nations, in the mighty missionary movements of our time, by which the world is made to thrill with the thought of divine Kingship, as if, in very truth, all the nations of the earth were of one blood.

These three essential elements of modern civilization, the theistic, individual and social, all have vital relation to this question of Marriage and Divorce. The very highest sanction of the Institution of Marriage is that God is behind it, as its authoritative founder. The chief peril that menaces it is the assertion of a perverted and extravagant individualism. And the social element gets its most perfect realization in marriage, the glory of which is that thereby "they twain are made one flesh." For the one fundamental thing in society is the family, in whose bosom are the chastities that keep life's fountains clean and sweet. The last analysis of civilization is not solitude but a home.

Marriage thus takes on certain recognizable and indispensable features.

Its monogamous feature. If we go back to the beginning of the race we hear the first man saying of the first woman, "This is now bone of my bone and flesh of my flesh." We hear the divine conclusion from this premise: "Therefore shall a man leave his father and mother and shall cleave unto his wife." Thus God put his seal upon the nuptials of two souls, and instituted monogamy as the law of the race. Polygamy was an after growth, a fungus, in the interests of carnality. When woman ceased to walk singly with her husband in the glory of wedlock, and came to be kept in herds, subserving a herd's uses, down went the family. Home, in



our best sense of the word, became unknown to heathenism. The daughters of Israel were, to some extent, "sheltered from the wild storm blowing elsewhere," for it was along the line of the families of the tribe of Judah that the Redeemer of the world was to be born. And a bosom must be kept pure for that holding. But outside Judaism it was blackness of darkness for woman. Only when the blessed Son of God himself solemnly repeated and ratified the indissoluble bond of Eden, and gave new sanctity to wedlock by the words, "What God hath joined together let not man put asunder," was marriage restored to its true place.

Another feature of marriage is its unique and matchless unity. It is not a mere physical connection. While its physical basis is in sex, it goes far deeper than that. "Bone of my bone and flesh of my flesh" means more than relation. Partnership for mutual uses tells nothing of the story. Contract may bring contact, but it is not a blending in sympathetic and vital union. Nor is love all. Love is much. But mere love may degenerate into passion, and as a wild fury of the heart take the bit in its mouth and leap all barriers. The union is moral as well as affectional. It binds the whole nature. It grips the conscience and harnesses the will and commands the reason as well as dominates the affections.

Hence its indissoluble feature. The tie is irrevocable "till death us do part." It is God's ordainment, not man's engagement. They twain become one flesh. Will you tear flesh apart? What God hath joined together let not man put asunder. If dissoluble, wherein does marriage differ from concubinage. But it is urged that the heart has rights and that the vows of eternity are impossible. One well replies who says, "Love has rights, for the forming of the conjugal union, but it has none at all for dissolving it. To the principle of the heart's liberty, we must oppose that of the heart's fidelity. And herein we assign to it an office more beautiful and a glory more pure than if we claimed for it the privilege of giving itself up to chance and of changing its object without ceasing."

But God's ordainment of irrevocable wedlock is not arbitrary. It is founded in the very nature of things. The engagement not to break the chain is inherent in marriage. Far too many interests hang on the indissolubleness of the union, to make it the adjustable thing a contract is. The welfare of the whole of society is wrapped up in the sacred inviolability of this bond.

And here we reach its feature of sanctity. Marriage is more than the union of two souls. It is the fountain of life. Here are formed those outward breathing types we call our children. The home is therefore the bond and cement of the race. The family links together successive generations, does not and cannot live to itself. "Bone of my bone and flesh of my flesh," tells only half the story of the family union. A deeper mystery of life appeared when Eve said, "I have gotten a manchild from the Lord." Soul of my soul expresses more nearly the relation of parents to offspring. The

family likeness goes a good deal deeper than the flesh. Many a father and mother can testify to this truth. They have seen occasional flashes of their child's spirit that told of fires within which they knew were not lighted there but transmitted. We do hang on one another in this fearful way. Hooks of steel do not begin to tell the closeness and the strength of this inner spiritual relationship. Jesse Pomeroy, the child-fiend, did not drop by chance out of the sky; nor was he flung up by some freak of demons from the pit. The roots of his nature struck back somewhere in the beings that gave him birth; just as the roots of Timothy's unfeigned faith struck back in his grandmother Lois and his mother Eunice.

And what honor of chastity is born and nurtured in a pure home—an honor that has held many a young man to virtue amidst the foulest pollutions of the world. "My Mother!" What millions owe to that memory their chaste lives and their reverent esteem of womanhood. And what is the one thing to which a man that has become tainted and defiled looks back with a kind of deathless reverence, and that amidst all the pollutions of his heart and life keeps up the dream of a possible restoration! What but the boyhood image of a pure Mother! Is that a pagan idea? Can you find it in pagan art or literature? It was in a Galilean sky God set this matchless star.

And again: How all the long dependent infancy and childhood is fitted to tie hearts together. "Home, sweet Home"—how that strain has dimmed the eyes when sung out at sea, or by camp fire, or on some foreign shore. Thalberg, by the mere playing it on an instrument, could make men weep. All the chords of the heart seem to thrill and vibrate with music full of tears when that word is struck. The old house, the saintly faces, the bosom covert and dear caress, within which childhood wept its tears and breathed its confidences; the outgoings and incomings; Mother, Father, the dear dead of the family—who that knows anything of these does not know that they are the memories the heart will not let die.

Whether, therefore, we consider the intimacy and oneness of marriage, the tremendous bearing of chaste or tainted thought and life at this fountain of life, the wholesome restraints by which the wild furies of the heart are reined in with invisible curb and bit, and made to minister to high endeavor, the graceful amenities and loving sacrifices begotten of kinship and dependence, and the immeasurable possibilities of every sort that are wrapped up in wedlock, we see what a heritage it is for our keeping and joy, we see how its duties are the last that should be trifled with, how we should set it about with sacred shields, and how utterly inviolable should be its sanctities.

Clearly, then, anything that threatens to break up the family, by loosening its ties and absolving from its solemn obligations, strikes at our most fundamental institution, and is the most serious menace to our social order.

I make bold to say we are confronted with just such a peril to-day in easy divorce. It has thrust itself widely and viciously into our legislation. It has become imbedded in our laws. In spirit and effect it is completely



revolutionary and destructive. It is breaking up thousands and thousands of homes every year. It is snapping most sacred and God-ordained ties as if they were withs of tow. Through this open door of easy divorce the inestimable blessings of home and marriage are taking their flight, and in are coming a brood of yelping passions; and God's terrific words, "I will curse your blessings," is having an ever-widening fulfilment.

Look at our laws. Detailed enumeration is here impossible. But the grounds of divorce, in the great majority of States, range in number from six to ten. They are chiefly impotency, adultery, cruelty, drunkenness, crime, abandonment, neglect. South Carolina has repealed all laws permitting divorce. New York divorces only for adultery, standing alone with the statutes of God in this matter. Every other State steps away from this solid ground of Scripture, and in the very face of Christ's solemn command puts asunder man and woman for causes that in many instances make marriage a mere convenience and its solemn bond a farce. Alabama divorces for "reasonable apprehension of violence endangering life or health." Arkansas for "personal indignity that shall render the condition of the applicant intolerable." Colorado for "failure to make reasonable provision for support of the family for one year." Ohio for "any gross neglect of duty." Arizona, "whenever the judge decrees the case to be within the general mischief the law is intended to remedy, or within what it may be presumed would have been provided against by the legislature . . . had it foreseen the specific case." In Connecticut all divorces are absolute, and after divorce either party may marry again. With such laws for a basis of action, and with a vicious system of divorce brokerage, and the loose procedure and swift celerity of process in many of our courts, is it any wonder that we have come to a wild license in this regard? Here are all the commonwealths of this Christian nation, with two significant exceptions, thrusting the sword of the State into that most sacred relationship of life in which two have become one flesh, and cutting that flesh apart, though God has thundered his prohibition of the lawless surgery. We are authorizing by express statute the living together of men and women in what the Son of God stamps, in clear and unmistakable terms, as open adultery. "I say unto you, Whosoever shall put away his wife, except for fornication, and shall marry another, committeth adultery. And he that marrieth her when she is put away committeth adultery." Matt. xix. 9. "Both these parties are living in adulterous connection; for the divorced woman, divorced on any other ground than that warranted by Scripture, is still, in the eye of God, the wife of the man who put her away. According to Christ nothing but death or adultery can break the marriage seal.\*

As these loose laws of divorce have gone down on the statute books, they have been accompanied by a startling increase of divorces. Minute tabulated statistics cannot be given in the limited space allotted to this discussion. But the facts are alarming. As brought out in official reports, Connecticut's ratio of divorces to marriages is about one to eleven. The average for ten years in one of the counties of Connecticut was one to six and a half. Massachusetts has steadily advanced her ratio. It was one divorce to fifty-one marriages in 1860. In 1886 it was one to twenty-eight. Rhode Island, Vermont, Maine, Ohio, have gone on the same descending road with all too eager feet. Rhode Island and Maine have struck as low a ratio as one divorce to ten marriages. Ohio one to sixteen. California, in twenty-nine counties, one divorce to a fraction over seven marriage licenses. Chicago one divorce to eight marriages. Indiana one to eleven. Denver one to a little less than four! If statistics were available for the entire country, the result would not greatly differ. Think what these figures mean. They mean that from five to fifteen per cent. of the families in important sections of our country are being cut asunder by this awful surgery. One divorce to every dozen marriages means that one marriage in every twelve is doomed to a violent disruption. This is what we are to-day providing for by our lax laws. This is the way we guard the most sacred and fundamental institution of our social life.

I know the plea made in extenuation; that love has rights and liberties as well as duties, that intolerable burdens are not to be bound forever on souls by the ligatures of wedlock, that mismatched hearts ought not to be kept in a lifelong misery, and that the sins of unchastity will themselves be lessened by opening these gates to freedom. "Why should a husband and wife be compelled to live with each other after love is gone," asks a jeering Ingersoll.

But when love voluntarily assumes the obligations of marriage it surrenders its right to wander. Its liberty is license. And while the law of the indissoluble marriage bond does sometimes bear hard on the individual, so that the home becomes a cruel mock and travesty of what love pictures it and God would make it, it must be remembered that this is no argument for the loosening of that bond when the loosening makes more hurts than it heals. The rights of the few are wrongs when they can be had only by the destruction of the rights of the many. Marriage roots itself too deeply and widely in our life to be rudely slashed by the knife of reform in the effort to cut off an infrequent excrescence. We must not spread the virus by the method we take to get rid of it. Better let the fire burn itself out than scatter the flames by an effort to repress them. It stands to reason that the prospects of easy divorce multiply inconsiderate marriages. And if men and women are made to know the unalterableness of the words "till death us do part," they will not rush so headlong into the vows of wedlock. We guard the way into this most sacred of all human relation.

\* If the doubtful passage in 1 Cor. vii. 16 be construed as justifying divorce in all cases of wilful desertion, then that too may be named as a Scriptural justification for breaking the marriage seal. But it is questionable whether any liberty of divorce and re-marriage can be derived from this word of God. And in any event the liberty is to be used only in the clearly expressed and very narrow limitations.



ships, by narrowing the way out. When we shall make the exit what God has made it, we shall be sure of shielding best, and for most hearts, this fairest domain of earth. "It has been maintained," says Woolsey, "that facility of divorce is necessary to prevent infractions of matrimonial rights; but under the Empire (Roman) although neither law nor opinion set up any strong barriers against divorce, adultery was exceedingly frequent. The crime burst out like a plague in the very highest classes." Gibbon corroborates Woolsey. He says (vol. v., p. 55), "A specious theory is confuted by this free and perfect experiment (at Rome) which demonstrates that the liberty of divorce does not contribute to happiness and virtue."

Statistics on this point are not widely available; but so far as furnished they support the view that sins of unchastity, instead of diminishing, positively increase, with easy divorce. Let Ingersoll's doctrine once come to be widely accepted, that husbands and wives are not compelled to live together when love is dead, and we shall soon see an appalling license of impurity. Massachusetts increased her population fifty per cent. in the twenty years prior to 1880. During this period she more than doubled her divorces. But in these twenty years, while crime in general increased only twenty and four-tenths per cent., crimes of unchastity increased one hundred and seventy-four per cent.

Doubtless this is not wholly, nor chiefly, cause and effect. The truth probably is that each of these spots in our social life is closely related to some deeper, underlying trouble. But it proves beyond question that easy divorce is no cure for adultery, or any other crime against chastity. How could it be. The marriage tie is a sacred shield of virtue. Cheapen the marriage tie and you cheapen virtue. "A mischief preying upon the vital bond of the family—that is, upon a union of the two sexes in marriage—must inevitably send its poison through the whole system."

But after all divorce is more a symptom than it is the disease itself. It betrays the evil. It does not account for it. Why do men and women grow restive under the restraints of the marriage vow? Why are they increasingly ready to tear up the very foundation of home, and to assert a right that flies in the very face of a divine ordinance—the right freely to put asunder what God has joined together! Clearly because the high ideals in connection with the family are fading out of men's minds. Because the home atmosphere has been widely pervaded by a subtle poison. Because the sacred precincts of the household have been fouled and slimed by insidious and subtle suggestions of oppressive restraint on the one side and of gilded license on the other. Whence have these vile necromancers come? Who are these syren charmers that have been playing such fatal mischief with the affections and passions! Can we name the causes that have bred this discontent and produced this disintegration—a discontent and a disintegration that only need go far enough, and strike homes enough, to turn our social order into chaos! Discriminating clearly as to the causes of this

grievous social hurt, we shall be on the sure road to the remedy. I must dismiss many of these causes with scarcely more than a word.

Loose divorce laws undoubtedly have their influence. They invite a short cut to freedom from infelicities and incompatibilities that would be borne and conquered, if there were not set before the married this open door.

Intemperance is a fruitful source of this evil. It blights here as it blights everywhere. It changes habitations of love and joy into those of hate and sorrow. Among all the indictments of the liquor saloon this is the blackest, the curse it is to the family, the beastliness and cruelty and lust and violence it belches from its mouth of hell and flings across the threshold of the home.

The unbalanced pressure of individualism is another source of trouble in our social life, loosening the ties of home and weakening the family principle. All the currents of our political and religious life have set to independency. Personal liberty, the individual as the unit of the State, protest against domination and dictation, disregard for a common standard of action—these have had tremendous emphasis in our national and social life. The principle was at the base of the Reformation. It gave birth to our nationality. It was accentuated in our civil war. It is an essential element of our modern civilization, an insistence upon the dignity and worth of the individual. It cannot be too strongly held. But it has been too exclusively held. We have allowed it to monopolize emphasis, until it has nursed a spirit that will not brook even the restraints of home and marriage when they come to fret the soul or hinder its fullest self-assertion. We must balance this modern development, which Herbert Spencer calls "a tendency to individuate," by maintaining, with a more commanding earnestness, the unity and purity of the household. We must insist that the home is our chief citadel, to be held at all hazards; that we best serve the individual when we serve home best; that personal suffering must sometimes be the price we pay for the larger good. And we must put thunder enough into our protest to stop the legislation that would relieve the individual by stabbing the family. Better let an ill-begotten marriage stand, when once consummated, than expose all wedlock to the wolfish jaws of our modern divorce.

Another influence threatening family disintegration is mercantilism—the engrossing, invading, assaulting spirit of traffic. What helps homes? The development of high ideals. The patronage of culture. Wholesome education. The daily association and commingling of the household. Attention to the finer and unexpressed needs of wife and children. Have these been given? Alas, the drive and worry, the rush and roar, the press and stress, the absolute tyranny of the mercantile spirit in all our cities, is proverbial. And the cities hold the key to the social situation. What is the result? Palatial hotels, unrivaled railways, unlimited extension of telegraphs, monster corporations, mammoth monopolies, indeed, but in politics



the chief, almost the only, question, the tariff; municipal government, "the worst in the world;" brain monopolized by vast industries rather than high ideals; an increasing tendency to a social usage separating the sexes, sending the men to their clubs and the women to their receptions; and parents farming out their children to nurses, half justifying the stinging taunt that "the animals know how to take care of their young better than we do." Husbands and fathers, we must break the spell of this spirit sufficiently to make of the nation something more than a shop, and to create and keep in our children a reverent and profound regard for home, or the clamor for divorce will ere long be a good deal wider and a good deal louder than it is to-day.

Another prolific source of family disintegration and divorce is a pernicious literature. The vile books are afloat, and they are multiplied as the frogs of Egypt. They are sold at every news-stand. They are placarded and trumpeted by every possible device—books that trifle with marital vows, that make a mock of its high solemnities, that play fast and loose with that holy thing we call virtue. Is this the language of extravagance and professional narrowness? Listen to this indictment which I picked up not long ago from one of our leading dailies: "It is rare to take up a modern so-called society novel that does not make light of marriage and have for its heroes and heroines married people seeking outside affiliations, or mourning and whining over the fate that brought them together." This testimony finds its ample corroboration in some of the accepted canons of this much vaunted literary realism, such as "Truth to Nature;" "The courage to picture men and women as they are." And Howell lauds with fulsome panegyric its chief apostle, Tolstoi, as the greatest of novelists living or dead. And we go to Anna Karenina for the justification of this high eulogy, and we find that "the courage to picture men and women as they are" consists in the effrontery that lifts the veil from lust, a simple refinement of the brazen thing that finds its coarser expression in Zolaism, and its unbridled license of speech in harlotry. And this pernicious kind of stuff is dignified with the name of "character analysis" and "truth to nature," and goes circulating through all our social life, to vitiate its atmosphere and infect it as a plague.

I name one other source of our social trouble—a pernicious drama. What are most of the popular plays but scenes in which marital rights are played with as a foot-ball, and vice is gilded and made alluring with every sensuous and scenic attraction; in which e. g. Modjeska is criticised as too refined and intellectual to meet the animal demands of the leading part; in which the plot hinges on a violation of the vows of wedlock, or some other soiling of a chaste life.

This is no burst of puritanic extravagance—no guess work or freak of the imagination. I speak what I do know when I say that this is being done week in and out, month in and out, not only in the low varieties but

at all the first-class dramatic establishments. I see crowds of young men and women flocking to plays, that I know (for I have read the plays)—that I know are murderous assaults upon home and marriage, and surely such scenes and sentiments cannot be made familiar, without letting down the high standard of virtue, and honeycombing with false and fatal notions every view that may have been cherished of the sacredness of wedlock and the indissolubleness of its ties. Surely it must be clear to all good citizens and friends of decent and cleanly homes, that public sentiment must be changed on this matter, and that these assaults must be met with indignant and effective protest, or the trouble in our social public will, ere long, break out in worse symptoms than easy divorce.

What can be done? Much every way.

Let us here and now consecrate ourselves anew to the active and earnest defence of the family against all subtle agencies that would tear its dear shields away. Let us brand with hot and righteous speech the attempt to thrust into the atmosphere of home, either by vile books or a vile stage, the poison of libertinism. If Prof. Phelps is right, that "a nation of Mormons is impossible but a nation of libertines is not," let us see to it that this insidious social menace at our very thresholds gets at least as scorching thunderbolts as distant Utah! Let us guard against the encroachments of mercantilism. Let us cherish, and cause our children to cherish, lofty ideals and facts and faiths. Let us pray God this day and all days to help us fill our homes with sweet amenities and charities.

And as to our laws of divorce let us dare to have the truth told. Let us dare to tell it, one and all. Let every pulpit, every church, every ecclesiastical body, all Christ's loyal hosts insist and proclaim that these laws must be taken from our statute books. For by these laws we are challenging the way of the Almighty in Love's most central seat. We are assuming to know better than He what will best protect the home and do the largest justice to man and woman in the holy bonds of matrimony. We are outlawing divine law by our human law, and at the point in our social life where every interest of the family and every interest of the State should plead for stay of the irreverent and challenging legislation, lest God give us over to a riot of lust, and this fairest heritage left us of Eden became a moral cesspool. We are ruthlessly breaking God's seal that he has solemnly used for wedlock, and substituting a seal of our own, stamped with the national device; and are thus guilty of the monstrous usurpation of setting ourselves up in the place of God, and calling that a legitimate and chaste union which He has pronounced adulterous. And we are doing this deliberately, intelligently—not in "the times of this ignorance," but in the full blaze of gospel knowledge. And it may be questioned whether the implication of divine warrant for all this is not given, in some high quarters of learning and culture, and by even some ambassadors of Jesus Christ, by the easy way in which the writing of bills of divorcement by Moses, in conces-



sion to the hardness of the people's hearts, is made to justify the modern legislation that licenses the grog shop. And it may be doubted, also, whether very many of us who are called to perform the marriage service are not guilty of a thoughtless complicity in this matter by the easy way in which we have accepted a legal permit from the State as our authorization for the celebration of the nuptials, without any adequate inquiry as to whether the parties had divine warrant for their wedlock—as if the seal of a State and the license of a Court could absolve us of all responsibility in our official celebration of the nuptial ceremony!

I recently asked of one of our Judges at Chicago, who has been ten or fifteen years on the bench where these suits are heard, "What are the latest signs in the divorce business?" "The latest signs are these," said he, "that adultery is getting more and more common as a ground of divorce, and that the trouble is spreading more and more upward among the better classes."

A voice sounds out of heaven, saying, "They have sowed the wind; they shall reap the whirlwind." "The nation or kingdom that will not serve God shall perish." A nation's laws are the expression of its conviction and life. The King of the nations put his hand solemnly on the institution of marriage and said, "What God hath joined together let not man put asunder." Our divorce laws are in direct, open, flagrant contravention of the divine law. There is but one conclusion: We must change these laws or God will curse our blessings.

### THE LATEST FACTS CONCERNING DIVORCE.

[From the "Christian Statesman," September 19, 1889.]

Two years ago the National Congress appropriated Ten Thousand dollars to bear the expense of an inquiry into the working of Marriage and Divorce laws in the United States, and assigned to the Hon. Carroll D. Wright, of Massachusetts, Commissioner of the Department of Labor, the duty of collecting the statistics. His report was made to Congress on the 20th of February, 1889, and when printed will make a volume of more than 1000 pages. The table on the second page, taken from advance sheets which Mr. Wright has furnished, reveals a painful and alarming state of social morals.

The whole number of divorces granted in the United States in twenty years is shown to be 328,716, or almost one third of a million. Still more ominous is the steady increase during that period, not only in the number of divorces but in the proportion which they bear to marriages and to the population. While the population of the country, from 1867 to 1886, increased 66 per cent., i. e., much less than doubled, divorces increased 156 per cent., or far more than doubled.

This report presents a full exhibit of the laws of the States and Territories relating to Marriage and Divorce. We have forty-six sets of laws, no two of which are alike, while nearly all have departed widely from the standard of Christian morals. Some of them have multiplied shamefully the causes for divorce, and the divorces are usually absolute, leaving both parties free to contract other marriages. The State thus sanctions unions which must be condemned as adulterous, and takes upon herself the guilt of these abomination. A man may obtain a divorce in one State and be legally remarried there, while he is liable to prosecution for bigamy if he returns to his former residence, and the children of the second marriage are legitimate in one State and illegitimate in the other. This conflict of laws is not only troublesome, but demoralizing, since it educates the public mind away from the idea that there is any moral standard which governs the whole matter.

The effect of lax laws in increasing the number of divorces is very manifest. Vermont, for example, relaxed her laws in 1870, and the average annual number of divorces for the next five years, compared with the years preceding, rose from 155 to 181. In 1878 some restrictions were imposed, and the number of divorces sank at once from 192 to 132; another salutary change in the law in 1884 diminished them in one year from 198 to 91, while with the repeal of these restrictions the next year, they rose again to 129.

Other tables in the report show the proportion of divorces to the number of married couples in the several States. Thus, for example, in Arkansas, in 1870, there was one divorce to every 810 married couples in the State; ten years later, one to every 326. In a few other principal States the proportion is as follows:

	Married couples to one divorce.			Married couples to one divorce.	
	1870	1881		1870	1880
California,	355	239	Massachusetts,	681	566
Connecticut,	246	341	New York,	1133	1151
Illinois,	47	271	Pennsylvania,	168	851
Indiana,	271	262	Ohio,	507	389
Iowa,	395	306	Whole Country.	664	479

See now in Pennsylvania and New York, where the laws, and the practice of the courts, are comparatively sound and wholesome, how small is the proportion of divorces. See in Connecticut, whose "omnibus clause" was repealed in 1878, what a marked improvement appears in 1880; and see in all the rest, and in the whole country, how the proportion rises! "Taken as a whole," says the Rev. D. Convers, in the work announced on another page, "the lines slope ominously downward. And they are likely so to do until we work a revolution in the minds of men. Possibly we might change the law here and there, but the altered law will not stand long without a public opinion to support it. We will rejoice in and co-operate with any change in 'rules of court' which will make divorces harder to get; we will co-operate with and rejoice in any law which will lessen the causes for divorce, and make the requirements as to residence, etc., more stringent; but the work of the reformer will not be done until we have made the people as a whole own the divine rule, 'once married, married till death,' and make them understand that in upholding the indissolubility of marriage they are upholding religion, morality, and happiness too."



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No other paper in the United States has discussed so carefully the Sabbath question and the great principles on which alone our Sabbath laws can be maintained.

The *Christian Statesman* stands alone in the use which it has made of the statistics contained in the remarkable report presented to Congress in February of the present year on the working of Marriage and Divorce Laws throughout the United States, and in its advocacy of the special measures of reform which these startling facts so urgently call for.

No important movement in the moral and religious world, such as the Woman's Christian Temperance Union, the Young People's Societies of Christian Endeavor, the work of the Evangelical Alliance, or the progress of Foreign Missions, has failed of record in these columns.

An increasing number of thoughtful minds have sought the *Statesman* as a medium through which to address the public.

The steady enlargement of the National Reform Movement and the great National Conventions which have gathered under its auspices, have helped to enrich its pages with matter of the highest interest and value.

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