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THE MARRIAGE LAWS AND THE COUNCIL OF TRENT.

Recent events have drawn public attention to a matter of profound national importance, namely the law as to marriage and divorce, the moving cause being the enforcement by what is known as the "Ne Temere" decree of one of the decrees of the Council of Trent concerning clandestine marriages, and some cases which have arisen where the provisions of that decree have been invoked for the purpose of questioning the validity of marriages which, but for that pronouncement, could not have been questioned.

The Council of Trent dates back to 1564. That part of its proceedings which affect the present situation was the decree that, "those who attempt to contract marriage otherwise than in the presence of their parish priest or of the ordinary, and in the presence of two or three witnesses, become thereby incapable of marrying validly, since the Council declares that all such contracts are null and void."

The reason given for the above was that it was desirable to make provision against the rash celebration of secret marriages.

So far as Canada is concerned this was a dead letter until August 2, 1907, when the present Pope issued a decree on the subject which contained amongst others, the following provisions:—

"Only those marriages are valid which are contracted before the parish priest delegated by either of these, and at least two witnesses, in accordance with the rules laid down in the following articles."

"The above laws are binding on all persons baptised in the Catholic Church, and on those who have been converted to it