

glosses in accordance with the teachings of the Synagogue. They point out to us that the expression "during her life time" limits the prohibition of such a marriage to the wife's life time only, but does not extend beyond it. They also point out to us (*inter alia* Rashi) that the term "Litsror" (to vex her) is a word, the primary acceptation of which is to trouble, to annoy, and, in a secondary sense, means to create or produce trouble or vexation through jealousy—so in the kindred dialects also,—and they add that the limitation to these marriages was instituted because it is neither natural nor proper that sisters, who ought to love each other, should be placed in a position where jealousy or enmity would probably be excited. And, in this connection, I may note that the Mishna (the text of the Talmud), applies a word derived from the very same root, to the polygamist's additional wives, which it styles "tsaroth," or troubles. As a *résumé* of the Hebrew exposition of this text, I will quote from the eloquent and philosophical Don Isaac Abarbanel. He aptly remarks: "The reason assigned for the prohibition is the 'vexation' which the first wife would suffer, but there can be no such vexation in the case of her death, and, therefore, is the marriage with the sister then allowed. It is not allowed, however, if he divorce his wife, because, as she still lived, her vexation would be the same. From the use of the expression, 'during her life time,' we see that all the other prohibited kinds of intercourse are of a permanent and unconditional character, but not the marriage with a wife's sister, respecting which, according to the analogy of the language employed in the other prohibited unions, the expression here should be: 'The nakedness of the sister of thy wife shalt thou not uncover,' which is not used, but in exceptional form employed. But the truth is that the design of the text is merely to prohibit the 'vexing' or afflicting his wife by exhibiting a preference for her sister, and hence again is marriage allowed after the wife's decease."

With this quotation, I think enough has been now written to show what are the views and practice of the Jewish Church in respect to the marriages you desire to legalise in Canada. My best wishes are for the success of your Bill, which I regard as calculated to subserve the cause of civil and religious liberty, which underlies it, and of morality, which it is calculated to promote. When a similar measure of relief, for many worthy and pious persons under the ban of illegal union, was brought forward by Mr. Stuart Wortley, in the Imperial Parliament, during the year 1850, the measure was denounced by an opponent as "scandalous, immoral, and mischievous." But I believe that you will find but few inclined to go thus far in opposing your Bill, especially in view of the fact that many dignitaries of the Christian Church, Protestant as well as Roman Catholic, have pronounced in its favor.

You are fully at liberty to publish this, as you request.

Very truly yours,
ABRAHAM DE SOLA.

D GIROUARD, Esq., M.P.

I believe that, under the circumstances, I can affirm with certainty that the prohibition to marry the sister of a deceased wife, or the widow of a brother, is not against the Scriptures, as the majority of Christians understand them. There is no doubt, moreover, that the Law of Moses is not always a safe guide for Christians. Polygamy, or plurality of wives, was admitted, or at least tolerated, among the Jews. We are assured that Solomon was allowed seven hundred legitimate wives.

MR. BOULTBEE: And he was called Solomon the Wise.

MR. GIROUARD: Mormonism can be defended upon the Leviticus, as well as the prohibition to marry a deceased wife's sister and even better. No one, not even the gallant member for Leeds (Mr. Jones), would dream of introducing Mormonism into our Christian community, because it is to be found in the Old Testament. Finally, it cannot be contended that the restriction in question, which the opponents of the Bill desire to perpetuate and make permanent, is not based upon reason, morality or natural law; there is no blood relationship or consanguinity between the parties. And if the Bill were to make these marriages obligatory as it was sometimes the case under the laws of Moses, one would account for the opposition of the Church of England. But hereafter no more than in the past, do we intend to interfere with the liberty civil or religious of the subject, and the members of the Church of England, whose conscience and faith would forbid those unions, will not in the least be prevented from abstaining from the same. It has been observed that the Bill in its present form introduces into this country civil marriage. It has no such effect, I always understood that the character of the marriage law always depends from the character of the celebrating officer, and so long as this officer shall be the priest or minister of the parties, there cannot exist any reasonable fear that that the marriage shall be civil and not religious. This was the reason which induced the fathers of our Federal constitution to place the solemnization of marriage under the exclusive control of Provincial Legislatures. This great concession was made to quiet the mind of the Catholic population of the Province of Quebec, who,