

*Rev. Mr. Wood :* The Presbyterian Church has not spoken on the matter as a Church, but I have no objection to the clause of the Bill as it is. It is a matter for the Assembly.

*The Chairman :* Can you persuade Bishop Cleary to take no objection to the clause ?

*Rev. Mr. Wood :* I think this is a most important point : Schrader's positive statement is, "No true marriage can exist between Christians by force of a civil contract, and it is true that either the contract of marriage between Christians is always a sacrament, or that the contract is null if the sacrament has been excluded." And Schrader, the expositor of canon law, adds, "And thus, therefore, every connection entered upon between man and woman among Christians, by virtue of a civil law, and without the sacrament, is nothing else than a shameful and corrupt concubinage, condemned by the Church. Therefore the marriage tie can never be separated from the sacrament." When Bishop Cleary amends the catechism by stating that marriage between a Protestant and a Catholic before a Protestant minister or a civil Registrar is not a sacramental marriage, what he says is that, according to the teaching of the Roman Catholic Church just as was said in the previous issue of the catechism—it is not a marriage at all.

W. W. COOK, further examined.

*The Chairman :* You have read the letters received by the Rev. Robert Wood from the Registrar-General in 1912. I understood from your statement the other day that it was quite irregular to issue a second certificate of marriage ? I do not say that. It is not an uncommon thing to issue a second certificate, where persons previously married before a Registrar are subsequently married in a Church.

Then his statements are correct ? Yes.

*Hon. Mr. Lee :* When a marriage is to be solemnized a declaration is made and a certificate authorizing the marriage is issued ?—Yes.

Then, when the marriage takes place before a Registrar the marriage is finished with ?—Yes.

The two people are married : then how can you issue a certificate for a second marriage ? It is not a marriage, because the people are already married under the law ? Well, it has been done.

What is the authority for it ?—The opinion of one of the Crown Law Officers.

What is your view of the practice of issuing a certificate authorizing a marriage which is not a marriage at all according to law ?—Where they have been previously married in a Registrar's office and are going again to be married in their Church, I see no objection.

Is it a second marriage ?—It is sometimes referred to as a marriage.

But supposing that people are married before a Registrar, and ten years afterwards you issue a certificate for their marriage in a Church ? I have never heard of that happening.

It makes no difference if it is ten minutes afterwards or ten years ; there would be no objection on account of the lapse of time ?—No.

Well, say ten years afterwards they get a certificate and are married in a Protestant Church, and the clergyman sends in the usual form. How would they be described ? They would be described as having been previously married on a certain date.

Do you enter the second marriage in your books ? Certainly, if it is gone through in the ordinary course.

You enter up that marriage just as a marriage under the Act ?—Why not ? They are married under the law.

Because there is no authority for the marriage of married people ?—It has been done from time immemorial.

Do you appreciate the difficulties that might result ?—I have never known of any.

Would you issue a certificate of the marriage ten years afterwards ?—If they asked for it.

*Hon. Mr. Anderson :* Supposing a question arises as to who is entitled to property ?—That question does not concern us.

Do you count the second marriage as another marriage in your statistics ?—I do not know what the Government Statistician does. I do not make out the statistics. I simply record the marriage.

*Hon. Mr. Lee :* Could you tell us how many of these second marriages occur in twelve months : would it be hundreds ? Nothing like that. Not more than a dozen. Probably about half a dozen.

For what Churches are these certificates usually issued ? The Roman Catholic will be one ?—Yes.

And the Church of England ?—Yes.

Any other denomination ?—The Methodist.

The Jews ?—I do not think so. In the case I mentioned where there was a second marriage in a synagogue they did not get a certificate.

*Rev. Mr. Wood :* Have you ever known a Presbyterian apply for a second authorization ? I cannot say. I know of a number of cases in the Church of England. Two friends of mine were married in a Registrar's office first.

What was the interval between the two marriages ?—In one case some months, at any rate.

Suppose that a child was the fruit of such a marriage ?—I have nothing to do with that.

*Rev. Howard Elliott :* I think the practice has grown up in some casual way, and then a deliberate legal opinion, such as Mr. Mansfield obtained, has given it a kind of sanction ; but it is a very disastrous practice.

*Rev. Mr. Wood :* Could you say how far back this practice of issuing a second certificate to parties already married began ?—I could produce our legal-opinion book. The legal opinion on the point is very old.

*Rev. Howard Elliott :* I am only concerned with one point, and that is that no person in this country, whether ecclesiastic or layman, shall have the right to call in question the validity—the legal validity or the full and sufficient character—of a legal marriage ; that if he does that kind of thing