

laws from the statute books. They remained there for the use of those who wished.

What the State could not do in marriage, the Church could do: she could command and forbid in conscience. The State can make a breach in the walls; but the Church can forbid her children passing out.

Such was the situation. Wherever we turn, we find that both Canon law and State law were co-existent, and both were applied. The marriage laws enacted by the Council of Trent were not limited in any manner or form by subsequent State marriage laws; neither did the Tridentine laws prevent the State from passing any law it chose to make.

In the application of the laws, the State could offer divorce and civil marriage to its citizens; but the Church commanded her children to abstain from such practices. The State cannot compel men and women to divorce, or to contract purely civil marriage; neither can the State's authority counteract the obligation laid in the conscience of her children by the Church. The State continued to offer divorce and purely civil marriage; the Church continued to command her sons and daughters abstain from them.

This situation was not changed in 1908, when the *Ne Temere* went into force. The *Ne Temere* did not affect the civil laws any more than did