

to lead people to believe that they are not married—that they are bachelor and spinster. There is just a danger, in all the material that is coming out now that has no real bearing upon the points to be legislated upon—these matters are altogether apart from the letter, and there is a danger that the real point may be obscured by the side issues and by the cloud of theological distinctions.

*Hon. Mr. Lee* : I do not think they will. I think we appreciate the difference between the ceremony they adopt and the outside allegations.

*Rev. Howard Elliott* : And the policy pursued by these people. Dr. Cleary admits that the issue of the certificates he mentions not only validates the marriage, but also legitimizes the issue.

*Hon. Mr. Lee* : According to their faith.

*Rev. Howard Elliott* : Yes, but the inference is that otherwise the issue would be illegitimate.

*Hon. Mr. Lee* : According to their faith, which you object to being stated outside.

*Rev. Howard Elliott* : Yes—statements invading the rights of the individual outside. That is the point to be legislated for, not the right of the Church to issue what they like in the way of certificates, or teach any doctrine of marriage they choose, so long as it does not override the State.

*Rev. Mr. Wood* : May I ask if Dr. Cleary's letters are to go into evidence? Is this evidence to be printed and circulated as a parliamentary paper?

*The Chairman* : Yes.

*Rev. Mr. Wood* : Well, I feel that I am placed at a very serious disadvantage. For instance, an article by the Rev. Gray Dixon is referred to, one that appeared in *The Outlook*.—I have *The Outlook* here, the last number, and it protests against Mr. Gray Dixon's opinions. Then, Dr. Cleary refers to the evidence furnished in the minutes of evidence of the Legislative Council's Committee.

*Hon. Mr. Lee* : Perhaps it would shorten the proceedings if Mr. Wood were allowed to write a reply to Dr. Cleary's letter, if he wishes it to go into the record of the Committee's inquiry, and if Mr. Elliott were allowed to do the same.

*Rev. Mr. Wood* : I will if you will allow me. Dr. Cleary refers to the evidence in the Council's minutes of evidence, but the only evidence are the statements that he furnished to Sir John Findlay to make, and we had no opportunity of replying to Sir John Findlay. The evidence Dr. Cleary refers to as proving his statements is simply his own statements.

*Rev. Howard Elliott* : The whole thing is thoroughly unsatisfactory.

*Rev. Mr. Wood* : I really feel, as representing the Presbyterian Church, that I am placed, and the Church is placed, in an unfair position. When this question was first brought up it was the matter of the *Ne temere* decree. Now the whole subject is clouded by insinuations and statements that all the Churches have their *Ne temere* decrees, and the Presbyterian Church has had no opportunity of showing that that is untrue. The Church of England also has had no opportunity.

*The Chairman* : We invited them. They have had an opportunity of giving evidence. They could come to this Committee if they saw fit.

*Rev. Mr. Wood* : The Rev. Mr. Hunter, of Oamaru, replies in this week's *Outlook* to the Rev. Gray Dixon's extraordinary article, and points out that the statements in it are inconsistent with the declaration made by the Presbyterian General Assembly in 1911.

*The Chairman* : You could cover those points, as Mr. Lee has suggested, in your communication.

*Rev. Mr. Wood* : The Hon. Mr. Lee seems to be impressed with the idea——

*Hon. Mr. Lee* : You must not gather my impressions from questions. I put questions, but you should not come to any conclusions as to what I may arrive at, or you may be very much astray.

*Rev. Mr. Wood* : The point is this : The authorities of the Church of Rome in New Zealand are understood to say that a civil marriage is a civil marriage, and that the children born as the fruit of a civil marriage are legitimate from the standpoint of the law, but that it is not complete religiously, and therefore a religious service is necessary for its completion.

*Hon. Mr. Lee* : It is not complete according to some denominations. It is not complete religiously according to the faith of some denominations : that cannot be gainsaid.

*Rev. Mr. Wood* : There is a civil contract ; then there is a religious ceremony giving sacramental significance, to complete the thing. That is to say, there is a distinction between the contract, so to speak, and the ceremony of religious sanction. That is the attitude that Dr. Cleary and the other representatives of the Church of Rome are understood to take up. I submitted this point to one of the most eminent scholars in our Church, and he thought it was a point that I should press home if I had an opportunity. The authorities of the Church of Rome here recognize the validity and bindingness of the contract, but they say it requires a religious ceremony to complete the thing. I have before me the Syllabus of Pius IX, in which he singles out the errors of the age to be condemned. This syllabus is a canonical authority. The "Codex Juris Canonici" quotes it as authoritative. The point is this : The distinction between the contract and the Church benediction is an error condemned by Pope Pius IX as a heresy, and if Bishop Cleary were here now I would ask him to explain how it is that he is propagating heresy, according to his own Church. Paragraph 66 in Section VIII says, "The sacrament of marriage is only an adjunct of the contract and separable from it, and the sacrament itself only consists in the nuptial benediction." That is an error that is condemned. To make that statement is stated to be a heresy. In paragraph 73 another series of errors is condemned. It says, "A merely civil contract may among Christians constitute a true marriage, and it is false either that the marriage contract between Christians must always be a sacrament, or that the contract is null if the sacrament be excluded." That view is condemned as a heresy. Gladstone, in his "Vaticanism," questioned this phase of the Roman views as regards marriage. He referred to Schrader, a great authority, and Schrader has taken these negative propositions and turned them into positive propositions. This is an error condemned.

*The Chairman* : The greatest service you could render would be the drawing of a clause which would satisfy Dr. Cleary, yourself, and Mr. Elliott.