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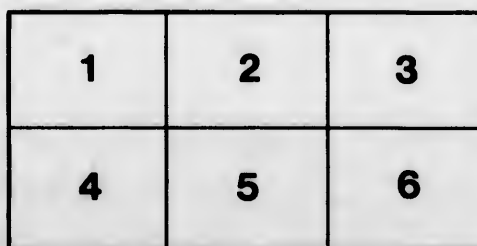
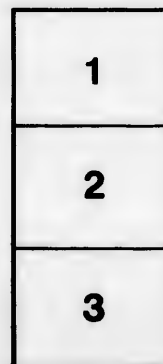
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REVIEW OF A PAMPHLET  
FROM  
THE CHURCHMAN'S MAGAZINE,  
ENTITLED  
MARRIAGE  
WITH  
A DECEASED WIFE'S SISTER;  
A BIBLE ARGUMENT LONG OBSCURED.

BY  
A CLERGYMAN.

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The Writer's Misquotations and Misrepresentations Corrected.

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REPRINTED FROM "THE CHURCH HERALD."

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1. "Holy Scripture containeth all things necessary to salvation: So that whatsoever is not read therein, nor may be proved therefrom, is not to be required of any man, that it should be believed as an Article of Faith, or be thought necessary for salvation."—*Extract from the VI. Article of the Church of England.*

2. "The Church hath power to decree Rites or Ceremonies, and authority in controversies of Faith: And yet it is not lawful for the Church to ordain anything that is contrary to God's Word written; neither may it so expound one place of Scripture that it be repugnant to another."—*Extract from the XX. Article of the Church of England.*

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TORONTO:  
1871.

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## PREFATORY NOTE

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The following pages (reprinted from the *CHURCH HERALD*) contain a brief reply to a pretentious but superficial paper which appeared in the *Churchman's Magazine* for August, and which was afterwards reprinted in a pamphlet.

With the local personalities introduced by the *Churchman's Magazine* and its contributor, we have not felt called upon to interfere; our concern is to vindicate scriptural principles as set forth in the authorized translation of the Holy Scriptures, which may be regarded as expressing not only the true principles of the Church of England, but of Protestantism generally. When attempts are made to set aside, or to set ecclesiastical authority above any great principle of Bible truth, or of human right; they are always begun by attacks upon the authorized translation of the Holy Scriptures, whether made by the sneering sceptic or the Roman ecclesiastic, or the amphibious character that floats between Protestantism and Romanism. We trust the following pages will tend to check such attempts, as well as give information on an important questions of religious and social life.

Toront: 1st September, 1871.

"MARRIAGE WITH A DECEASED WIFE'S SISTER. A BIBLE ARGUMENT, WITH FACTS LONG OBSCURED." BY A CLERGYMAN.

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PAPER ONE.

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SUCH is the title of an article which appeared lately in the *Churchman's Magazine* for August, and which is now put forth in pamphlet form—purporting to be a reply to a letter from the Rev. W. M. Punshon, addressed to Dr. Hodgins, and communicated by him to THE CHURCH HERALD, and inserted in our paper on the 6th ult. It will be recollected that Mr. Punshon's name, as well as Dr. Ryerson's, was improperly dragged before our last Synod in a discussion on the question of marriage with a deceased wife's sister. With the *Churchman's Magazine* writer's personal attacks upon Mr. Punshon we have nothing to do; but to his attacks upon the most distinguished dignitaries and members of our Church, his Coleridge method of destroying all confidence in the authorized version of the Scriptures, and his Romanizing idiosyncracies in the matter, we have something considerable to say.

CAUSE OF AGITATION IN ENGLAND ON THIS SUBJECT.

But before we enter upon the discussion of this subject, we think our readers would like to know the cause of the agitation respecting it in England during the last thirty years. It has arisen from an Act of Parliament passed in 1835, declaring all marriages with a deceased wife's sister, contracted after that date, to be illegal, but legalizing those which had taken place before it. Previous to that time the civil law of England was like that of Can-



ada at the present time ; marriage with a deceased wife's sister was not forbidden by the civil law, though contrary to the ecclesiastical law, subjecting the parties to prosecutions before Ecclesiastical Courts, whose decisions had to be enforced by civil authority—Courts which do not exist in Canada. The origin of the Imperial Act of 1835 (not in force in Canada) is as follows : Two sisters, nieces of the Duke of Wellington, had married Henry Somerset, seventh Duke of Beaufort. The first marriage took place on the 25th July, 1814 ; the second marriage of the Duke of Beaufort with his deceased wife's sister took place on the 29th June, 1822. The issue of the second marriage was Henry Charles Fitzroy Somerset, the present Duke of Beaufort, late Her Majesty's Master of the Horse. In 1835 Lord Lyndhurst introduced a Bill into the House of Lords to *legitimate*, ecclesiastically as well as civilly, the present Duke of Beaufort ; though to do so the provisions of the Bill were of course general. The section of the Lords spiritual and temporal, having most sympathy with Rome, finding that they could not successfully resist the powerful influences brought to bear in favour of Lord Lyndhurst's Bill, prepared an amendment, as a ryder to it, declaring illegal all future marriages of that kind. Lord Lyndhurst was strongly opposed to the amendment or ryder ; but finding that the rejection of it would endanger the passing of his Bill, admitted it ; and it is this invidious and obnoxious provision of the Bill which has caused the agitation in England for its repeal from 1835 to the present time. Some time since an influential English paper. after stating the above facts, remarked :—

“ His grace the Duke of Beaufort attended Her Majesty in the Royal carriage on the opening of Parliament ; he sits in the House of Peers with an unblemished title ; takes precedence of the Bishop of London by forty-and-one degrees ; is patron of twenty-six livings, and has, indeed, every privilege that an Englishman can enjoy ; while the issue of similar marriages, *differing only in the time*

*they were contracted*, are held to have no civil rights at all, tens of thousands of them being declared illegitimate. By a recent decision of the House of Lords, Charles Armitage Brook, the issue of an exactly similar marriage, born in 1854, is declared illegitimate, and his inheritance forfeited to the Crown. We utter not a word of reproach against His Grace, or the amiable and estimable ladies of the Beaufort family; but the public welfare demands that the existence of such an anomaly should be clearly made known, in order to its being immediately remedied."

The British House of Commons have repeatedly, and by large majorities, passed a Bill to repeal the partial and self-contradictory Act of 1835; but the House of Lords, by varying majorities, have persisted in rejecting it. Every just man must feel and say that there can be no justice or principle in an Act which declares the same marriage illegal if contracted since 1835, and which robs a child of his inheritance if born since 1835, while it gives him, if born before that period, vast wealth, the patronage of 26 Church livings, the first rank in the peerage, and even exalts him to be an officer of Her Majesty's household.

#### FUTILE EFFORTS OF THE WRITER—HIS IGNORANCE OF FACTS.

We are mistaken if the *Churchman's Magazine*, with all the writers it can command, will be able to delude any considerable number of the clergy or laymen of our Church to countenance a course characterized by legislative partiality and injustice, and at variance with the plain teachings of the Bible and the unvarying voice of antiquity.

The writer in the magazine pamphlet-article alluded to at the commencement of these remarks, seems, in his rural isolation, to be in blissful ignorance of what has been transpiring in the mother country on this subject during the last quarter of a century. He says: "It is only of late years that the present subject has been brought into the region of controversy." (p. 3.) "The first sounds of the conflict at home have at length reached us." (p. 4.)

Our rural clerical friend appears not to know that scores of publications have been issued, and opposing associations have been in active work on this subject during the ordinary life of man ; that the "*Marriage-Law-Defence Association*," formed with the late Bishop of Exeter (Dr. Philpotts) and Dr. Pusey at its head, has been upwards of twenty years issuing more tracts and appeals on the subject than there are letters in the alphabet ; and that as long since as 1848 a Royal Commission was appointed to inquire into and report upon the whole question.

The writer says again :—

"The great bulk of Englishmen are against any alteration of what is and has been the law of the Church and the law of the land, and which forbids a man to marry his deceased wife's sister. The Presbyterian bodies are all pledged against it. The Roman Catholics are immovably opposed to it ; and only a certain portion of English Non-conformists, with some loose and worldly-minded Churchmen, are to be found to give it a shadow of religious support." (p. 3.)

His statement is not true as to the Presbyterian bodies in the United States, nor as to a large number of their members and most distinguished ministers in Canada, nor as to such illustrious names as those of Dr. Chalmers and Dr. Eadie in Scotland ; it is not true as to English Nonconformists generally. Cardinal Wiseman said the Roman Catholic Church did not hold that such a marriage was prohibited in Scripture, but "is considered a matter of ecclesiastical legislation ;" and when no less than *seven hundred clergymen* of the Established Church petitioned at one time for the repeal of the Act of 1835, including such men as the Archbishops of York and Dublin, the late Primate of all Ireland, and the present Archbishop of Canterbury, any one may judge of even the decency, much less truth of the statement, that only "some loose and worldly-minded Churchmen are to be found to give it a shadow of religious support."

THE WRITER'S RECKLESS STATEMENT IN REGARD TO NON-  
CONFORMISTS, AND HIS SLANDER ON CANADA.

We shall hereafter present the earnest and learned words of many illustrious Prelates of our Church on this subject ; we will merely note here, as an example of this writer's reckless statements, what he says in regard to "only a portion of the English Nonconformists." The London Central Board of the Three Denominations in England adopted a resolution saying, "Such marriage (with a deceased wife's sister) is not only in itself perfectly allowable, but may often be the best which an individual may contract." The Board of Baptist Ministers in London and Westminster adopted a resolution declaring : "In the judgment of the Board, the marriage of a widower with the sister of his deceased wife is Scripturally lawful, and ought not to be prohibited by any human legislation." The famous Wesleyan minister, the late Dr. Bunting, said in his evidence before the Royal Commission : "That the enactments of the Levitical law are entirely misrepresented when applied in condemnation of marriage with a deceased wife's sister was the decided judgment of Mr. Wesley, the founder of our Societies ; and I believe that similar views are entertained by many among us, who have been led by circumstances carefully to examine the matter, and whose competency to judge of such a question has given great weight to their conclusions."

This writer says :—"The general contempt for religious, as opposed to secular law, characterizes the looseness of Colonial populations." This statement is not only untrue, but a calumny upon our Colonial population, which regards religious law as everything, and looks with comparative indifference upon all secular law in religious matters. Such an utterance is the characteristic language of some who come to the colony for the improvement of their own condition, and then magnify themselves by speaking contemptuously of everything Colonial and its population.

VIEWS OF DISTINGUISHED CHURCHMEN OPPOSED TO THE  
MAGAZINE WRITER.

We shall hereafter expose the dangerous criticisms and absurd borrowed fallacies of this writer. We will close these preliminary observations at present with the remarks of two or three distinguished churchmen respecting the Act of 1835. The late Robert Southey said, in a letter to a friend,—“But has it never occurred to you, my dear Wynn, that this law is an abominable relic of ecclesiastical tyranny? Of all second marriages, I have no hesitation in saying that these are the most suitable.” The late Lord Francis Egerton, (afterwards Earl of Ellesmere), said, in a speech in the House of Commons: In 1835 a most important Statute had been passed by that House, under somewhat peculiar circumstances, and he might say, of haste, and want of due deliberation, materially affecting the marriage laws of this country. In this case, the voice of Heaven was silent, and that of man had been given with a hesitation and confusion of utterance that deprived it of its due authority.” Lord Houghton observed, on the same occasion :—“That our Established Church should select one point of the Canon law, and establish an arbitrary limit without giving any power of dispensation. was, he was sorry to say, a very great tyranny, and one which he felt convinced the true principles of the Church of England did not sanction.” We will merely add here the words of the late Dr. Lee, Professor of Hebrew in the University of Cambridge, and afterwards Bishop of Manchester: “From all I have been able to learn on the question, ‘Whether a man may marry a deceased wife’s sister,’ my opinion is that neither does Holy Scripture any where forbid it, nor ever did the Jews.”

## PAPER TWO.

I. We agree with the *Churchman's Magazine* writer when he says: "The Divine authority of the one Law-giver is that to which Christians *mainly* defer"—we add, must *entirely* defer. He further remarks: "It shall be my aim to present the Bible argument fairly and without disguise, *and more* [the italics are his own] *particularly as some very important illustrations lately fell in my way, which I am quite sure are unknown to the bulk of Bible readers.*" So said Bishop Colenzo, when he undertook to give new readings of the Pentateuch, from discoveries newly made by him, and which he was "quite sure were unknown to the bulk of Bible readers." It may be presumed that what is quite new is false in Biblical interpretation, as well as in religion, and especially on a subject which has been discussed by the most learned Hebraists and Divines in England for very many years. Our clerical friend acknowledges himself indebted for these novel illustrations to a writer by the name of Galloway, who published a pamphlet in London last year on the subject; and the pamphlet of this man Galloway seems to constitute the sum and substance of our rural friend's researches and learning on a grave question of long and varied discussion for more than a quarter of a century.

## THE MAGAZINE WRITER'S NOVEL ILLUSTRATIONS AND READING OF THE SCRIPTURE.

II.—One of these novel illustrations is, the denial that Moses ever commanded a brother to marry the childless widow deceased brother, "and raise up seed to his brother; or that the seven brothers mentioned in Matthew, xxii. chapter, verses 24 and 25, were own brothers. Moses said, (Deuteronomy xxv. 5, 6), "If brethren dwell together, and

one of them die, and have no child, the wife of the dead shall not marry without unto a stranger ; her husband's brother shall go in unto her and take her to him to wife, and perform the duty of an husband's brother unto her. And it shall be, that the first born which she beareth shall succeed in the name of his brother which is dead, that his name be not put out of Israel." In Matthew, we are told that the Sadducees came to our Lord, "Saying, Master, Moses said, 'If a man die, having no children, his brother shall marry his wife and raise up seed unto his brother.' Now, there were with us seven brethren : and the first when he had married a wife, deceased, and, having no issue, left his wife unto his brother : Likewise the second also, and the third, unto the seventh. And last of all the woman died also." These words are as plain in the authorized version of the Scriptures as the English language can make them, and as they have ever been understood by the Jews, and by all Christendom, but which are now denied by the writer of the *Churchman's Magazine* on the authority of his man Galloway, in illustrations "unknown to the bulk of Bible readers !" He says, referring to Deuteronomy xxv. 5-10, it is a mere "assumption that the brothers are own brothers, sons of one father or mother ;" "but the assumption itself is to be denied." (p. 12.) "In truth, the idea that the Levirate law contemplated own brothers is wholly baseless and should be unceremoniously abandoned ;" (p. 13), after having said, "It is truly surprising how generally this assumption has been allowed."

Now, upon what ground does this magazine writer, who says he is "entirely indebted to Mr. Galloway" for his proofs, thus deny what has been declared by the Jews of all ages, and all Christendom, to be the plain command of Moses, and recognized by our Lord and his Apostles ? He gives three reasons : The first is the marginal reading of Deuteronomy xxxv. 5, which is "next kinsman." And who, let us ask, is the "next kinsman" of the deceased husband of a widow, but his own brother, if alive ? His



next reason is, when denying that the seven brothers mentioned in Matthew xxii. 24-28, were "all sons of the same parents," a quotation from the "book of Tobit," in which a woman, after having had seven husbands, laments, "I am the only daughter of my father, neither hath he any child to be his heir, neither any near kinsman, *nor any son of his, alive*, to whom I may keep myself for a wife." Now, this writer's own quotation from the Apocryphal book of Tobit contradicts his own assumption and assertion; for how could the woman possibly have lamented that her father had no son alive to whom she might keep herself for a wife, if it was not lawful for her to be the wife of such a son? His other and third "illustration" is, that it "would contradict an express enactment: 'Thou shalt not uncover the nakedness of thy brother's wife: it is thy brother's nakedness.' Leviticus xviii. 16." Now, not to notice the fact that many learned interpreters regard Leviticus xviii. 16, and all the verses preceeding, as referring not to marriage, but to adulterous connexions between near relations; but assuming that marriage is referred to in Leviticus xviii. 16, what is there in it in the slightest degree inconsistent with, much less contradictory to, Deuteronomy xxv. 5, according to the authorized version, since, in the former, reference is made to a *living* brother's wife. and in the latter the reference is to a *deceased* brother's *widow*. The tenth commandment says: "Thou shalt not covet [desire] thy neighbour's *wife*;" but who but such as the magazine writer and his man Galloway would interpret this command as forbidding a man to covet or marry his deceased neighbour's *widow*?

Thus there is not a shadow of ground to justify this writer's denying the authorized version of the Scriptures in regard to the command of Moses as to a man's marrying the childless widow of his deceased brother—a marriage in which there could be nothing improper or wrong, much less immoral, when commanded by God himself.



THE WRITER'S SELF-CONTRADICTIONARY RENDERINGS AND  
OMISSIONS EXPOSED.

III.—We will now consider this writer's criticisms and authorities in regard to Leviticus xviii. 18—the passage on which the whole controversy turns. The words of the authorized translation are as follows:—"Neither shalt thou take a wife to her sister, to vex her, to uncover her nakedness beside the other in her life time." Now all the efforts of this writer, and of other writers of the same school, are directed to combat this plain passage of Scripture as given in the authorized translation.

Our first remark is, that this writer's professed rendering of the verse above quoted is self-contradictory. On page 5 he says—"I add a literal rendering of the Hebrew, as it will be useful for reference:" "*And a woman to her sister thou shalt not take, to rival, to uncover her nakedness, besides her, in her life time!*" But on page 8, to support his theory, he renders this same verse as follows: "*And one with the other thou shalt not take, to uncover her nakedness besides her as long as she liveth.*" In this rendering of the verse the magazine writer leaves out the two important words *woman* and *sister*, both of which appear in his first rendering of the verse, which he himself calls "a literal rendering of the Hebrew." When a writer, to support his dogma, can boldly deny in one place that a brother means a brother, and in another place leave out the two important names that determine the whole meaning of the passage, he can do all that Bishop Colenso has done in the way of reckless criticism, to undermine both the authorized translation and integrity, not only of one book but, of the five books of Moses.

THE MAGAZINE WRITER'S MISTAKES IN REGARD TO HEBREW  
IDIOM.

Thus prepared, by the omission of both the words *woman* and *sister* in his second rendering of the verse in question, this writer proceeds (p. 6) to what he calls the "Hebrew

idiom." He says, "It is well known that the words '*a woman to her sister*' are a Hebrew idiom, an expression peculiar to the language. The corresponding phrase, '*a man to his brother*,' occurs twenty-five times in the Hebrew Scriptures, and is translated generally as in the following examples :

Gen. xxxviii. 19. 'And they said *one to another*.'

Ex. xxv. 20. 'And the faces of the cherubim shall look *one to another*.'

Jer. xiii. 14. 'And I will dash them *one against another*.'

Jer. xxv. 14. 'And all the kings of the north *one with another*.'

Ex. xxvi. 3. "'The five curtains shall be coupled together *one to another* ; and other five curtains shall be coupled *one to another*.'" &c.

"These are some of the examples given by this writer to prove that *two sisters* are not intended in the verse under discussion, though they are named ! And what shadow of proof do his examples furnish ? Besides, what he calls a "Hebrew idiom," "is well known" by the learned to be no idiom at all. The examples he gives are idiomatic, because they all refer to many or several persons or things, not to *two persons only*, and all are, as the reader will see, preceded by a plural nominative, followed by a plural verb ; but the phrase in Leviticus xviii. 18, is not idiomatic,—refers to two persons only, a woman and her sister, or two sisters,—has a singular nominative with a singular verb, and followed by the words "*her nakedness, besides her, in her life time*;" not having the least resemblance to the phrases : "The five curtains shall be coupled together *one to another*, and other five curtains shall be coupled *one to another*." The late learned Revd. Dr. A. McCaul, (elder brother of the Revd. Dr. McCaul of the Toronto University) Professor of Divinity and Hebrew Literature in King's College, London, has remarked,—"*When the words, 'a woman to her sister,' or in the masculine form, 'a man to his brother,' are used idiomatically to signify 'one*

another,' they *always* have a plural antecedent of the things or person spoken of. Here is no such antecedent; consequently here *they cannot be so translated.*" Page 59 of a pamphlet entitled : "*The Ancient Interpretation of Leviticus xviii. 18, as received in the Church for more than 1,500 years, a Sufficient Apology for holding that, according to the WORD OF GOD, Marriage with a Deceased Wife's Sister is lawful.*" Sixteenth thousand.

#### DR. M'CAUL'S INTERPRETATION SUSTAINED.

Professor ROBINSON, the well-known oriental traveller, and most distinguished Hebraist in America, thus (in his *Bibliotheca Sacra*) gives the reason for Dr. McCaul's interpretation :

"The phrase, 'a woman to her sister,' does indeed occur no less than eight times elsewhere in the Hebrew Bible, in the general meaning, 'one to another,' but *only of inanimate objects in the feminine gender*—viz., of the curtains, loops and tenons of the tabernacle,—Exodus xxvi. 3 & bis, 5, 6, 17; and of the wings of the living creatures, Ezekiel i. 9, 23; iii, 13. The like phrase 'a man to his brother,' occurs in all about twenty times; mostly of men, but also in a few instances of inanimate objects or insects, of Exodus xxv, 20; Joel ii. 8. But it is to be remarked that in *every such instance*, this phrase, whether of the masculine or feminine gender, has a reciprocal distributive power,—that is, *a number of persons or things* are said to do, or be so, *one to another*. Exodus xiv. 15 and often. 'So Abraham and Lot separated themselves one from another.' Genesis xiii. 11; Nehemiah iv. 19; Isaiah ix. 19. In the Hebrew : 'They shall not spare one another,' Haggai ii. 22. 'And the horses and their riders shall come down, each by the sword of the other,—i. e., they shall destroy one another. So of other examples. The only apparent exception as to form is Ezekiel xxxviii. 21., 'Every man's sword shall be against his brother,' here too, the idea of multitude and of reciprocal and mutual action among individuals is fully

preserved. This, then, is the idiom; and to this idiom the passage in Leviticus xviii. 18. has no relation. There is nothing distributive nor reciprocal implied in it. The phrase here refers only to the object of the verb; upon which object no trace of mutual or reciprocal action passes over. To bring it in any degree under the idiom, it should at least read thus: 'Wives (*Nashim*) one to another thou shalt not take; and even then it would be unlike any other instance. But, further, the suffixes attached in the singular to the subsequent words (*her* nakedness, besides *her*, in *her* lifetime) show, decisively, that even such a solution is inadmissible; and these of themselves limit the words to two specific individuals (who have no mutual action one upon another,) in the same literal sense as in the preceding verses, viz., *a wife to a sister*."

It is thus as plain as day that two sisters are mentioned in Leviticus xviii. 18, as this writer's own first "literal rendering of the Hebrew" declares; and when he afterwards, (page 7), says, "the text in dispute refers neither to polygamy nor to a deceased wife's sister," he not only contradicts himself and what we have above adduced, but he contradicts such writers as Dr. PUSEY, the late Bishop of Exeter (Dr. PHILPOTTS), and others of the same school. Dr. PUSEY adopts the authorized version, and "interprets the prohibition of marrying two sisters;" and Dr. PHILPOTTS does the same.

#### PLAIN MEANING OF THE PROHIBITION IN LEV. XVIII. 18.— THE MAGAZINE WRITER'S ABSURD EXAMPLES.

So much at present on the *translation* of the verse. Let us now briefly notice the *prohibition*, "thou shalt not take a wife to her sister, &c.," a prohibition understood in all ages, as the words expressly declare, as relating to two sisters. The law of MOSES assumed the existence of polygamy, and regulated it, (Exodus xxi. 9-12; Deuteronomy xxi. 15-17), but does not forbid it. The prophet denounced DAVID'S adultery, but directly recognized his polygamy.

(II. Samuel xii. 8.) It is clear, not only from the histories of DAVID and SOLOMON and JOASH (II Chronicles xxiv. 3), and of the Patriarchs ABRAHAM and JACOB, but from the passage referred to in Exodus xxi. 9-II, and Deuteronomy xxi. 15-17. that polygamy was recognized by the law of Moses and by the Jews. When, therefore, a man was forbidden to marry a second sister during the lifetime of the first, it could not be polygamy that was condemned, but individual domestic peace that was to be preserved. The note of the learned Wesleyan, Dr. ADAM CLARKE, expresses not only the sentiments of WESLEY, but the common sense of the passage: "Thou shalt not marry two sisters at the same time, as JACOB did RACHEL and LEAH; but there is nothing in this law that rendered it illegal to marry a sister-in-law, when her sister was dead. Therefore the text says, 'Thou shalt not take her *in her lifetime, to vex her,*' alluding, probably, to the cause of the jealousies which subsisted between LEAH and RACHEL, and by which the family peace was so much disturbed." Dr. T. SCOTT, our Church Commentator, interprets the verse as forbidding "the marrying of two sisters together. This conduct in Jacob proved a source of vexation both to LEAH and RACHEL; who were more jealous of each other than of the handmaidens whom they willingly gave to their husband's." But as all parties are agreed that a man's marrying two sisters at the same time was forbidden by MOSES, we need not multiply authorities on the point, though a score of them might be adduced.

But the chief point in the remaining part of the argument turns on the last phrase of the passage, the *restriction or limitation*, "in her life time." The *Churchman's Magazine* writer says (page 5) "such a mode of reasoning is in general highly dangerous and uncertain—to conclude that things are sanctioned or approved by law, if they are only not expressly forbidden! For example, I say to a servant whom I have detected in theft, 'As long as you are in my employ never steal again.' May he justly conclude

that when not in my employ he has my full approbation for theft?" This writer must me more foolish than we had even imagined him to be, if he would utter such a limited prohibition to his servant, and not caution him against ever stealing again. But what he supposes himself to say to a servant detected in theft, is as fallacious in argument as it would be foolish in act. It would indeed be as wrong for "a clergyman's" servant to steal after leaving his master's employment as before; but it would not be as wrong for his married servant to marry another woman after his wife's death as before, as every one but this writer must know. But this writer resorts to a second illustration. He says, (page 6) "When HANNAH says she will give her expected son unto the LORD 'all the days of life,' she might just as well be supposed to intend keeping him to herself after his death, as the restriction in Leviticus be explained away as temporary—contingent on the life of the first wife." In this second illustration the *Magazine* writer supposes HANNAH might intend an impossible thing, as in his first illustration he supposed himself to do a foolish thing. HANNAH might have kept her son's *dead body* after his death, had she survived him, but her *son* would have been beyond her reach. We fear our readers may think us trifling with them by our noticing such nonsense; but we cannot resist the desire to add one or two illustrative examples of this writer's logic. For example, from the prohibition, Leviticus xxii. 28, "Whether it be a cow or ewe, ye shall not kill her and her young one in one day;" common sense infers that to kill them on different days was lawful; but according to this writer's logic, it would be as unlawful to kill them on different days as to kill them on the same day. Again in Leviticus x. 9, it is said "Do not drink wine nor any strong drink, thou nor thy sons with thee, when ye go into the tabernacle..... lest ye die." Common sense would infer that the parties addressed might drink wine at other times; but the logic of this writer would make them teetotallers at all times.

and for ever—perhaps a very good thing, at least for some parties, but hardly commanded by the Mosaic law. Furthermore, when in Leviticus xxi. 14, a High Priest is forbidden to marry a widow, common sense infers that other priests and other men may marry a widow; but according to this writer no priest nor any other man can lawfully marry a widow; yet this inference from the prohibition of the High Priest is the only authority or permission in the law of Moses for the lawfulness of a priest or any other man to marry a widow. If this writer be consistent or sincere in his reasoning, he certainly should not marry a widow. But to be serious, and not multiply examples, we may remark, that even in the New Testament the lawfulness of a man's marrying a second time has the authority of inference, and that alone, from the permission given to a widow (Romans vii.) to take a second husband; and by inference our LORD proved the doctrine of the Resurrection, and St. Paul the doctrine of Justification by Faith.

THE MAGAZINE WRITER'S VIOLATION OF A PLAIN PRINCIPLE  
OF JURISPRUDENCE IN HIS STATEMENT.

But to the principle of the argument itself. No principle is more generally understood and acted upon in both civil and criminal jurisprudence than this—that “when a prohibition is given with a limitation, that where the limitation ceases, the prohibition ceases, especially when the limitation is with regard to time.” The examples above given are illustrations of the truth of this principle; and thus when we are prohibited from stealing and bearing false witness against our neighbour, it is implied that we should be honest and truthful: when we are prohibited from doing any labour on the Sabbath day, it is implied that we may work on others days; when a criminal is prohibited his liberty and sent to prison for twelve months, it is implied that at the expiration of that time he shall be restored to his liberty; when a minor is incapacitated or prohibited from selling or holding property, it is implied that on his becoming of age he can do both; the pro-



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hibition, which prevents the heir to a title or an estate from assuming it during the life of the owner, ceases on his death. Examples could be multiplied without number. And thus the prohibition of a man from marrying his wife's sister during his wife's life, implies the lawfulness of his doing so after his wife's death. In, therefore, concluding our review of the magazine writer's absurd sayings, (for arguments they cannot be called), on this point, we may remark in the language of the learned Dr. A. McCaul:—"The inference drawn from the limitation in Leviticus xviii. 18; 'in her life-time;' is as old as the days of PHILO; has been drawn by the great body of the Jewish nation ever since, and by the most learned and thoughtful Christians; of various nations and opposing creeds, down to the present time—not only of those who draw it in favour of marriage with a deceased wife's sister, but of those who, opposing that marriage, interpret Leviticus xviii. 18, of polygamy. Both assert that the words, 'in her life-time' is a limitation, and that when the wife is dead, a second marriage as lawful; and thus the united strength and learning of both parties—and there are only a few individual commentators who do not belong to the one or the other—are combined in affirming the validity of this conclusion."

We have thus, we think, sufficiently replied to the magazine writer on the interpretation of Leviticus xviii. 18, though we have employed but a small part of the authorities and illustrations which we had prepared to expose his crude and absurd criticisms. We shall next, in one more paper, notice his misquotations of authorities from Jewish and Christian antiquity, and conclude with adducing modern Church and other authorities which can neither be gainsaid nor resisted by any sound Protestant.



### THIRD PAPER.

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We have yet to notice the Jewish and early church authorities to which the *Churchman's Magazine* writer appeals in support of his assertions as unscriptural and immoral what never was prohibited by the laws of any country in the world before the fourth century of the Christian era; what is now lawful in every country in the world except Great Britain and Ireland since 1835, and what is sanctioned by the brightest ornaments of our church in both Europe and America, as we shall show before concluding this paper.

#### THE MAGAZINE WRITER'S MISREPRESENTATIONS OF HIS OWN AUTHORITIES—THE MISHNA.

The writer has either never read the works which he professes to quote, or he knowingly misrepresents them; for in every instance except one do they declare the very opposite of what he represents them as having stated. His first reference is to the Mishna. He says

"The negative testimony of Scripture [against the lawfulness of a man's marriage with his deceased wife's sister] is irresistibly substantiated by the most ancient traditional laws of the Jews—the MISHNA. There is no dispute that the Mishna is the most exact representation of ancient Jewish opinion," (pg. 14.)

It might be supposed, after such a pretentious flourish, that the writer would have adduced some very explicit quotations from the Mishna in support of his formidable, but we hesitate not to say perfectly groundless, statement. He quotes not one passage bearing on the subject, but represents the Mishna as using certain terms and stating certain things, and even laments Dr. McCaul's ignorance of the Mishna!—Very like a candle sitting censor on the sun for not knowing how to give light!

We will quote one passage from the Mishna, from the next chapter (iv. 13) to that which this writer has referred to as sustaining his statements. That there may be no mistake, or cavil, we first give SURENHUSIUS Latin version of the passage and then an English translation:

"Si mortua fuerit uxor ejus, licitus est sorori ejus; si repudiaverit eam et mortua fuerit, licitus est sorori ejus; si fratria illius mortua fuerit, licitus sorori ejus; si calcum illi dederit exeundum, et mortua fuerit, licitus est sorori ejus; si nupserit alii, et mortua fuerit, licitus est sorori ejus."

This passage is decisive on the point. The translation is as follows:

"If his wife die, he is allowed to marry her sister. If he divorce her, and she die, he is allowed to marry her sister. If she be married to another man and die, he is allowed to marry her sister. If he have performed to her the ceremony of taking off the shoe, and she die, he is allowed to marry her sister; if she marry another man, and die, he is allowed to marry her sister."

The Mishna is a collection of legends and expositions said to have been learned by MOSES in the mount, and handed down by tradition. It was compiled in the second century, and testifies what was the common and received sense of the law among the Hebraizing Jews. The *Magazine* writer says, "it is the most exact representation of the ancient Jewish opinion;" and the above passage from the the Mishna declares that opinion to be precisely what we have alleged to be the law of Moses understood by the ancient Jews. As Dr. McCaul says, "The Mishna, whatever its defects, gives no uncertain sound in this matter. It uniformly adheres to the ancient interpretation of Leviticus xviii. 18."

#### THE MAGAZINE WRITER'S MISREPRESENTATIONS OF MAIMONIDES.

Next the *Magazine* writer professes to quote Maimonides as an authority in support of his views, but omits the very passage which bears on the point in discussion, and professes to infer certain things from other words which relate not to the subject. The words of Maimonides, in the English translation, are as follows:

"When a man has betrothed a wife, there are six women of near relations prohibited to him, and each one of them is prohibited for ever: and these are they, her mother, and her mother's mother, and her father's mother, and her daughter, and her daughter's daughter, and her son's daughter, and if he approach any one of these in the life-time of his wife, they are burnt, . . . . and so his wife's sister is prohibited to him until his wife die." (Hilchcloth issure biah,

ch. ii., sections 7, 9.) Thus Maimonides, in his famous digest of the Jewish law, says that some women are forbidden forever, but the wife's sister only until the wife die.

#### THE MAGAZINE WRITER UNFAIRLY REPRESENTS JOSEPHUS' VIEWS.

The magazine writer, in quoting Josephus, is careful not to notice the kind of marriage with a brother's wife which was detestable among the Jews. Glaphyra had had three children by her first husband. On his being slain by his father, she took a second husband. Then the brother of her first husband divorced his wife to marry her. The law of MOSES had commanded a man to marry his brother's widow only when his brother had died childless, and did not permit the divorcing of a wife in order to marry a brother's widow. Such a marriage as that of Glaphyra was, of course, detested among the Jews.

#### MODERN JEWISH AUTHORITY IGNORED BY THE MAGAZINE WRITER.

We have shown above that both the Mishna and Maimonides state the very opposite of what the magazine writer represents them to have stated. We will add on this point the testimony of Dr. ADLER, the Chief Rabbi of the Jews in the British Dominions. In his evidence before the Royal Commissioners, Dr. ADLER says:—"It is not considered as prohibited, but it is distinctly understood to be permitted; and on this point neither the Divine law, nor the Rabbis, nor historical Judaism, leaves room for the least doubt. I can only reiterate my former assertions that all sophistry must split on the clear and unequivocal words of Leviticus xviii. 18, *in her life-time*."

This may be considered as settling the question so far as Jewish testimony, ancient and modern, is concerned.

#### THE MAGAZINE WRITER'S MISREPRESENTATION OF CHURCH HISTORY.

Finally, we will follow this writer in noticing the authorities he professes to adduce "as to the judgment of the Church on this matter." But he adduces not a single authority during the *first three centuries* of the Christian Era, and for a very good reason, there is not one for him to adduce. This is a

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long and most important interval, during which the Church was founded, endured its bloodiest persecutions, and achieved its noblest triumphs. At its foundation, as Dr. ALEXANDER MDCAUL observes, "If Christians were to resist the prevailing practice, a special interposition was necessary. The Jews thought it lawful to marry a wife's sister. The Gentiles thought it lawful to marry a wife's sister. Converts of both classes would, unless instructed to the contrary, carry their previous ideas into Christianity. Is there any evidence to show that they were so instructed? There is none in the Gospels or Epistles—there is none (as has been shown) in the translations of the Scriptures used by the Jewish, Syrian, Greek and Latin Churches. These versions are all favourable to the marriage with a wife's sister."—"Having given the concurrent testimony of the three greatest Bible-scholars of their age, and that age the end of the fourth and beginning of the fifth century, in addition to the Septuagint, the Syraic and the Italic versions, I have done enough to show the opinion of the Church for the first 400 years. My witnesses do not, like yours, fall short of the foundation of the Christian Church by 300 years. The Septuagint dates 280 years before it. ONKELOS and PHILO are contemporaneous with the Church's foundation. The Mishna, the ancient Italic, and the Syraic versions witness as to the interpretation in the second century. THEODORET and AUGUSTINE show the reception in the Syrian and African Churches, much about the same time that JEROME arose to make the ancient interpretation the heritage of the Western Church for many centuries." (Letter to Sir Page Wood, pp. 37, 39.)

#### THE MAGAZINE WRITER ON THE XIX. APOSTOLIC CANON.

The first testimony of the magazine writer "as to the judgment of the church," on the subject is "The XIXth of the Apostolic Canons, allowed by all to be ante-Nicene, which says, 'He who hath married two sisters, or his brother's or his sister's daughter, cannot be a clergyman.'" (p. 16.) In Dr. PUSEY's examinations before the Royal Commissioners on this subject, the question (444) was asked him,—“When was the earliest period in the Christian Church at which notice was taken of these marriages?” His reply was, “In the Apostolic Canons, canon 19, one had so married, or had married a niece, was forever excluded from the clergy.”

Question 445,—“What is their date?” Answer,—“I can only say that it is in Ante-Nicene collection.” On this Dr. A. McCaul remarks:—“This is a vague reply. ‘Ante-Nicene’ takes in 325 years. How long then before the Council of Nice were these Canons collected, one year or 300 years? Some make the collection Post-Nicene. According to the judgment of VON DREY, one of the latest and most esteemed writers on this subject, the collection of the so-called Apostolical Canons is later than the Apostolical Constitutions, and the latter did not exist until the fourth century. If, therefore, we admit the collection to have been made and known as early as the Council of Nice (A.D. 325), there would still remain an interval of above three hundred years without any testimony on the subject, and also the question as to the measure of the authority which they possess, as a collection, and the still more difficult question of the date and origin and authority of the 19th Canon. Moreover the 19th Canon only says,

That he who married two sisters or neice [or, as some translate, a cousin] cannot become a clergyman.’ It contains no prohibition, but testifies to the fact that such marriages were not unusual. In point of fact, therefore, the Apostolical Canons are valueless as an authority as to the lawfulness or unlawfulness of the disputed marriage, or even as to the date of the first notice of it in the Christian Church.” [*Ancient Interpretation of Leviticus xviii. 18, as received by the Church for more than 1,500 years, &c., &c., pp. 46, 47.*]

#### THE TESTIMONY OF ST. BASIL EXAMINED.

The Magazine writer's next testimony “as to the judgment of the church,” is “St. Basil, in the 4th century,” (pg. 16), as saying, “our custom in this matter has the force of law, because the statutes we observe have been handed down to us by holy men; and our judgment is this, that if a man has fallen into the sin of marrying two sisters, we do not regard such a union as marriage, nor do we receive the parties to communion with the Church until they are separated.” It will be recollected that these words of ST. BASIL occur in a controversial letter against an opponent. On this point also we avail ourselves of the remarks of DR. McCaul, who observes: “‘The custom established among us,’ ‘our custom,’ and still more the Greek *to par hemin ethos*, speak only of that which was local. There is not the least mark of uni-

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versality about them. *Par hemin* can never signify "in the whole church." Moreover BASIL does not even speak of it as a law of the church, but only a custom, nor of the custom as having been handed down from the Apostles, but by "holy men." Had ST. BASIL known of an universal custom, it would have been much more to his purpose to have urged that universality, as being necessarily known to the person against whom he argued. Could he have adduced the practice of the Universal Church, or the authority of the Apostles, he would hardly have confined himself to that of his own diocese and his predecessors. ST. BASIL's caution is to me a proof that his custom was not the practice of the Universal Church, and that he was aware of the fact."

#### THE AUTHORITY OF THE VATICAN MANUSCRIPT QUOTED.

The Magazine writer's next appeal is "the *Vatican Manuscript* of the Septuagint (lately published by Cardinal MAI,)" which we are told, "contains the text of a curse against those who lie with their wife's sister, in Deuteronomy xxvii. 23.—an important witness of the opinion of the early age in which that MS. was written." (p. 16). In 1850, the Rev. E. W. GRINFIELD, London, addressed and published "*An Expostulatory Letter to the Rt. Rev. N. Wiseman, on the interpolated curse,*" to which the Magazine writer now appeals as his final authority as to the "judgment of the Church." "The interpolation of the additional curse (it has been observed), in Deuteronomy xxvii. 23. according to the Vatican copy of the lxx, falls probably about the time of ST. BASIL. Tischendorf thinks that the Vatican Manuscript was written before the time of JEROME. It is of no use, therefore, in filling up the hiatus between the Apostles and that time. If the curse were genuine, it could only apply to him who married a wife's sister in her lifetime, as curses could only fall on transgressors of the law. But it is manifestly an interpolation. It was not known to ST. BASIL. It is not found in the Alexandrian Manuscript, written in the home of the lxx version, nor in the versions made from it. Its citation by Siricius seems to point to a western origin."

#### THE MAGAZINE WRITER ON LUTHER AND THE "WESTMINSTER DIVINES."

The Magazine writer finally appeals to the authority of Luther and the Westminster Assembly of Divines, though

he he cites not a word from either ! As to LUTHER, we may remark, that his translation of the Pentetuch first appeared in 1523. The whole Bible, revised by himself, MELANCTHON, CUCIGER, JUSTUS JONAS, and BUGENHAGEN, was published in 1530. But however bent on reform and opposed to Popery, they retained the translation of Leviticus xviii. 18. common in the universal church.—And as to the Westminster Assembly of Divines, we quote their words in the Commentary on Ruth, chap. iv. 5-11, and leave our clerical friend to make out of them what he can :

“And the Lord make the woman that is come into thy house like RACHEL and like LEAH, which two did build the house of Israel,”—“who, leaving their country, and following JACOB, as now RUTH hath done, lived comfortably and lovingly together, and bearing many children, multiplied JACOB's posterity and the Church of God.”

THE CHURCH SILENT ON THE SUBJECT FOR 300 YEARS.—  
SECOND MARRIAGES FORBIDDEN ALTOGETHER.

It has been shown above, even from the evidence of Dr. PUSEY, that no testimony is found in the history of the Church against the marriage of a man with his deceased wife's sister during the first 300 years of the Christian Era. But long before the date of the 19th so-called Apostolical Canon,—the date of the first objection in the Church to marriage with a deceased wife's sister,—authorities can be found against second marriage at all ; and the prohibition of marriage to the clergy altogether is contemporaneous with prohibiting marriage with a deceased brother's widow. The testimonies against second marriages commence before the end of the second century. ATHENAGORAS, between the years 160 and 170, in his apology, boasts that the practice of Christians was to remain unmarried, or to marry only once ; “For (he says) a second marriage is a sort of decent adultery.” About the same time, THEOPHILUS of Antioch affirms that among Christians “Monogamy is observed.” Contemporary with these TERTULLIAN, before he embraced the errors of MANTANUS, wrote two books to his wife to warn her against a second marriage, as contrary to the original institution,—“*Nam et Adam unus Eva maritus, et Eva una uxor illius, una mulier, una costa.*” (For both ADAM was the one husband of EVA, and EVA his one wife, one woman, one rib.) In



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the next century ORIGEN declared that second marriage ex-  
 cludes him that is guilty of it from being bishop, priest, or  
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 its seventh Canon, priests from even being present at a  
 second marriage.

THE SUCCESSIVE STEPS OF FIRST FORBIDDING SECOND MAR-  
 RIAGES ALTOGETHER,—THEN MARRIAGES WITH A DE-  
 CEASED WIFE'S SISTER,—AND FINALLY FORBIDDING THE  
 CLERGY TO MARRY AT ALL.

We might multiply authorities, and give the original  
 authorities on which these summary statements are founded,  
 did our limits permit. It is not surprising that when second  
 marriages (whose only authority from Scripture is inference)  
 had been long forbidden, that marriage with a deceased  
 wife's sister, for which Scripture authority was more explicit,  
 should begin to be forbidden; and the prohibition of the  
 clergy to marry at all soon followed. The Provincial  
 Spanish Council of nineteen Bishops, which was held at  
 Eliberis A.D. 305, the first Council to forbid marriage with a  
 deceased wife's sister, was also the first to forbid the marriage  
 of the clergy. The Council of Neo-Cesaraea, held A.D. 314,  
 the second Council to forbid the marriage with a brother's  
 widow, was the first to command the degradation of priests  
 who marry after ordination.

Look, then, at these facts: The prohibition against mar-  
 riage with a deceased wife's sister did not begin until 305; but  
 the condemnation of second marriages began as early as 170,  
 and soon obtained in every part of the Church—in Africa, in  
 Greece, in Italy, in Asia Minor, in Spain, in France; and the  
 first two Councils that forbade marriage with a deceased  
 wife's sister, were the two first Councils that forbade the  
 marriage of the clergy at all, though none of the six *General*  
 Councils, held between A.D. 325 and A.D. 680, condemned  
 marriage with a deceased wife's sister. If the magazine  
 writer, then, be consistent and sincere in his appeal to early  
 Church authority, he must forthwith oppose all second mar-  
 riages, and the marriage of the clergy altogether.



## RECAPITULATION OF OMITTED FACTS AND AUTHORITIES.

We have now reviewed, and, we think, refuted the criticisms and arguments of the magazine writer—omitting, of course his personalities and quibbles to give them point, as beneath notice.

We will, in conclusion, state and recapitulate certain facts, and then adduce certain authorities bearing upon the whole question. The facts to which we beg the recollection of our readers are the following:—

1. The law of marriage in England and Ireland down to 1835 was as follows, as stated in 32 Henry viii., c. 38: "By this act we declare all persons to be lawful, that be not prohibited by God's law to marry." The law of marriage in Scotland is thus stated in Statute 1558, c. 16: "Our Sovereign Lord with consent, &c., has ordained the holy band of marriage made by all estates and sorts of men and women to be as lawful and as free as the law of God has permitted the same to be done without exception of person or persons." No complaint was made of the operation of the law from the Reformation to 1835, during which period the marriage in question was virtually permitted and contracted—its absolute prohibition dating from 1835, and therefore being a recent innovation, a gross injustice to thousands, and, as ROBERT SOUTHNEY called it, "an abominable relic of ecclesiastical tyranny."

2. As such marriage is held in the Church of Rome to be an ecclesiastical regulation, the revenue of the Pope has been much augmented at various times from the payments of large sums by Princes and numerous others to procure the Pontiff's dispensation or permission for such marriage; and other ecclesiastics and agents have received much money for their services in obtaining the Pope's dispensations for such marriage. These facts are referred to in some statutes passed during the reign of Queen ELIZABETH, as well as related by historians of the Reformation; but there is no record of any condemnation of such marriage in the Christian Church from its first foundation until 305; and the Bench of English Bishops voted to legalize marriages with a deceased wife's sister celebrated previously to 1835—a measure to which it was impossible they should have assented had they believed such marriages to be contrary to the Word of God.

# **AUTHORITIES.**

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3. Twenty-six Spiritual Peers, including two Archbishops, have declared it to be their opinion that there is no scriptural prohibition of these marriages; more than 400 of the London *Metropolitan* clergy have petitioned Parliament for the legalization of such marriages; eleven Deans and more than 300 other clergymen of the late Established Church of Ireland have expressed their decided opinion that these marriages are not prohibited in Scripture; the Deputies of the three denominations of Dissenters in England, have repeatedly petitioned Parliament to repeal the Act of 1835 prohibiting such marriages; and the House of Commons, in 35 divisions, (commencing with 1835, before public discussion had taken place on the marriage question) have voted for the repeal of the almost smuggled and hastily passed Act of 1835. The Legislature of South Australia has for the fifth time, by almost unanimous votes of both Houses, passed a Bill for legalizing such marriages, and within the last few days it is announced that Her Majesty has given the Royal Assent to the Bill—thus making such marriages legal in England; as well as in South Australia, so far as Australian residents contracting such marriages are concerned.

## **OPINIONS OF DISTINGUISHED ENGLISH AND AMERICAN DIVINES AND JURISTS.**

To conclude. Out of upwards of one hundred and thirty opinions of distinguished Divines, scholars, jurists, and statesmen, in both Europe and America, which we have collected on this subject,—all speaking to the same effect,—we will quote a few in regard to the moral influence as well as Scriptural character of these marriages. The late celebrated Cardinal WISEMAN gave the following evidence before the Royal Commissioners on this subject in 1848:

*"Question.*—Do you construe that passage in Leviticus (xviii. 18.) as prohibiting marriage with a deceased wife's sister, or merely as saying that a man should not take two wives together at the same time, being so related?

*"Answer.*—Certainly, that verse appears to have the latter meaning, that two sisters should not be living together in the same house, wives of the same person.

*"Question.*—Is such marriage held by your church as prohibited in Scripture?

*"Answer.*—Certainly not. It is considered a matter of ecclesiastical regulation."

The Royal Commissioners, appointed June 28th, 1847, to Enquire into the state of the law relating to marriages of affinity, state as follows:

"Some persons contend that these marriages are forbidden expressly, or inferentially, by Scripture. But it does not appear from the evidence that this opinion is generally entertained. We do not find that the persons who contract these marriages, and the relations and friends who approve them, have a less strong sense than others of religious and moral obligation, or are marked by laxity of conduct. These marriages will take place when a concurrence of circumstances gives rise to mutual attachment; they are not dependent on legislation." Report signed by the Bishop of Lichfield Mr. STUART WORTLEY, Dr. LUSHINGTON, Mr. BLAKE, Mr. Justice WILLIAMS, and Lord Advocate RUTHERFORD.

The most Reverend Dr. TAIT, present Archbishop of Canterbury, said:

"Whether the question is considered in a religious, moral, or social point of view, such marriages are unobjectionable, while in many instances they contribute to the happiness of the parties and to the welfare of motherless children, and among the poor, have a tendency to prevent immorality."

The Bishop of Down and Connor (Dr. KNOX) said:—

"As it is admitted by the ripest scholars and most accurate critics, that there is not the slightest prohibition in the Scriptures against the marriage with a deceased wife's sister, I consider the legal restriction to be most unjust and injurious, producing the deepest social evils."

The late Right Reverend Bishop ROTTEN, of Pennsylvania, said:—

"I am not one of those who hold that such marriages are forbidden by Scripture—and I am not aware that any special disadvantages, social or domestic, have resulted from them."

The Right Reverend Bishop McILVAINE, of Ohio, said:—  
"Such marriages, I apprehend, are nearly as frequent as the circumstances which usually give rise to them. I have not known any social disadvantages attending them."

The Right Reverend Bishop BURGESS Maine said:—"I know of no social disadvantages attending such marriages. The apprehensions expressed in England on this head, are entirely dissipated by our experience."

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The late Chief Justice STORY, of Massachusetts, said:—  
"Nothing is more common in almost all the States of  
America than second marriages of this sort; and so far  
from being doubtful as to their moral tendency, they are  
among us deemed the very best sort of marriages. In my  
whole life I never heard the slightest objection against them,  
founded on moral or domestic considerations. Everything  
that I have read upon this subject for the last 20 years, has  
satisfied me that the objection is utterly unscriptural and  
unfounded."

The Reverend Dr. EADIE, Professor of Biblical Literature  
to the United Presbyterian Church, Scotland, in answer to  
the question of the Royal Commissioners, "Is the marriage  
of a widower with his late wife's sister within the prohibited  
degree?" said:—"In all frankness and honesty I am obliged  
to answer—No. It is interdicted neither by express veto, nor  
yet by implication. Canonical austerity is not to be identified  
with moral purity or matrimonial fidelity."

The Reverend Dr. CHALMERS says, in his Daily Scripture  
Readings:—"In verse 18 (of Leviticus xviii,) the prohibition  
is only against marrying a wife's sister during the life of the  
first wife, which of itself implies a liberty to marry the  
sister after her death."

The Reverend Dr. CUMMING, of London, said:—"I can find  
nothing in Scripture prohibiting marriage with a deceased  
wife's sister. At the same time I feel that conformity to the  
Word of God is always, and in all circumstances, the highest  
expediency."

Bishop JEREMY TAYLOR remarked:—"No man hath  
power to contract against Divine law; but if he have con-  
tracted against human law, his contract is established by  
a Divine law, which is greater than human."

We will conclude in the words of the late Reverend Dr.  
ALEXANDER McCAL, Professor of Divinity and Hebrew  
Literature in King's College, London:—

"Having again carefully examined the question, and con-  
sulted some of the highest authorities in Hebrew literature  
as to the meaning of the Scripture passages, I am confirmed  
in the opinion formerly expressed, that marriage with a de-  
ceased wife's sister is not only not prohibited, either ex-

pressly or by implication, but that, according to Leviticus xviii. 18, (concerning the translation of which there is not the least uncertainty), such marriage is plainly allowed. I confess that when I entered upon this enquiry I had not an idea that the case of those who wish a change in the present marriage law was so strong. I had thought that the opinions of grave and learned students of the Bible were more equally divided, and that as authorities were pretty evenly balanced, they who had contracted such marriages must bear the inconveniences arising from doubtful interpretation. But I do not think so now, confirmed by the testimony of antiquity and the judgment of the most considerable interpreters at the Reformation, and since the Reformation, I now believe there is no reasonable room for doubt—that there is no verse in the Bible of which the interpretation is more sure than that of Leviticus xviii. 18; and I think it is a case of great hardship that they should, by the civil law, be punished as transgressors, whose marriage, according to Divine law, is permitted and valid; and harder still, that the children of such marriage, legitimate in the sight of the Infallible Judge, should be visited with civil disabilities."

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