

CONFESSION OF FAITH.

CHAPTER 24.-Of Marriage, and Divorce.

V. Adultery, or fornication committed after a Contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that Contract¹. In the case of Adultery after marriage, it is lawful for the innocent party to sue out a Divorce²: And, after the Divorce, to marry another, as if the offending party were dead³.

Question 1.—*Do adultery, or fornication committed after a contract, being detected before marriage, give just occasion to the innocent party to dissolve the contract?*

Answer.—Yes. Matt. 1:18-20. The contract being an espousal to marriage has its antiquity in the first ancient marriage of Adam and Eve. God brought Eve to the man on the first day they were created to see how he would like her, and upon the sight of her, by the wisdom that God gave him, he then took her to himself, Gen. 2:22,23. This taking we suppose to be by contract, because it is evident that Adam did not know Eve until after the Fall, Gen. 4:1. If it is objected that they are called man and wife in the time of innocency, it should be noted that those titles are used in Scripture of those who are only contracted, to show the near and firm conjunction between parties espoused, Deut. 22:23,24. It is also evident in the case of Lot's daughters, who though it is said that Lot had sons in law, Gen. 19:14 ("who married his daughters"—it is better rendered "who should marry his daughters"); yet his daughters were such as had not known man, ver. 8. It is most evident that the law puts a difference between a pure virgin, an espoused maid and a married wife, Deut. 22:22-29. Therefore, contracted persons are in a middle degree between single persons and married persons: they are neither simply single, nor actually married. To show that this custom of a contract before marriage continued in God's church, it is expressly stated that Mary, the mother of our Lord, was contracted, Luke 1:27. The contract being of such great import, there can be nothing to dissolve it but that which is sufficient to dissolve the actual marriage bond, Matt. 1:18-20.

Question 2.—*In the case of adultery after marriage, is it lawful for the innocent party to sue out a divorce?*

Answer.—Yes. Matt. 5:31,32. Adultery after the marriage gives the innocent party the right, not the obligation. It is to be noted that Matthew 5:32 says explicitly that anyone who contracts marriage with a person divorced for fornication is guilty of adultery. Matthew 19:9 says that anyone who divorces his wife, except for fornication, and marries again, commits adultery. Hence the second marriage of the guilty party is sin; and the second marriage of a man, who though he is not guilty of adultery himself has yet divorced his wife without proper cause, is also sin.

Question 3.—*Is it lawful to marry a second wife, after the first is dead?*

Answer.—Yes. Rom. 7:2,3. Thus so they err who deny the right of remarrying to the surviving spouse. They are confuted by the following: 1.) The apostle expressly says that

¹Matt. 1:18-20.

²Matt. 5:31,32.

³Matt. 19:9; Rom. 7:2,3.

a woman, when her husband is dead, is at liberty to be married, 1 Cor. 7:39. 2.) Speaking of young widows, Paul expressly enjoins remarriage, 1 Tim. 5:14. 3.) Husbands, as well as wives have used this liberty, Gen. 25:1.

Question 4.—*Is it lawful after divorce to marry another, as if the offending party were dead?*

Answer.—Yes. Rom. 7:2,3. Thus do the Papists and others err, maintaining that after divorce, second marriages are not permitted to Christians. They are confuted for the following reasons: 1.) Because Christ permitted marriage after divorce, Matt. 5:31,32; 19:9. Here Christ forbidding a man to put away his wife, and to marry another, in express words excepts the case of fornication. Therefore he suffers a man to put away his wife in the case of fornication, and to marry another. 2.) Because the apostle allows that if the unbelieving departs, the brother or sister is not under bondage in such cases, 1 Cor. 7:15. Therefore, if a brother or sister, when there is such a willful and obstinate desertion, is not under bondage, then surely the bond is dissolved: and all remedies being tried in vain, for bringing back the obstinate party, it is not to be doubted that the innocent party may marry another without blame. If this be, then much more may the innocent person marry another, when a divorce is obtained.