

# Ceremony of 'Halizah' In Court Action

## Echoes of Biblical Days Are Brought Out In Marital Complaint

Echoes of the biblical days and laws of the Old Testament found their way into district court yesterday with the filing of a suit by Sarah Wiener to compel Joseph Kall to perform with her the ceremony of the "Halizah."

All persons concerned in the suit are orthodox Jews and bound by the laws of their church, according to the complaint.

The plaintiff was formerly the wife of Hyman Kall, brother to the defendant, whom she married May 10, 1896 in Russia. He died Feb. 18, 1919.

The law of their faith is, "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 (in this case Joseph Kall) go in unto her and take her to him to wife and perform the duty of a husband's brother unto her" unto which law the plaintiff and her present husband and the defendant are bound, according to the complaint.

The ceremony of the Jewish church which absolves the defendant from marital obligations and frees both parties for intermarriage is called the Halizah. The plaintiff and the younger brother of her former husband must appear before a tribunal of the church in Duluth which after proper investigation gives the decree which frees them of their mutual obligations.

The plaintiff married Max Wiener June 16 but he refuses to live with his wife until the ceremony is performed. She states in her complaint she has asked the defendant to appear before a tribunal of their church but he has refused. She seeks a judgment of court compelling him to appear before the tribunal so that she and her present husband "will not be restrained and deprived of the liberty of their conscience."

Judge W. A. Cant issued an order to the defendant yesterday to have the ceremony performed or to appear in court Saturday to show cause why he has not done so. A. B. Clarfield is attorney for the plaintiff.