

BOOK REVIEWS

DE MATRIMONII SACRAMENTO TRACTATUS PASTORALIS. By P. C. M. Salmon, O.P. (La Pensée Catholique, Liège, 1930; pp. 156.)

The aim of this book is to provide parish priests, confessors, and students of pastoral theology with a practical manual on the Sacrament of Matrimony, and so complete the most excellent 'Quaestiones Pastorales' concerning Baptism and Penance, already published by Father Merkelbach, O.P. The matter, which is mainly positive, is clearly set forth, in a style which is at once easy and pleasing. The treatment is largely canonical, though the more important theological questions are not omitted. In departing from the sequence suggested by the Legislator, the author has followed the trend of contemporary writers, which in our opinion is calculated to teach students to rely on manuals rather than on the Codex.

Judging from the law itself, there seems little justification for supposing that espousals may be contracted by proxy (p. 33). Such can only be maintained by recourse to an extensive interpretation which is not permissible. It seems, too, very doubtful, whether the Church supplies jurisdiction, in the case when, by common error, a supposed parish priest ('*parochus putativus*') assists at a marriage (p. 101). Assistance at marriage is generally held not to be an act of jurisdiction, hence a marriage contracted under the above circumstances is probably invalid, and the safest and best remedy is either a simple revalidation or a *sanatio in radice*. Similarly, as the transference of the power to assist at a marriage is not an act of jurisdiction, it does not consequently come under the rules for delegated jurisdiction (p. 102). The possibility, therefore, of sub-delegation is excluded, which would likewise be contrary to the prescription of canon 1096, in which it is stated that the permission to assist at marriage must be given to a designated priest, and with a view to a designated marriage. Again, '*vis*,' which will render a marriage null and void, should not be limited to physical violence (p. 30), but includes any force, whether physical or moral.

However, the work as a whole is to be commended, and should render easier the study of this complex subject.

A.F.