

The groom also is brought with songs from the sea; girls go to meet him in festive train, with dishes of confectionery, and with a branch hung with silken kerchiefs and coins. Arrived at home, he is kissed on the forehead by all the women; then, after having been blessed by his relatives, he is led with music to the court of the synagogue, where, under the huppah, the rabbi with two pupils awaits the pair. The music ceasing, the groom goes under the huppah, while the bride's parents are mourning at home for their child and those of the groom are preparing for the ceremony. The bride is led a few times around the groom, the bridesmaids and the others carrying lights. The ritual is that of the Sephardim; the rabbi sits during the ceremony, and both he and the groom hold a glass of wine during the blessings, drinking after each of them.

After the ceremony, guns and rockets are discharged; the bride, closely veiled by her attendants, is put on a horse, which a relative of the groom leads while another holds a mirror before her face; and with shouting and music the couple are led home, showered on the way with rice. Arrived at the house of the bride, the girls dance, and as soon as she crosses the sill the door-posts are smeared with honey, while a light burns over the door; at the same time the young men again discharge pistols. The musicians are then paid, and the wedding procession is ended.

Afterward the groom goes walking with his friends until the evening, when the men and the women eat in separate rooms without music. After the meal is finished the gifts, of gold only, are presented, the rabbi blessing each giver. The bride keeps with her in the room of the women only a sister and an aunt, if she has any, and a few friends. Late in the evening, after the guests have departed, the groom is led to the bride. After a time the young men call him out, discharging guns. The bride's mother must prepare for them a cock and a hen, or all her chickens will be stolen and killed. The bride and groom receive also money and fruit, the latter being eaten in the bride's room. The bride herself remains for twelve days behind a curtain, guarded by girls who demand pay from the groom.

In Grusia (Georgia; Chorny, *l.c.* p. 129) the groom and bride are led in festive train from their homes to the synagogue, where they take their places beside the bema. The hakam recites some

In Grusia. piyyutim, translating them into Grusian, the ketubah also being written in Hebrew and Grusian. After a blessing upon the czar the groom covers himself and the bride with a tallit. While the hakam pronounces the first blessings the groom holds a ring and an earthen vessel containing wine. Then handing the ring to the bride, he breaks the vessel; covered by a cloth, the ends of which both hold, the bride and groom circle around the bema, kiss the curtain of the Ark of the Law, and leave the synagogue.

M. Gr.

MARRIAGE LAWS: The first positive commandment of the Bible, according to rabbinic inter-

pretation (Maimonides, "Minyan ha-Mizwot," 212), is that concerning the propagation of the human species (Gen. i. 28). It is thus considered the duty of every Israelite to marry as early in life as possible. Eighteen years is the age set by the Rabbis (Ab. v. 24); and any one remaining unmarried after his twentieth year is said to be cursed by God Himself (Kid. 29b). Some urge that children should marry as soon as they reach the age of puberty, *i.e.*, the fourteenth year (Sanh. 76b); and R. Hilda attributed his mental superiority to the fact that he was married when he was but sixteen years old (Kid. *l.c.*). It was, however, strictly forbidden for parents to give their children in marriage before they had reached the age of puberty (Sanh. 76b). A man who, without any reason, refused to marry after he had passed his twentieth year was frequently compelled to do so by the court. To be occupied with the study of the Torah was regarded as a plausible reason for delaying marriage; but only in very rare instances

Age for Marriage. was a man permitted to remain in celibacy all his life (Yeb. 63b; Maimonides, "Yad," Ishut, xv. 2, 3; Shulhan 'Aruk, Eben ha-'Ezer, i. 1-4; see CELIBACY).

The duty of marriage is discharged after the birth of a son and a daughter (Yeb. 61a). Still no man may live without a wife even after he has many children (*ib.*). Women are exempted from the duty of marriage, although, to avoid suspicion, they are advised not to remain single (*ib.* 65b; "Yad," *l.c.* 2, 16; *ib.* Issure Biah, xxi. 26; Eben ha-'Ezer, i. 1, 13; see WOMAN).

The consent of parents is not essential to the validity of a marriage (Shulhan 'Aruk, Yoreh De'ah, 240, 25, Isserles' gloss). The Rabbis, however, urge great care in the choice of a wife. He who marries a woman unworthy of him is bound by Elijah and chastised by God; and concerning him Elijah writes, over the signature of God, "Wo unto him who profanes his children and degrades his family" (Kid. 70a; Derek Erez R. i.). According to R. Akiba, he who marries a wife that is unworthy of him transgresses five Biblical commandments (Ab. R. N. xxvi. 4). While all families are presumptively pure and respectable, those that are at constant warfare with one another, or whose members are accustomed to call one another shameful names, or are known for their acts of cruelty and uncharitableness, are under suspicion of being of impure descent (Kid. 71b, 76b). The families most desirable for matrimonial alliances, according to the Rabbis, were classified in the following order: those of the scholar; the most prominent man of the community; the head of the congregation; the collector for charity; and the teacher of children. The family of the ignoramus ("am ha-arez") is to be avoided, and one should not give his daughter in marriage to such a person (Pes. 49b; "Yad," Issure Biah, xxi. 32; Eben ha-'Ezer, 2; see 'AM HA-AREZ).

To the degrees of prohibited marriages enumerated in the Bible (Lev. xviii. 6-18, xx. 11-21), the Rabbis added some new degrees, besides extending those mentioned in the ascending and the descending line. These additions are known in the Talmud by the name of "sheniyyot," *i.e.*, secondary, such as

are given on the authority of the Soferim ("Scribes"). See HALIZAH; INCEST; LEVIRATE MARRIAGE.

Prohibitions of marriage on grounds other than those of consanguinity refer to the following: (1) Mamzers, persons born of incest or of adultery; they are not permitted to marry Israelites

Prohibitions of Marriage. (see BASTARD; FOUNDLING; ILLEGITIMACY; INCEST). (2) Ammonites or Moabites; they may not marry Israelitish women. (3) Egyptians or Idumeans to the third generation. (4) Nethinim or Gibeonites. The Rabbis declare: "Now all proselytes are permitted to marry Israelites; and we do not suspect that they are descendants of any of the nations forbidden in the Bible" ("Yad," Issure Biah, xii. 25; Tosef., Kid. v. 6; Yad. iv. 4; Ber. 28a; see INTERMARRIAGE; PROSELYTES). (5) Slaves. (6) Spadones, i.e., persons forcibly emasculated, but not those that are born so. When the defect is the result of a disease, there is a difference of opinion among the authorities (Eben ha-'Ezer, 5).

One who is suspected of having committed adultery with another man's wife is not permitted to marry her after she has been divorced or after she has become a widow (Sotah 25a; Yeb. 24b; see ADULTERY). The Biblical prohibition

Prohibited Degrees. forbidding one to remarry his divorced wife after she has been married to another (Deut. xxiv. 4) is extended by

the Rabbis to the following cases: No one may remarry his divorced wife if he divorced her on suspicion of adultery, or because she had subjected herself to certain vows, or on account of her barrenness (see DIVORCE). Those who assist at a divorce proceeding, or the witnesses who testify to the death of an absent husband, may not marry the woman thus released (Yeb. 25a; Git. 45a; "Yad," Gerushin, x. 13; Eben ha-'Ezer, 10, 3; 12, 1-2).

Besides the proselyte and the profane (HALALAN) or the divorced woman (Lev. xxi. 17 [A. V. 14]), the descendants of Aaron were forbidden to marry also the "haluzah," the woman who performed the ceremony of HALIZAH ("loosening the shoe") upon her deceased husband's brother (Yeb. 24a). A priest's wife who had been criminally assaulted had to be divorced by her husband (ib. 56b). A woman captured by an enemy in time of war was under suspicion of having been assaulted by her captors, and hence priests were forbidden to marry her, unless witnesses who were with her during the whole time of her captivity testified that she had not been assaulted (Ket. 22a, 27a). The Rabbis insisted on the fulfillment of these laws even after the Temple had been destroyed and the priestly office abolished; and they compelled an Aaronite, under penalty of excommunication or other means, to divorce the woman that he had married contrary to the Law ("Yad," Issure Biah, xvii.-xx.; Eben ha-'Ezer, 6, 7; see PRIESTLY CODE).

There are some prohibitions which relate specifically to the woman's remarriage. A woman who was twice widowed, if both husbands died natural deaths, might not marry again (Yeb. 64b; "Yad," l.c. xxi. 31; Eben ha-'Ezer, 9). A widow or a divorced woman might not remarry before the expiration of

ninety days from her husband's death or from the time when the bill of divorce was handed to her.

This provision was made in order to ascertain whether she was pregnant, and that in the event of her being so the paternity of her child might be established. For the sake of uniformity the Rabbis required the woman to wait that length of time even when there could be no suspicion of pregnancy. If she was visibly pregnant, she might not remarry until after her delivery, and even then, if the child lived, she was required to wait until it was twenty-four months old. A woman who had an unwedded child was required to wait the same period. If the child died during the interval, she might remarry immediately (Yeb. 41a, 42a; "Yad," Gerushin, xi. 18-28; Eben ha-'Ezer, 13; see DIVORCE; WIDOW).

There are certain times during which marriage is forbidden. During the first thirty days of mourning after the death of a near relative no marriage may be entered upon. A widower may not remarry until three festivals have passed after the death of his wife. If, however, she left him with little children needing the care of a mother, or if he had not yet discharged his duty of propagating the species, i.e., if he had no children (see above), he might remarry after a lapse of seven days (M. K. 23a; "Yad," Ebel, vi. 5; Yoreh De'ah, 392). No marriage might be entered upon on Sabbaths, holy days, or the week-days of the holy days, except in very urgent cases (Bezah 36b; "Yad," Shabbat, xxiii. 14; ib. Ishut, x. 14; Eben ha-'Ezer, 64, 5; Oraḥ Hayyim, 339, 4, 524, 1, Isserles' gloss). The first nine days of the month of Ab were regarded as days of mourning and no marriage might then be performed. Some extended this prohibition to the three weeks intervening between the fast of the Seventeenth of Tammuz and that of the Ninth of Ab (Oraḥ Hayyim, 551, 2, 10, Isserles' gloss, and commentaries). The period between Passover and Shabu'ot ("Sefirat ha-'Omer") was also regarded as one of mourning; and no marriage might be performed during this time, except on a few specified days. In some places it was customary to refrain from marriage only until the thirty-third day of the Omer (ib. 493, 1, Isserles' gloss; see MOURNING; OMER).

Marriage, being regarded also as a civil transaction, required the consent of the contracting parties in order to make it valid (see CONSENT). Hence idiots or imbeciles were considered incapable of contracting a legal marriage (see INSANITY). The deaf-mute was also debarred from entering

Conditions. a legal marriage for the same reason, but the Rabbis sanctioned the marriage of a deaf-mute if contracted by means of signs (see DEAF AND DUMB IN JEWISH LAW). Minors (i.e., such as have not reached the age of puberty, which was held to begin at thirteen years in males, and twelve in females), are also precluded from contracting marriages (see MAJORITY). A daughter who was a minor could be given in marriage by her father; and such a marriage was valid. In the case of her father's death, her mother or her brothers could give her in marriage, subject to her confirmation or annulment on her reaching the age of puberty

(see *Mr'un*). A marriage contracted under certain conditions was valid when the conditions were fulfilled. The conditions had to be formulated in accordance with the general laws governing conditions (see *CONDITIONS*).

In rabbinic times there were two distinct stages in the marriage ceremony: (1) its initiation or the *Betrothal* ("erusin"), and (2) its completion or the marriage proper ("nissu'in"). These might or might not have been preceded by an engagement ("shiddukin"), although the prevailing custom was to have a formal engagement before marriage, when a contract ("tena'im") was drawn up in which the parties promised, under the penalty of a fine ("kenas"), to be married at an appointed time (see *BREACH OF PROMISE OF MARRIAGE*). The Rabbis regarded it as improper to marry without a previous engagement, and would punish one who did so, although the act itself was considered valid (*Kid.* 12b: "Yad," *Ishut*, ii. 22; *Eben ha-'Ezer*, 26, 4).

The betrothal was effected in any of the three following ways: (1) by the man handing a coin (a *perutah*, the smallest Palestinian coin, was sufficient for the purpose) or its equivalent to the woman in the presence of two competent witnesses, and pronouncing the words "Be thou consecrated to me," or any other phrase conveying the same idea; (2) by the man handing a contract ("sheṭar") to the woman containing the same formula; (3) by actual cohabitation between groom and bride. This last form of betrothal was discouraged by the Rabbis; and sometimes such a procedure met with severe punishment at the hands of the authorities. The manner of betrothal first mentioned seems to have been the most common, but later this was modified, so that instead of money the man gave his bride a ring, plain, and made of gold, the value of which was constant and well known (*Tos.*, *Kid.* 9a, s.v. "Wehilketa"; *Eben ha-'Ezer*, 27, 1; 31, 2, Isserles' gloss; see *BETROTHAL*). The act of betrothal might be performed also by proxies appointed either by the bride or by the groom or by both; but it was recommended that the contracting parties be present at the ceremony ("Yad," *Ishut*, iii. 19; *Eben ha-'Ezer*, 35, 36). After betrothal the parties were regarded as man and wife; and the act could be dissolved only by death or by a formal bill of divorce. If the woman proved unfaithful during the period of betrothal she was treated as an adulteress, and her punishment (that of stoning; *Deut.* xxii. 23, 24; *Sanh.* 66b) was considered to be much more severe than that (strangulation) inflicted upon the unfaithful married woman (*Deut.* xxii. 22; *Sanh.* 52b). The parties were not, however, entitled to conjugal rights, nor were they bound by the obligations of married life (see *HUSBAND AND WIFE*).

After the lapse of a certain period from the time of betrothal (twelve months if the bride was a virgin and a minor, and thirty days if she was an adult or a widow; *Ket.* 57b), during which the bride could prepare her trousseau, the marriage proper was celebrated. This was attended with the ceremony of home-taking ("likḥuḥin" or "nissu'in") and isolation of the bridal pair in the bridal chamber ("huppah"). From that time they became husband and wife, even if there was no cohabitation. Various ceremonies

attended the act of marriage (see *MARRIAGE CEREMONY*). An important feature was the handing over of the marriage contract ("ketubah") to the bride. In later times the two stages of marriage were combined, a custom universally followed at the present time.

Besides the cross-references cited above see *CONFERENCES*; *DOWRY*; *KETUBAH*; *PILEGESE*; *POLYGAMY*.

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MARRIAGE SETTLEMENT. See *KETUBAH*.

MARRIED WOMAN. See *WOMAN*.

MARSEILLES (מַרְשִׁיִּיָּה or מַרְשִׁיִּיָּה): Seaport of southern France with about 5,000 Jews in a population (1896) of 420,300. It had a Jewish colony as early as the fifth century, and in 567 a number of exiles from Clermont, Auvergne, sought refuge there from the intolerance of Bishop Avitus. Pope Gregory intervened in their behalf in 591, reproaching Theodore, Bishop of Marseilles, for having attempted to convert them by force and not by suasion. Benjamin of Tudela says ("Itinerary," i. 6) that when he passed through the city, about 1165, the Jewish community numbered 300 members, who worshiped in two synagogues. In the thirteenth century the Jews carried on an extensive commerce and had considerable relations with the East. While they are called "citizens of Marseilles" ("cives Massilie"), as appears from the compact made in 1219 between the city and the bishop in regard to the municipal franchises, and from the agreement between the inhabitants of Marseilles and the Duke of Avignon in 1257, this does not seem to denote that they had equal rights with their Christian fellow citizens. Their condition, which seems to have been favorable during the earlier parts of the Middle Ages, underwent a change in 1262, when the city was obliged to capitulate in consequence of an insurrection against the Duke of Anjou, Count of Provence, to whom the Jews were surrendered as property which he might tax at pleasure. The count, on the other hand, was well disposed toward the Jews, and in March, 1276, issued a severe edict against the inquisitors who had compelled them to wear a badge of greater size than the one worn by them since the Lateran Council of 1215, and extorted large sums from them under the pretext of fines.

Still, although theoretically the Jews were citizens, certain passages of the laws make it clear that they were not treated as such. After the age of seven they were obliged to have on their breasts a disk of some colored material, as large as the hand, while married Jewesses were required to wear special veils, "orales," under penalty of a fine of five