
The Vanderbilt-Marlborough Case.

"The Sophomores" come back with the first reasonable request for information on the famous annulment case. They no longer question the authority of the Church nor accept the criticisms of Bishop Manning and the rest; they want information for their non-Catholic friends who will question them on the matter during the holidays. In spite of the fact that they assert their inability to comprehend the statement of Bishop Dunn, the Religious Bulletin will attempt to bring the discussion down to them.

A contract is by its nature an act of free will. Coercion limits free will. Civil statutes as well as Canon Law determine the degrees to which coercion vitiates the free consent required in contracts; some coercion makes contracts void, some makes them rescindible. Canon Law requires the fullest consent for the marriage contract.

Canon Law and statute law also determine other conditions for contracts which are to have legally binding force. For the marriage contract both State and Church require the presence of competent witnesses.

Evidence brought before the Matrimonial court of the diocese of Southwark, in England, and before the Holy Roman Tribunal of the Rota showed beyond a doubt that when Consuelo Vandervilt entered a marriage contract with the Duke of Marlborough her consent was forced by the threat of her mother that she would kill Consuelo's other suitor if she did not give him up and marry the Duke. On this evidence that Consuelo's will was not free, any court in the world would annul the marriage.

The fact that Consuelo and the Duke lived together for twenty-five years makes no difference in conscience. If the marriage did not take place when Consuelo gave her forced consent before the Episcopalian minister, when did it take place? The law provides that consent to marriage must be given before competent witnesses -- a justice of the peace or a minister and two other witnesses. The Catholic Church recognizes this provision of the civil law and declares that since there was no marriage when they appeared before the minister, there was no marriage at all. Is that clear?

The Church decided the matter in conscience, with no regard for the civil effects of the supposed marriage, which it leaves to the State. The parties involved appealed to the Catholic Church because Consuelo has, since her divorce from the Duke, contracted a civil marriage with a Catholic Frenchman, who apparently wants his marriage performed by the Church. The Church, of course, has jurisdiction in any matter of conscience, for Christ gave to Her the full power of binding and loosing.

Bishop Manning's heated stand has two funny aspects: 1. The gun-toter involved, Consuelo's mother, who is now Mrs. O.H.P. Belmont, got quite sassy with the Bishop a year or two ago when she returned to him a letter in which he asked for funds for the Cathedral of St. John the Divine, explaining that she did so because he had excommunicated her as a divorced person some time before; 2. A famous but forgotten case of annulment in Bishop Manning's church has just been resurrected by the newspapers -- a case in which the daughter of Bishop Littlejohn was freed to marry another man (she did not marry the party of the third part, but she did later join fortunes with a minister of her father's denomination). It will be remembered that Bishop Littlejohn officiated at the alleged happy union of Consuelo and the Duke.

The total cost of the Vanderbilt annulment was \$240; for the poor the work is free.

Prayers.

Walter W. Smith asks prayers for his sister, an invalid, and Andy Sleigh for his grandfather, who is quite ill. Three special intentions are recommended.