

MURPHY

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Whitewear.

Witness

Vol. L, No. 28

MONTREAL, SATURDAY, JANUARY 19, 1901.

PRICE FIVE CENTS

CATHOLIC MARRIAGE.

Pastoral Letter of Mgr. Bruchesi, Archbishop of Montreal.

The following timely and erudite pastoral letter is one of those episcopal pronouncements that are destined to live in the religious as well as civil history of the country. At a moment when certain cases have awakened a very general interest in the marriage question, it is well that each one would study carefully this clear, complete, and authoritative exposition of the subject.

The letter needs no comment, as it is, in itself, a compendium of the ecclesiastical law upon matters connected with the sacrament of matrimony. The pastoral is as follows:—

PAUL BRUCHESE, by the Grace of God and favor of the Apostolic See, Archbishop of Montreal, etc., etc., etc.

Our very dear brethren:—

"To marriage attaches the interests of nature, of God, of the individuals and of society. It is, therefore, important to know the teachings of the Church relative to marriage, the nature of the rights which she possesses, and the obligations which these rights imply, both as regards the faithful and the civil power.

"The subject possesses all the more interest from the fact that for some weeks past decisions emanating from ecclesiastical authority have given rise to writings containing grave errors and serious accusations with regard to the Church. For this reason, therefore, it is our duty to expose to you to-day certain points of Catholic doctrine on marriage, as well as their theoretical and practical consequences.

"I. Marriage, a divine institution, which founds the family and with the family the Christian nation, is a holy thing in itself, especially since Jesus Christ raised it to the dignity of a sacrament of the new law.

"If anyone says that marriage is not really and properly speaking one of the sacraments of the evangelical law instituted by Our Lord Jesus Christ, but only a human invention, and that it does not confer grace, let him be anathematized." (Council of Trent, Sess. XXIV, Can. 9.)

"The Holy Scriptures (Ephes. v.) point clearly enough to the dogmatic truth defined by the Holy Council of Trent, and Christian tradition, as well as the constant practice of the Church, both eastern and western, places the matter beyond all doubt.

"II. In Christian marriage the natural contract and the sacrament are one and the same thing. Notwithstanding the opinion of certain theologians of the last centuries regarding the distinction between the contract and the sacrament, it is to-day certain that such opinion cannot be sustained because the Sovereign Pontiffs, Pius IX., and Leo XIII., in particular, the first in a letter dated September 10th, 1852, to the King of Sardinia, the second in his letter of the 1st of June, 1879, against civil marriage, and in his encyclical of February 10, 1880, have settled the question in the sense of complete identity. It is not, therefore, permitted to distinguish between the contract and the Sacrament. Another consequence, since the marriage is nothing else but the contract raised to the dignity of the Sacrament, the contracting parties are themselves ministers of this sacrament, the priest only appearing, as to validity, as a witness exacted and authorized by the Church in order to receive the consent of the parties present where the Council of Trent was published. As to the countries where the decree of the Council concerning clandestine marriages is not in force, the marriage contracted clandestinely, that is to say, without the presence of the right priest and two witnesses, while being illicit is valid, and there is consequently the sacrament.

"III. The marriage contracted in a valid manner, and consummated between Christians is quite indissoluble. It is a dogma of faith.

"IV. The Church has the right to place impediments to marriage, either prohibitory, or invalidating, that is to say, impediments that either render it illicit, or null.

"If any person says that only the impediments of consanguinity and of affinity mentioned in the Book of Leviticus can be an obstacle to the contracting of the marriage, and that alone can invalidate it once contracted, and that the Church cannot grant dispensation of any of these impediments, or that she cannot establish of her self prohibitory and invalidating impediments, let him be anathematized." (Council of Trent, Sess. XXIV, Can. 8.)

"Not only does the Council of Trent affirm this right, which the Church received from its divine founder, which universal tradition accords, which universal tradition accords, which she has enjoyed from its origin, but during the same XXIV session, the Council wished to proclaim it in a solemn manner, declaring that without precedent, in declaring null clandestine marriages, the civil power cannot exceed the limits of

its jurisdiction, and without usurping a right which Jesus Christ conferred alone to His Church.

"VI.—The Church not having the power to dispense invalidating obstacles of natural or positive divine right, all marriages contracted with one or the other of these impediments are therefore absolutely null and can never become valid.

"VII.—Every marriage contracted willingly with a prohibitive impediment of ecclesiastical law and without an ecclesiastical dispensation, is illicit.

"VIII.—All marriages contracted after having obtained a dispensation from the competent religious authority is null from the beginning, and is only amicable. The judgment of the Church may render null a marriage contracted in good faith, but it cannot annul a marriage which is therefore a single declaration of its nullity, viz., of the absence of a legitimate contract, and not a judgment which breaks a really existing marriage. If such a marriage has been contracted in good faith there is no dishonor to the parents, neither to the children of the marriage. It remains, in fact, for the contracting parties to regulate their position in renewing their consent after having obtained a dispensation, which the Church never refuses under similar circumstances. If, however, the parties do not wish to revalidate their marriage, they alone are responsible for the painful consequences that may ensue of their children.

"IX.—The Church cannot grant dispensation in the case of invalidating impediments of natural or positive divine right, but she can grant dispensation from her own prohibitive or invalidating impediments just as the legislator can dispense his own laws. The Church only uses this power in exceptional cases, and for grave reasons, of which she alone is the judge. The bishops of dioceses in Rome, aims on the occasion of such marriage dispensation, by no means deny this dispensation, as it is sometimes declared. They simply enforce the payment of these alms upon those who are in a position to pay. And how many times the alms are not exacted, because the contracting parties are too poor to give anything, but how often also is a feeble portion claimed which proves that the alms are nothing in the granting of the dispensation and if the reasons alleged are false, the dispensation is, therefore, null.

"X.—Matrimonial cases are alone intransmissible to the ecclesiastical tribunal. This proposition is but the necessary proof of Catholic teaching upon the elevation of marriage to the dignity of the sacrament, for the civil alone can judge all cases concerning the sacraments and their administration. This is what Galvani himself admits when in his 'Institutions' he writes, 'From the moment the Catholics obtained that marriage was a sacrament they appropriated to themselves the competence des causes of the marriage for a spiritual thing cannot be brought before worldly judges, des juges profanes.'

Mgr. Bruchesi then quotes from Pius VI. to the Bishop of Montola, who used the words of Van-Espen as follows: "It is received with unanimous consent that the cases of the sacraments are purely ecclesiastical and that, as to the substance of these sacraments, it concerns exclusively the ecclesiastical judge, and that the secular judge can declare nothing as to the validity or invalidity, because of their nature, they are purely spiritual. As a matter of fact, if it refers to the validity of the marriage, the ecclesiastical judge is alone competent to deal with it."

His Grace then says: "We desired to quote this beautiful page from Pius VI. because it exposes with clearness and precision the doctrine of the Church on so delicate a matter and one so much discussed not only by Protestants, but even by certain Catholics, always ready to diminish the rights of the Church in matrimonial matters and usurpate those of the State. And what adds still more to the authority of these words is the fact that, according to Cardinal Gousset, Pius VI. does not speak as a simple doctor, but as one who, being seated

THE CHURCH AND LIBERAL CATHOLICISM.

Recently the Cardinal Archbishop and the bishops of the Province of Westminster, in England, issued a "note of warning" to the faithful in the form of a joint pastoral letter, on the subject of "The Church and Liberal Catholicism." As may be readily supposed the production of so many most eminent members of the hierarchy, is of the greatest moment. However, in view of the fact that the Church is the subject of the text of Mgr. Bruchesi's admirable and highly instructive pastoral, on "Catholic Marriage," we can only give our readers the synopsis of this great "Joint Pastoral," as it appears in the form of an introduction. Each of the points indicated is fully developed in the body of the document. We will reserve the privilege of quoting more fully from certain parts of the magnificent letter in subsequent issues. For the present we call attention to the following introduction which, by the way, contains the pith of the whole document. It commences thus:—

"The thought of the great and unmerited mercies so generously poured out by God upon our fathers and upon ourselves during the century that is ending, fills us with confidence and courage as we enter upon the work of a new century. Among these blessings none have been more consolatory than the peaceful growth and expansion of the Catholic faith in England. But though the storms of persecution have blown over, other dangers of a more insidious character—such as various forms of rationalism and human pride—presently confront the Church in England as elsewhere. We must look these in the face and deal with them patiently but firmly, under the guidance of the great Prince of Pastors.

"I. The evils that afflict modern society formed the subject of the first encyclical addressed by His Holiness Leo XIII. to the Catholic world. If we look for the source of these evils we shall observe that the Holy Father shows it to consist, either in a habit of belittling and despising, or in the principle of private judgment of the Church, which proceeds in the name of God over the welfare of mankind, and is the divinely-appointed guardian of those principles of eternal truth and justice, on which human authority ultimately rests. It is with profound sorrow and regret, dear children in Jesus Christ, that we admit that some of the false maxims, referred to by the Holy Father as afflicting the world at large, have taken a deep root in England. For 300 years no religious tribunal, capable of teaching with unerring certainty, or of binding the conscience in the name of God, has been recognized by the English people. The result has been to substitute the principle of private judgment for the principle of obedience to religious authority, and to persuade the people that they are the ultimate judge of what is true and proper in conduct and religion. It has become a dominant principle in England that all power, whether civil, political, and religious matters are ultimately vested in the people. The people govern; to the

THE BISHOP OF MEATH'S REMARKS ON THE CLOSE OF THE CENTURY.

We take the following extract from a recent pastoral letter of the Bishop of Meath, the Right Rev. Dr. Gauffey.

"The century hastening to its close is not, as far as relates to Irish history, the least remarkable of the centuries of the Christian Era. It opened most auspiciously; it was ushered in by savage scenes of bloodshed, almost unparalleled in the world's history. No quarter was given to the foe; it was brutal massacre. The perpetrators revelled in their work, and the historian of the times, however he justifies or extenuates the crime, does not deny the character of the carnage. Even the Lord Lieutenant of the day, Lord Cornwallis, wrote to the Duke of Portland the troops engaged—that murder was their favorite pastime; that it was a war of extermination; that they butchered without discrimination; that the friends of the Government in Ireland made it a religious war, which added to the ferocity of the troops, who delighted in murder; and that extermination was the only final settlement. This diocese did not escape the shock. I remember to have heard, in my boyhood days, from eye-witnesses, the thrilling story of the consternation that prevailed, and the ingenious hiding-places mothers had provided for their children when the fathers had gone, on one side or the other, to the fray. Congregations were scattered, chapels pulled down, the gallows improvised in the market square, or the lone tree by the roadside, where the priest or supposed rebel was hanged, without judge or jury or crime. It was enough to be a Papist in these days to have a death warrant signed.

"But the century's course, especially from the time of Catholic emancipation, witnessed a wonderful revival. I doubt if there has been anything similar in any land, since the days of the Apostles. In a sense it

is even more wondrous than St. Patrick's missionary success. It was for him the conversion of a pagan people to Christian faith, and the thing was then a small consideration, and followed leisurely. A mighty wave of faith and grace arose at his bidding and swept over the land. But in 1800 it was not a question of conversion. The Irish race had profited before heaven and earth, the three centuries of blood and rapine that it could not be perverted. 'Tis true, there were many Protestants in the country, but they were, with the exception of a few craven gentry, who apostatized to save their estates, a plantation from foreign lands.

When the first dawn of religious liberty flicked the darkness after three centuries of dismal persecution, before the Emancipation Act received its final sanction and force, a mighty impulse was at work all over the land. The country was ill-fated for any great effort. Its people, who had not been murdered or banished, were beggared and terrorized. Yet they came from their concealment, not to repair their own wretched hovels, but to build a house for God. It might be crude, it might be simple, and it generally was so. There was no plan, no architect, little means. They had the use of their hands, and the Celtic inborn faith and love of God. And they supplied more workmen to build their chapels, and restore the ruined worship of their fathers, than the Sidonians and Israelites for the temple of Solomon in Jerusalem.

We, who murmur and repine, and chafe and fret all day long if anything goes against us, call ourselves disciples of the Sacred Heart; and yet we have not so much as the will to bear the Cross, much less to love the days of the Apostles. In a sense it