

people really understand what particular act creates or constitutes the marriage contract.

Because marriage is called a "Sacrament" by some Christians, it is supposed that like some other "Sacraments" the marriage contract consists in some religious rite which is performed, and that this religious ceremony is what really constitutes marriage. And so it has come to pass that in many, probably most, people's minds, the contract of marriage is confounded with the ecclesiastical or civil ceremony or act by which it is solemnized or witnessed. But if we examine into the history of marriage we find that for fifteen hundred years the Christian Church had no such doctrine, as that a religious ceremony was an essential part of marriage, and certainly no such ceremony attended the marriage of our first parents which, as a learned divine said at the Council of Trent, is the model of all others. On the contrary the Church uniformly and persistently held that the mutual consent of parties competent to contract, to take each other as husband and wife was what really constituted marriage, and was the only *essential* thing from the religious point of view. But to give greater solemnity to the contract, and to enable the Church authorities to prevent persons not competent by reason of their relationship, from assuming to marry each other, the solemnization of marriage in the face of the Church, as we shall hereafter see, was enjoined from time to time by the Church, and the disregard of the injunction was visited with ecclesiastical censures.

But it was not until the Council of Trent, in 1563, that it was ever pretended by Pope or Council, or any other