

from the Pope, and was there married. This giving of a dispensation, it should be observed, is not a case of granting forgiveness *ex post facto* for an improper act, but *antecedent* and *express permission* to celebrate a marriage, which no Catholic could afterwards characterise as immoral or even inexpedient.

It may be assumed, then, that the Catholic Church sanctions marriage with the sister of a former wife in every case in which the express consent of the Church has been first sought and obtained. And it is a notorious fact, that, in Catholic countries, and in Protestant countries where Catholics reside, such unions are frequent. In France, in the year 1863, 613 dispensations were granted for marriage with a deceased wife's sister. In the legislation under the first Empire, the granting of dispensations was for a time discontinued, but afterwards, in 1832, restored. The following words show the reason of this change:—"Enfin, une autre considération a frappé les deux chambres; c'est la persévérance avec laquelle cette modification de la législation a été sollicitée depuis quinze ans, et les nombreuses pétitions adressées à ce sujet. On a vu dans cette persévérance, et dans des réclamations si générales, l'expression d'un besoin social."^{*}

2. The fact, then, being conceded that marriages with deceased wives' sisters do take place with the sanction of the very highest ecclesiastical authorities of the Catholic Church, can any minister or lay member of that Church, can any person of humane feelings, be indifferent to the question whether such marriages shall have civil validity? Upon the commonest principles of morality it might admit of a question, whether it was justifiable to be instrumental (by granting dispensation) to a marriage which (it was antecedently known) would not be sanctioned by the civil law, which would not admit the inheritance of property, nor

* "Finally, another consideration has influenced the two Chambers; it is the perseverance with which this change in the law has been solicited during the past fifteen years, and the numerous petitions presented. They have recognized in this perseverance, and in remonstrances so general, the expression of a SOCIAL NECESSITY."