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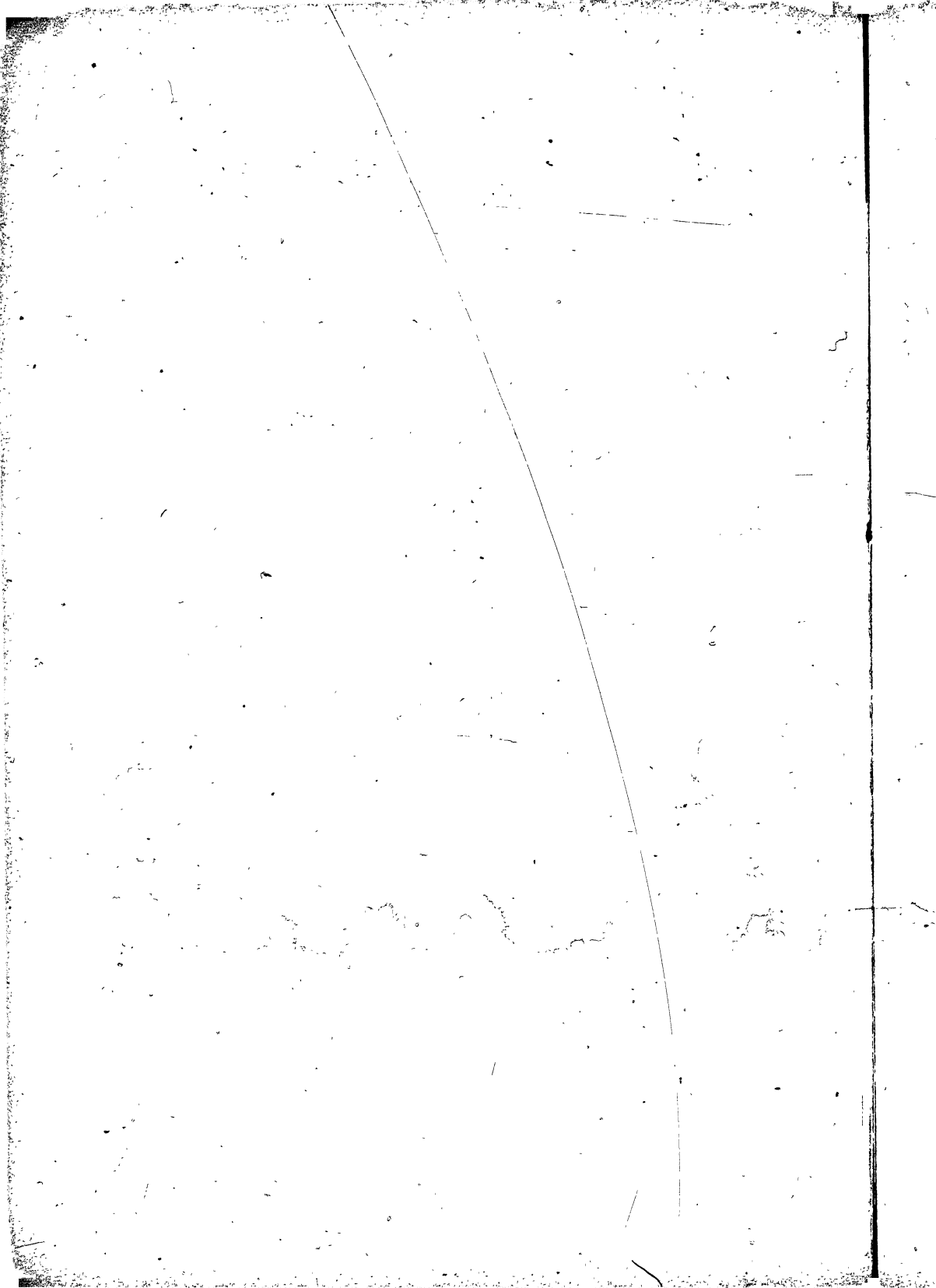
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THE DECEASED WIFE'S SISTER QUESTION.

No. 1.

TO THE EDITOR OF THE GAZETTE:

SIR,—Your esteemed correspondent from Bishop's College, Lennoxville, Rev. H. Roe, D.D., evidently thinks that the abrogation of the law prohibiting a man from marrying his deceased wife's sister would result in the ruin of all that is sweet and pure and free in happy English homes. That is strange!

How many persons would find it necessary and desirable to take advantage of the changed law? Certainly, not more than one in every one thousand. I think this quite as high an estimate as any one can reasonably make. That leaves nine hundred and ninety-nine homes precisely as they were before. The English home does not, therefore, appear to be in such terrible danger, after all, from the change about to be made, for the change will be made. The majority of the "sovereign people" in both England and Canada, as evinced especially by the votes of their representatives in Parliament, feel that it is wrong for the statute book to prevent even one man in one thousand from doing that of which his enlightened conscience freely approves, that which, as in some cases, he feels would be the very best thing for him to do for his motherless, helpless children, and that of which God's Word does not disapprove, but which it has in past ages really enjoined, as I shall endeavor to show. How such a law ever was enacted in England, especially claiming to be founded on Bible teaching, is a mystery. Perhaps your correspondent can explain.

I am very sorry that he should have been so uncomplimentary to so many ladies. I certainly understand him to assume that the sister of the wife is only prevented by the law as it now exists from actually taking steps to supplant her. Surely he does not mean to say that. Yet he does say it, all the same. If he does actually mean it, then, in the name of all unmarried sisters of married women I will not hesitate to say that his words

and insinuations are untrue and most unjust, and that is putting it in its mildest form. If there is one in ten thousand so low as that, possessing the power to sufficiently ingratiate herself into the husband's affections, she will manage to carry out her design in spite of the law, even as it now is.

There is a point in your correspondent's article of Monday which interests me very much, simply as a matter of curiosity, however. I will take the liberty of giving his exact words, so there may be no mistake about it. He says: "All that frank, cordial and fearless intercourse, all those thousand endearing familiarities which hitherto have been not merely innocent, but the wife's sister's due from her new brother, and always accorded her, will no longer be innocent or possible." O, my dear Mr. Editor, what pen can sufficiently portray the excruciating sufferings which that brother-in-law will have to endure, or the awful deprivation which will fall to the lot of his wife's unmarried sister, if this law should be annulled! I should like to enquire a little more particularly about these "thousand endearing familiarities." How tantalizing to a poor unfortunate man like myself whose wife never had a sister: a thousand endearing familiarities missed, a thousand civilizing influences, however desirable, never to be obtained. I feel like the client who wept most bitterly while his advocate was pathetically pleading his case. When asked why he wept, he replied, "I didn't know-o-ow I had suff-uff-uffered so much." Perhaps, after all, there are not so many. Like the little boy who saw a hundred bears, but who at last acknowledged he had only seen one, and was not very sure about that, your correspondent, out of kindness at least to a few amiable sister-in-law-less gentlemen like myself, might be induced to cut down his figures somewhat. If there be, however, a thousand familiarities between any man and his wife's sister, or so large a number as to justify such an expression, this will probably account for the fear expressed that the unmarried may set out immediately that the present law is abrogated to supplant the married sister. If all these familiarities are permissible, as your correspondent says, under the law as it now is, I think a very strong argument is hereby presented for a change.

Yours,

D. V. LUCAS.

No. 2.

TO THE EDITOR OF THE GAZETTE:

SIR,—The shortest, best and most effectual way of meeting an unwarranted assertion is to deny it point blank. Our marriage laws claim to rest for their foundation upon the Bible. That was the noble aim of those who originally framed them, all honor to them. Through a misapprehension, however, one clause lacked conformity to Scriptural teaching. I deny that the Bible anywhere, either under new or old dispensations, either now or ever did prohibit a man from marrying the unmarried sister of his deceased wife. Let those who think otherwise bring forth their strong reasons, if they can.

It is thought that the annulling of this part of our marriage laws will at once open the door for all sorts of evils. That is a very weak argument. Does it make right safer to fortify it (or to attempt to do so) by continuing the existence of the wrong? It is a strange way to defend that which may be just and scriptural, by building about it a fence that is unjust and unscriptural, and then to assert that if that fence be thrown down all that is right and reasonable and scriptural must follow. Truth is not very highly complimented by such a course of reasoning. I allow that those who look upon the step apparently about to be taken as throwing the door open to immeasurable evils think that this part of our marriage law is perfectly scriptural and right, but this is the very point under dispute. Until this is settled, all argument on this basis goes for nothing.

Yours,

D. V. LUCAS.

No. 3.

TO THE EDITOR OF THE GAZETTE:

SIR,—Absence from the city and previous engagements are my excuse for not having sent you this letter at an earlier date.

Your correspondent at Lennoxville continues to work away in the good cause. One must at least admire his perseverance and zeal. There can be no doubt he thinks he is right, and, therefore, all those terrible evils which his imagination foresees as flowing from the repeal of this unjust and unscriptural and most unreasonable law, are to him real evils. When the repealing bill will have passed both Houses, and received the sanction of Her Majesty's representative, Mr. Roe will doubtless feel certain that the shadow of the dial of the Millennium has gone back, even much more than ten degrees, but then he will have the consciousness that he has done his duty. The great number and length of his letters remind me of a story that is told of Mr. Lincoln. Two gentlemen in a certain city of the United States made application to the President for the position of Postmaster in their city. Many letters came from both parties. Lengthy petitions and documents of various kinds were sent up from friends on both sides, and Mr. Lincoln could not see for the life of him that one had any better claim or qualification than the other; so, turning to a clerk, he said, "Put the total correspondence of each in the scale, and we will give it to the man whose papers weigh the most." Mr. Roe is apparently determined that at least his literary productions on this subject shall have *weight*.

I am sorry he had no time to reply, as he says, to my two letters. I sincerely hope he may yet find time, at any rate, to tell me about the "thousand familiarities" which he says a man may have, and which he also says a man is in duty bound to have, with his wife's sister. He does not say whether the obligation holds equally under all circumstances and at all times or not. The sister-in-law may be married, or she may be an ill-tempered old maid, or she may have reached quite an old age;

and yet Mr. Roe holds that a "thousand familiarities" are her due from her sister's husband, and "always accorded her," under the law as it now stands.

You see into what absurdities men will unconsciously and unintentionally run when they attempt to advocate and defend a bad cause.

But these are not the only absurdities. The advocates of the present law tell us that when a man marries, his wife's sister becomes his sister, and that his brother becomes her brother, and they mean it in the fullest sense: They cannot be persuaded to discount this statement of theirs in the least. If so, then, see what follows: A. and B. are two brothers of a respectable family on Sherbrooke street. C. and D. are two sisters of a respectable family on Dorchester street. Now, if young Mr. B. and Miss C. were to marry, it would be a very wicked thing, on the principles which these gentlemen advocate, for A. and D. to marry. When one of Dr. Roe's brethren was confronted with this argument, the other day, he replied, "Certainly it would be wrong for them to marry," and he could see no absurdity in argument which leads him to such a conclusion.

Paul says, "The woman which hath an husband is bound by the law to her husband so long as he liveth, but if her husband be dead she is free from that law."

It is admitted by all parties that the law applies equally to both sexes. Well, then, Paul says the husband is free, that is, the law ends, it ceases to exist. But here are certain men who set up strong claims to intelligence, who say, "Nay, Paul, you are wrong; the law is by no means ended by the death of the wife. The man is still bound by that law to his wife's sister in closer relationship (they say) than that of consanguinity which exists between him and his parent's daughter." If they cannot see absurdity here, I pity them.

Now, sir, what is a sister-in-law? Is she a sister *in law*? Is she an heir-at-law? Does our law, or any law, give her any legal claim or any legal advantage? Is the married man bound by law to support her, even if there be a dozen of her? If Mr. Roe thinks that the Scriptures lay such obligations upon the poor,

much-married man, why does he not agitate for a new clause in our laws binding the man to provide for his wife's sister while he lives, and making her an heir-at-law if he die intestate? The expression is a misnomer, so far as giving her any legal status with her sister's husband is concerned. The term sister-in-law has no meaning in any other than a mere conventional sense. I am not disposed to put it aside. As long as we know its meaning, it will answer our purpose to use it. All intelligent and reasonable men know that it simply means a wife's or a husband's sister, nothing more. In law it is nothing. However, if I ask Mr. Roe to tell me what is a sister-in-law, he replies, "She is a being who is so circumstanced by reason of her sister's marriage as to justly claim from her sister's husband 'a thousand familiarities,' with all their 'endearing and civilizing influences.'" If he fails to see the absurdity of his own argument, after his attention has been so particularly called to it, I am afraid his case is hopeless.

Au revoir.

D. V. LUCAS.

No. 4.

TO THE EDITOR OF THE GAZETTE:

SIR,—I wish to state, on my own behalf at least, that whatever is clearly made out to be the true sentiment of Holy Scriptures on the subject under discussion, as on all other subjects, is with me, as it ought to be with all men, absolute authority.

Do the Scriptures of God prohibit any man from marrying the sister of his deceased wife? Our law as now existing is framed upon the supposition that they do.

Many persons think the Scriptures do not contain any such prohibition; these, therefore, think that the law is wrong and unjust, because it debars some men from doing that which is not only the very best thing for them to do, but which they feel has the undoubted sanction of God himself. A law which is against

the enlightened conscience of the humblest individual, and in any sense opposed to the liberty which God grants to men, must be an oppressive and unrighteous law, even though it may have been upon the statute book of the commonwealth for centuries.

Suppose we take it for granted that Christians during the first three centuries of the Christian era held the sentiment, and enforced it as law, that such marriages were not allowable, would that be proof positive that they were not? If it be granted that we have the Scriptures of the Old Testament in their entirety, are we not, in this century, quite as capable of judging of their true meaning as those people who lived over a thousand years ago? To argue on the negative side of this proposition is to affirm that Revelation is a waning rather than a growing light. To say, however, that the Christians of the earlier centuries undoubtedly held the prohibited degrees is, to my mind, to give expression to a mere truism. I believe they did; but did they hold among those prohibited degrees of marriage that a man was not permitted by God to marry his deceased wife's sister? I do not believe they did. There is no proof, so far, that they did. Dr. Roe is evidently not very clear in his own mind that they did. All the proof he offers us is an admission of Lord Houghton's that from a very early period in the history of the Christian Church such marriages were prohibited. But even if they did (which is not admitted), providing we have the same Scriptures which they had, we are quite capable of judging whether or not they drew correct conclusions from the teachings of those ancient and inspired writings. I do not think any man can study the eighteenth chapter of Leviticus correctly without putting himself in imagination in the midst of those Canaanitish evils which rendered the legislation contained in that chapter necessary. We must go back in our thought, and look at these laws from that standpoint.

The 24th, 25th and 27th verses show us that a terrible necessity existed. "Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you. For all these abominations have the men of the land done, and the land is defiled."

If Dr. Roe had walked in the midst of those abominations, like

just Lot in Sodom, or righteous Noah among that corrupt people who lived before the flood, he would have seen that, among other abominable things, the married woman often became the common property, for vile purposes, of her husband and her husband's brother or brothers, hence arose the necessity for the law contained in the 16th verse: "Thou shalt not uncover the nakedness of thy brother's wife; it is thy brother's nakedness." Dr. Roe and his friends constantly make the mistake of substituting in their minds the name "widow" for "wife" in this verse, thus entirely changing its meaning, and so shooting wide of the mark aimed at by the enactment of the law contained in it.

That they are wrong in their interpretation of this verse, I think I shall have no difficulty in showing.

First of all, what right have they to substitute another word, mentally or otherwise? The man against whom the law stands is prohibited by it from approaching his brother's "wife;" not a word is said against the man marrying his brother's "widow."

Lest I weary your readers, I will stop here, and begin my next letter just at this point, viz., Dr. Roe's erroneous interpretation of the 16th verse of Lev. xviii.

Yours, &c.,

D. V. LUCAS.

No. 5.

TO THE EDITOR OF THE GAZETTE:

SIR,—I said in my last letter that Dr. Roe and his friends make the mistake of substituting *widow* for "wife" in verse 16 of Lev., chapter xviii. The sin against which the law in this verse was enacted, of which Herod in after ages was guilty, and for which he was rebuked by John the Baptist, existed among the many abominations, by which the very wicked Canaanites had corrupted themselves, and for which they had been severely punished by a righteous God. Read the verse just as it stands, and understand

it just as it reads, without changing it in the least degree, and you see at once the sin against which it is aimed. "Thou shalt not uncover the nakedness of thy brother's wife; it is thy brother's nakedness." It can only refer to the wife of a living brother. Am I wrong in my opinion of the meaning of this verse, and is Dr. Roe right in interpreting it to include also the wife of a deceased brother? We can test the soundness of his interpretation by applying it to the 20th verse, where the word "wife" occurs again. "Moreover, thou shalt not lie carnally with thy neighbor's wife, to defile thyself with her." I will credit Dr. Roe with an unwillingness to blow hot and cold with the same breath. "Wife" in the one verse must mean the same as the word "wife" in the other, or *widow* in the 16th must make word "wife" in the 20th also mean *widow*. It must follow then, if his interpretation be correct, that any man marrying a widow is guilty of incest, which is absurd and unscriptural, for Paul says that death puts an end to the law which bound the woman to her husband or the husband to the wife, so that either party set free by the death of the other, if married again, is not an adulterer or adulteress, as the case may be. Dr. Roe will hardly attempt to dispute so clear an Apostolic declaration. It must be, therefore, that any interpretation of Scripture which leads us to so clear a contradiction of Apostolic teaching, as well as of our own common sense, must be absurd and erroneous. The reader will be able to decide for himself which is the most reasonable interpretation of the passage now before us. It was the brother's wife, and not at all the brother's widow, the man was prohibited from taking to wife.

That Dr. Roe is mistaken in his interpretation of the 16th verse of the chapter containing the prohibited decrees, is evident further from the fact that a law was enacted to require the brother next in age, unmarried, to take to wife his brother's widow, if his brother had died without issue. There does not appear to have been any law preventing such a marriage, even if the widow had children. The parties seem to have been left to their own choice in this respect, but if she had no children, then this law came in to render such a marriage obligatory. It was designed for the purpose of continuing family names in connec-

tion with those landed estates originally granted when the land was apportioned to the Hebrew tribes on their entrance into Canaan.

Two instances are especially recorded showing God to have been angry with brothers who refused to comply with the law, and provision was made in the statute for punishing the brother who refused compliance. This law, we know, was in force 1,500 years later, for one of the Sadduces came to Jesus and said, "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," &c. And there this law stands to this day, ~~in Dr. Roe's Bible~~, as a Divine contradiction to his interpretation of the 16th verse of the xviii. chapter of Leviticus. He and all the defenders of our unrighteous because unscriptural law on this subject, say that all these laws apply equally to both sexes. So be it, gentlemen. I will not disagree with you in this. But I think I have shown to the satisfaction of many readers that God never made a law to prevent a woman from marrying her deceased husband's brother, but quite the contrary. It follows, therefore, on your own principles, that His laws do not prohibit a man from marrying his deceased wife's sister.

D. V. LUCAS.

January 27th, 1882.