

# The Catholic Record.

"Christianus mihi nomen est Catholicus vero Cognomen"—(Christian is my Name but Catholic my Surname).—St. Paclian, 4th Century.

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LONDON, ONTARIO SATURDAY, SEPTEMBER 21, 1907

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## THE ONTARIO OPPORTUNITY.

Some of us are wont to be unduly critical with regard to our colleges. We acquire the habit of posing as authorities on questions, and are prone to much utterance which is oftentimes but an echo of non-Catholic prejudice. Not intentionally, of course, but they who consort much with our separated brethren are apt to adopt their way of speaking and to come in time to believe that institutions under Catholic auspices are inferior to all others.

That this conclusion is not warranted by authentic data is evident to the unprejudiced.

What we wish to point out for the present is that colleges are not up-bulld in a day. They need the mellowing influence of time; the rain of support and sympathy; the touch of scholars who can transmute the gold of the past into coin of the present, and whose influence is strong enough to determine others to self-activity—all this is needed to enable our colleges to become factors in our national life.

Criticism, or, rather, carping, will not help us. If we persist in our policy of non-support of our institutions, we may beget the suspicion that the best discipline of the mind is found among those who are not Christians, or at least not Catholics, and that, whatever the Church may have been in other times, her day is past. We cannot afford to let public opinion drift away from the Church. They without the fold who know that the noblest pages of our history have been written by the Catholic must wonder at our unwillingness to emulate the generosity and zeal of our forbears. We, however, do not wonder; we devote no thought to the question of education; and so strangely wedded are we to our own good opinion that we are inclined to resent criticism as impertinence. Our trouble is that we are living in a fool's paradise. We warm ourselves at the fire kindled by the past, thinking the whills that it is a fire of our own making.

What we need is a realization of the truth that knowledge is the eighth sacrament. If we are to be a social force we must have men of cultured minds, saturated with Catholic principles and able to bring them to bear upon the problems of the hour. And unless we have colleges that can nurture men of this type we must perforce live in a world unloved by the main current of life.

**MATERIAL HELP.**

To begin with, the material, money, is necessary. A noble cause should find generous hearts. It has found them among the non-Catholic—why not among ourselves? Toronto and Queen's, for instance, have had their difficulties, but to-day they are factors in the intellectual life of Ontario. They have men even as we have, but behind them is the non-Catholic who is proud, and justly so, of their achievements, and willing to manifest it by opening his purse for their benefit.

Within our gates is the University of Ottawa. What it stands for, and its rank as an educational centre, are too well known to warrant comment. It, however, it had the undivided support of the Ontario Catholic it could enlarge its field and play a more important role in this country. That it has achieved a certain measure of success is tribute indeed to the resourcefulness of those who guide its destinies, especially when we remember that it has always walked hand in hand with poverty and has been hampered by the apathy and censure of those for whom it was made, and makes at present, a brave resistance to opposition and difficulty. It has been ever faithful to the best traditions of the Catholic system of education. Though faddists have railed, and misled friends exhorted, it has not swerved from the path trod by our scholars. But it is not bound to the conservatism which sees no value in modern methods. It aims to be second to no university in Canada, to be, in a word, for Catholics in Ontario what Queen's is to the non-Catholic. It has, therefore, plodded on bravely, though discouragement must never have been far away, looking for the dawn of the day of unity, of the day whose atmosphere would be surcharged with love and sympathy and support. We believe that day is come.

## TO BE NOTED.

For the information of our readers we append the following note, culled

from the calendar of the Ottawa University:

"In view of confused ideas and in correct assertions on this point (the dual course) it may be well to affirm clearly and authoritatively that the University Classical Course is neither exclusively in English nor exclusively in French. It is, therefore, left to the choice of parents and students to take the classical course in one or other of the two languages. Both languages are official in the administration of the institution as well as in communications with parents."

## DEMOCRACY WITHOUT GOD.

That a democracy without religion is an unbridled despotism may be seen in the France of Clemenceau. So long as he can keep the crowd amused he is safe, as safe as any man who is walking on the brink of a precipice. His principal protection is the soldier; but even he who is drilled, by an education in which the existence of God is a superstition, may become restless and put up a barricade or two and give the cynical little French leader a bad quarter of an hour.

## A TORONTO LECTURE.

Some time ago a clerical gentleman from France lectured in Toronto on the policy of the French Government. He referred to it as the effluence of democratic ideas and pointed out that the men who guided it had but one object in view—to make France united. As a means to this end the schools were entrusted to lay teachers, who, unlike monks and nuns, could be trusted to develop the spirit of loyalty to the Republic.

This is the old policy of enthroning the devil in the school-room. Voltaire did it—and his followers bent the knee before a naked harlot. Clemenceau does it—and already observers are appalled at the increase of juvenile crime in France. Hate and lust walk abroad to drive home the truth that education, which takes no account of God is more deadly to a country's safety than the loss of many battles. And the writers who tell us that such education has brought about the moral unity of France we can answer in the words of Jules Simon: "The miserable and sterile society that such education would produce would be in France an edition of one man in thirty-six millions of copies—such unity is death."

## A PARENTAL DUTY.

Parents should inspect the "moving picture shows" before allowing their children to visit them. We advise them to pay no heed to advertisements but to see them for themselves and to protest if they think that these pictures are criminally suggestive. They will be told, of course, that these shows have an educative value and various other things which belong to the vocabulary of cant. But they are primarily responsible for the souls of their children and not the gentlemen who wish to educate us at so much per. For our part, we are of the opinion that these "shows" have no permanent place in the life of any wise community. They cannot fail to be a source of distraction to school children. But parents can, if they will, diminish the profits of these people who minister to the amusement-loving public and promote incidentally the faddishness of mind that makes life "one eternal guffaw."

## ON THE RIGHT ROAD.

Our readers know how Irish industries were strangled by English law, so well described by Edmund Burke as the most proper machine "ever invented by the wit of man to disgrace a realm and degrade a people." In Charles II's reign its shipping interests were ruined. Later on its butter, etc., was driven out of the English markets. Its exportation of woollen cloths was forbidden because it interfered with the profits of the industrious English who were in the business. Imagine the two houses of the British Parliament petitioning Edward VII. to tell the Irish merchants to curb their enterprising less they "may occasion very strict laws totally to prohibit and suppress the same." But King William gave an attentive hearing to such a petition, with the result that the Irish were ousted from the world of manufacture, and bound to the soil for the benefit principally of the person and landlord. But Irish industries are reviving. The industrial movement is growing apace. Ireland's mills send cloth to the United States, Germany and other places. Rev. Father Flanagan, who is in the United States in the interests of Irish trade, says:

"We also hope to capture some of

England's market in the United States. The United States buys each year from England about \$12,000,000 worth of woollen goods. The product of our Irish mills is better and as cheap. But we have no consuls here to look after our trade, and our young industries cannot devote as much capital and attention to a foreign market as the old and long-established houses of England. But our patriotic societies can do more for us than the consuls of any country, and I am glad to say that many of the Irish societies are taking up the work and pushing it with great zeal and some success."

With Irishmen as factors in the industrial field, and by artistic endeavor rivaling the men who gave us the Book of Kells and the Tara Brooch and Glendalough and Clonmacnoise, they will have no time to give to the policy of the Sinn Fein.

## SPONSALIA AND MATRIMONY.

REFORM OF UNUSUAL IMPORTANCE INTRODUCED INTO THE LEGISLATION OF THE CHURCH.

Philadelphia Catholic Standard and Times. Through the medium of the cable Catholics in this country have been in a measure prepared for an important decree issued at Rome, on August 2 last, regarding sponsalia, or mutual promises of marriage, and the valid and licit celebration of the sacrament of matrimony. Two weeks ago the secular press announced the issuing of the decree by the Congregation of the Council, and gave what purported to be a summary of its most important provisions. As was apparent at the time, the cable summary was inaccurate. A translation of the full text of the new law is available in the August 21st issue of Rome, the weekly published in English in the Eternal City, and is reprinted in this issue of the Catholic Standard and Times.

In a prefatory note Rome says: "Nearly four years since, when Pius X. instituted a special Pontifical Commission for the colossal task of codifying all the laws of the Church and bringing ecclesiastical legislation up to date, he desired that the first part of the work, relating to the sacraments, should be completed as soon as possible and at once promulgated. It was found, however, that the connection between the different parts of the new code would be so intimate in many points that it would not be possible to complete absolutely the legislation in the sacraments by itself. The Holy Father, however, yielding to the many petitions addressed to the Holy See to remedy the inconveniences of the present law on the celebration of marriage, decided to have this settled by a special decree. It will be found that further legislation concerning impediments to marriage will be contained in the new code of Pius X."

AN IMPORTANT REFORM. Rome publishes also a brief commentary of the decree by Professor E. M. Canon Pezzani, member of the Commission for the Codification of Canon Law and director of the Consulate Ecclesiastico. This learned canonist writes:

"Nobody can read the decree of the Congregation of the Council without being at once struck with the unusual importance of the reform which it introduces into the legislation of the Church—a reform required by the circumstances of the times, and earnestly invoked by the episcopate and by all canonists. The decree regards the celebration of sponsalia and the celebration and registration of marriage, and its effects are both sweeping and universal. "Everybody knows that the ministers of the sacrament of matrimony are the contracting parties themselves, but that the Church has the power to add to matrimony, which is but the natural contract raised to the dignity of a sacrament, conditions regulating the lawfulness and validity of it, just as civil society has the right to put conditions for the validity of civil contracts as far as regards their civil effects. "Hitherto the Church had laid down no conditions regulating sponsalia which might be contracted by free persons without the presence of priests or witnesses. All that is changed in the new legislation, for the future sponsalia, in order to be valid and binding canonically, must be contracted in writing, with the signature of the parties to them (or of an additional witness when one or both of the parties cannot write), and with the signature of the competent priest or the ordinary of the place, or at least two witnesses. "Henceforth the competent priest for the valid and lawful celebration of sponsalia and marriage is not the parish priest in the canonical sense of the term. Every priest who has the care of souls in a specified district, and in missionary lands, every priest who is duly deputed by the superior of the mission for the general care of souls may for the future, notwithstanding all previous legislation to the contrary, assist lawfully and validly at the celebration of sponsalia and marriage. "Previous to the Council of Trent marriages celebrated without the presence of priests or witnesses by the contracting parties were valid, because the Church had not added any conditions regulating the validity of the ceremony; but they were always illicit and detested by the Church, and called clandestine, because marriage being a sacrament, it ought to be celebrated before the Church, and because such clandestine marriages gave rise to the gravest doubts and difficulties in proving the validity of the celebration. "The Council of Trent, by its Decree Tametsi (of December 11, 1563) sought to put an end to these inconveniences

by enacting that a marriage to be valid must be celebrated in the presence (willing or unwilling) of the parish priest or one of the contracting parties, and of two witnesses, but this decree was to have force only in those parishes in which it was promulgated. The Tametsi decree, efficacious enough at the time it was enacted, has owing to the changed condition of the world, become insufficient for many reasons; hence the new decree which unifies the law of the celebration of marriage throughout the world. Particularly worthy of note are the following changes: (1) The competent priest for the valid celebration of marriage is every priest duly invested with the care of souls; (2) his presence must be willing; (3) his presence is valid for the marriage not only of persons living in his district, but of those from other places; (4) in case of imminent danger of death any priest may validly assist at a marriage, and (5) when it has been impossible for a whole month to have the presence of the competent priest or the ordinary of the place, the presence of a priest is not necessary for validity. For all marriages the presence of two witnesses is required. "It is to be noted, too, that the present decree nowhere binds those outside the Church (except apostates and the excommunicated) and that it binds all those within the Church. In this respect it differs greatly from the Tridentine legislation. The Decree Tametsi is local, and affected persons in respect to the place of their domicile or quasi domicile. The present decree is personal; heretics and schismatics (except apostates) are not affected by it, and may contract validly and legitimately among themselves quite independently of it; and while for the licit celebration of marriage among Catholics a residence for the space of a month of one of the contracting parties in the place of the celebration is necessary, no residence at all is required for validity. The decree is not retroactive, and will come into force next Easter."

DECREES CONCERNING SPONSALIA AND MATRIMONY ISSUED BY THE SACRED CONGREGATION OF THE COUNCIL, BY THE ORDER AND WITH THE AUTHORITY OF OUR HOLY FATHER POPE PIUS X.

The Council of Trent, (cap. I, Sess. xxiv, de reform. matrim.) made prudent provision against the rash celebration of clandestine marriages, which the Church of God for most just reasons has always detested and forbidden, by decreeing: "Those who otherwise than in the presence of the parish priest himself or of another priest acting with the license of the parish priest or of the ordinary, and in the presence of two or three witnesses, shall attempt to contract matrimony, the Holy Synod renders them altogether incapable of contracting marriage thus, and decrees that contracts of this kind are null and void."

But as the same Sacred Council prescribed that said decree should be promulgated in all the parishes and was not to have force except in those places in which it had been promulgated, it has happened that many places in which the publication has not been made have been deprived of the benefit of the Tridentine law, and are still without it, and continue to be subject to the doubts and inconveniences of the old discipline. Not less all difficulties have been removed in those places where the new law has been in force. For often there has been grave doubt in deciding as to the person of the parish-priest before whom a marriage is to be celebrated. The canonical discipline did indeed decide that he is to be regarded as the parish priest in whose parish one or the other of the contracting parties has his or her domicile or quasi domicile. But as it is sometimes difficult to judge whether a quasi domicile really exists in a specified case, not a few marriages were exposed to the danger of nullity; many too, either owing to ignorance or fraud, have been found to be quite illegitimate and void. These deplorable results have been seen to happen more frequently in our own time on account of the increased facility and celerity of intercommunication between the different countries, even those most widely separated. It has therefore seemed expedient to wise and learned men to introduce some change into the law regulating the form of the celebration of marriage, and a great number of Bishops in all parts of the world, but especially in the more populous States where the necessity appears more urgent, have petitioned the Holy See to this end.

It has been asked also by very many Bishops in Europe, as well as by others in various regions that provision should be made to prevent the inconveniences arising from sponsalia, that is mutual promises of marriage, privately entered upon. For experience has sufficiently shown the many dangers of such sponsalia, first as being an incitement to sin and causing the deception of inexperienced girls, and afterwards giving rise to inextinguishable dissension and disputes.

Influenced by these circumstances our Holy Father Pope Pius X, desiring, in the solicitude he bears for all the Churches, to introduce some modifications with the object of removing these drawbacks and dangers, committed to the S. Congregation of the Council the task of examining into the matter and of proposing to himself the measures it should deem opportune. He was pleased also to have the opinion of the commission appointed by the Pontifical Commission for the codification of Canon Law as well as of the eminent Cardinals chosen for this special commission for the preparation of the new code, by whom, as well as by the S. Congregation of the

Council, frequent meetings have been held for this purpose. The opinions of all having been taken, His Holiness ordered the Sacred Congregation of the Council to issue a Decree containing the laws, approved by himself on sure knowledge and after mature deliberation by which the discipline regarding sponsalia and marriage is to be regulated for the future and the celebration of them carried out in a sure and orderly manner. In execution, therefore, of the Apostolic mandate the S. Congregation of the Council by these letters lays down and decrees what follows:

I. Only those are considered valid and produce canonical effects, which have been contracted in writing signed by both the parties and by either the parish-priest or the Ordinary of the place, or at least by two witnesses. In case one or both the parties be unable to write, this fact is to be noted in the document and another witness is to be added, who will sign the writing as above, with the parish priest or the ordinary of the place or the two witnesses.

II. Here and in the following articles by parish priest is to be understood not only a priest legitimately presiding over a parish canonically erected, but in regions where parishes are not canonically erected the priest to whom the care of souls has been legitimately entrusted in any specified district and who is equivalent to a parish-priest, and in missions where the territory has not yet been perfectly divided, every priest generally deputed by the superior of the mission for the care of souls in any station.

III. Only those marriages are valid which are contracted before the parish-priest or the Ordinary of the place or a priest delegated by either of these, and at least two witnesses, according to the rules laid down in the following articles, and saving the expeditions mentioned under VII and VIII.

IV. The parish-priest and the Ordinary of the place validly assist at a marriage:

1) only from the day they have taken possession of the benefice or entered upon their office, unless they have been by a public decree excommunicated by name or suspended from the office;

2) only within the limits of their territory; within which they assist validly at marriages not only of their own subjects, but also of those not subject to them;

3) provided when invited and asked, and not compelled by violence, or by grave fear, they demand and receive the consent of the contracting parties.

V. They assist licitly:

1) when they have legitimately ascertained the free state of the contracting parties, having duly complied with the conditions laid down by the law;

2) when they have ascertained that one of the contracting parties has a domicile or at least has lived for a month in the place where the marriage takes place;

3) if this condition be lacking the parish priest and the Ordinary of the place, to assist licitly at a marriage, require the permission of the parish-priest or the Ordinary of one of the contracting parties, unless it be a case of grave necessity, which excuses from this permission;

4) concerning persons without fixed abode (vagos), except in case of necessity it is not lawful for a parish-priest to assist at their marriage, until they report the matter to the Ordinary or to a priest delegated by him and obtain permission to assist;

5) in every case let it be held as the rule that the marriage is to be celebrated before the parish-priest of the bride, unless some just cause excuses from this.

VI. The parish priest and the Ordinary of the place may grant permission to another priest, specified and certain to assist at marriages within the limits of their district.

The delegated priest, in order to assist validly and licitly, is bound to observe the limits of his mandate and the rules laid down above, in IV and V, for the parish priest and the Ordinary of the place.

VII. When danger of death is imminent and where the parish-priest or the Ordinary of the place or a priest delegated by either of these cannot be had, in order to provide for the relief of conscience and (should the case require) for the legitimation of offspring, marriage may be contracted validly and licitly before any priest and two witnesses.

VIII. Should it happen that in any district the parish priest or the ordinary of the place or a priest delegated by either of them, before whom marriage can be celebrated, is not to be had, and that this condition of things has lasted for a month, marriage may be validly and licitly entered upon by the formal declaration of consent made by the spouses in the presence of two witnesses.

IX. 1) After the celebration of a marriage the parish-priest or he who takes his place is to write at once in the book of marriages the names of the couple and of the witnesses, the place and day of the celebration of the marriage, and the other details, according to the method prescribed in the ritual books or by the Ordinary; and this even when another priest delegated either by the parish priest himself or by the Ordinary has assisted at the marriage.

2) Moreover the parish-priest is to note also in the book of baptisms, that the married person contracted marriage on such a day in his parish. If the married person has been baptized elsewhere the parish priest who has assisted at the marriage is to transmit, either

directly or through the episcopal curia, the announcement of the marriage that has taken place, to the parish-priest of the place where the person was baptized, in order that the marriage may be inscribed in the book of baptisms.

3) Whenever a marriage is contracted in the manner described in VII and VIII, the priest in the former case, the witnesses in the latter are bound conjointly with the contracting parties to provide that the marriages be inscribed as soon as possible in the prescribed books.

X. Parish-priests who violate the rules thus far laid down are to be punished by their Ordinaries according to the nature and gravity of their transgression. Moreover if they assist at the marriage of anybody in violation of the rules laid down in 1) and 3) of No. V they are not to appropriate the sole fees but must remit them to the parish-priest of the contracting parties.

XI. 1) The above laws are binding on all persons baptized in the Catholic Church and on those who have been converted to it from heresy or schism (even when either the latter or the former have fallen away afterwards from the Church) whenever they contract sponsalia or marriage with one another.

2) The same laws are binding also on the same Catholics as above, if they contract sponsalia or marriage with non-Catholics, baptized or unbaptized, even after a dispensation has been obtained from the impediment *nixta religionis* or *disparitatis cultus*; unless the Holy See decree otherwise for some particular place or region.

3) Non-Catholics, whether baptized or unbaptized, who contract among themselves, are nowhere bound to observe the Catholic form of sponsalia or marriage.

The present decree is to be held as legitimately published and promulgated by its transmission to the Ordinaries, and its provisions begin to have the force of law from the solemn feast of the Resurrection of our Lord Jesus Christ, next year 1908.

Meanwhile let all the Ordinaries of places see that this decree be made public as soon as possible, and explained in the different parochial churches of their diocese in order that it may be known by all.

These precepts are to have force by the special order of our Most Holy Father Pope Pius X., all things to the contrary, even those worthy of special mention, to the contrary notwithstanding.

Given at Rome on the 22nd day of August in the year 1907.

VINCENT  
Card. Bishop of Palestrina, Prefect.  
C. DE LAI, Secretary.

## CATHOLIC NOTES.

The death is announced of the Very Rev. Father Gordon, S. J., rector of Stonyhurst College, England. He is spoken of in the obituary notices as one of the greatest ornaments of the Jesuit Order in the British Islands.

A memorial to the Irish poet and novelist, Gerald Griffin, is proposed in Ireland. As this gifted Irishman became a Christian Brother before his death, it is proposed that the memorial will take the shape of a Christian Brothers' school at Limerick.

One of the most interesting figures at the recent Eucharistic Congress at Metz, Germany, was a prelate with fully developed pigtail and drooping mustache, dressed in Chinese raiment, over which was worn a Bishop's cassock.

The first international congress of the Priests' Eucharistic League will assemble in St. Paul's Cathedral, Pittsburg, Pa., on the 15th, 16th and 17th of next October. In all respects this will be the most important congress ever held by the League in the United States.

The Pope possesses a watch probably worth \$4, but it was inherited from his mother. A French cardinal, recently received in audience, told the Pope that he was a collector and that the watch tempted him. He asked His Holiness for it as a souvenir. In exchange he offered a superb chronometer. The Pope said he would consider the matter. After looking at the chronometer he returned it saying: "We must be humble. The jewel is too fine for me."

Father Bernard Vaughan has again been entertaining royalty in the East End, having the other day among his audience at Dunstan's Court the Archduchess Maria Theresa, the Princess Henri de Bourbon, the Archduchess Maria Annunziata, and the Countess de Bardi, who took the opportunity of a passage through London to be present at one of his instructions to a thousand East-End children. They visited also Lady Edmund Talbot's settlement. The House of Bourbon are no strangers to the English Jesuits, for Don Jamie, the eldest son of Don Carlos, was their pupil at Beaumont.

For the first time in the history of the Church in this country the Polish-Americans are to be given representation in the hierarchy by the appointment of a Polish priest to a Bishopric. A recent meeting of the Polish clergy of the archdiocese of Chicago, at the invitation of Archbishop Quigley, nominated a tern for the office of Auxiliary Bishop of Chicago. Last Monday His Grace sent the names to Rome, and in a short time the desire of the Poles to have one of their own nationality in the purple will be fulfilled. With one more Bishop, Chicago will have the largest number of Bishops of any diocese or archdiocese in the world—four in all, one Archbishop and three auxiliary Bishops.