



# Understanding Catholic Marriage Supplements and Dispensations

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## Council of Trent

In 1563, reforms brought about by the Council of Trent required priests to keep records of baptisms, marriages, and deaths. Decrees became church law in 1564 including a decree regarding marriage as a sacrament. Shortly after 1564, priests were required to record marriages. This decree was reinforced by a Papal proclamation in 1595.

## Marriage Banns

To curbe clandestine marriages the Council of Trent decreed that banns should be announced publicly on three consecutive holy days.

**See: "Marriage Banns" :** <http://www.newadvent.org/cathen/02255a.htm>

## Other Requirements of Trent:

- Enter marriage by free choice
- Marriage performed in front of at least two witnesses
- Parental consent
- Matter of church business, communal rite

**For more information see: *The Council of Trent: The Twenty-Fourth Session:***

<http://history.hanover.edu/texts/trent/ct24.html>

## Canonical Impediments to Marriage:

(See George Ryskamp's *Finding Your Hispanic Roots* pgs. 195-196)

## Prohibitory Impediments

- Betrothal – This is a true faith promise to marry. In most non- English countries this was done in front of ecclesiastical authorities.
- Vow – Relates to a simple vow of chastity (solemn vow is a diriment impediment)
- Mixed Marriage – The marriage of a baptized person with an infidel is null and void, the marriage of a Catholic with a baptized non-Catholic is a prohibitory impediment.
- Vetitum Ecclesiae - This is related to the capacity to marry; someone must fulfill an obligation. Marriage prohibited until the condition can be removed. Ex. Could be a betrothal to another person.
- Forbidden Times - Prohibits celebrating marriages during certain dates.

## Diriment Impediments

**Consent of contracting parties** - Consent of both parties to marry must be made known. This was to avoid clandestine marriages or marriages by abduction.

**Consent of parents for underaged children** - According to canon law that means (Can. 1083 §1) A man before he has completed his sixteenth year of age and a woman before she has completed her fourteenth year of age cannot enter into a valid marriage. Parental consent required if under age 18

**Relationship by blood or consanguinity\*** - The parties contracting marriage are related by blood within the 4<sup>th</sup> degree

**Relationship by marriage or affinity\*** -The parties contracting marriage are related by marriage or ties other than those of blood also to the 4<sup>th</sup> degree. The Council of Trent further limited affinity to the 2<sup>nd</sup> degree if the contracting parties engaged in fornication.

**Relationship by spiritual or godparent\*** -This relates to those persons who took an active role in the spiritual rites of a person; including baptism, confirmation and marriage. It prevents the marriage of the sponsor with the child or with the child's parents as well as the minister of the sacrament.

**Impotence** - Inability to perform intercourse- if this is permanent it is an impediment to sacramental marriage. Infertility/Sterility is not an impediment, but should be disclosed prior to the marriage, if known.

**Adultery or homicide** - Also known as "impediment of crime"

Cannot commit homicide to marry person with whom you intend to have or are having an adulterous relationship with. Also, cannot marry someone you committed adultery with during the lifetime or after the life of the legitimate spouse.

**Public honesty (promise to marry another or an illicit relationship) \*** - This may also be known as public decency. This arises out of the betrothal of a man or woman to a person –even if the marriage is not consummated– then having had a relationship or a betrothal with the person's mother, daughter or sister or conversely the woman with a father, son or brother.

**Previous vow of chastity\*** - A simple vow of chastity is more easily dispensed than a solemn vow of chastity. Regardless, a dispensation is needed to marry after taking a vow of chastity.

**Ordination to the priesthood** - If a man is ordained to the priesthood, he cannot be married

**Another living spouse\*** - Catholic Church does not permit divorce if the marriage is sacramental. An annulment can be granted and a dispensation if the person wishes to remarry.

**The banns were not read\*** - If the banns were not read on three consecutive Sundays or festival days then it was necessary to get a dispensation. Banns were to be read and posted in the parish of both the bride and groom, if not residing in the same parish

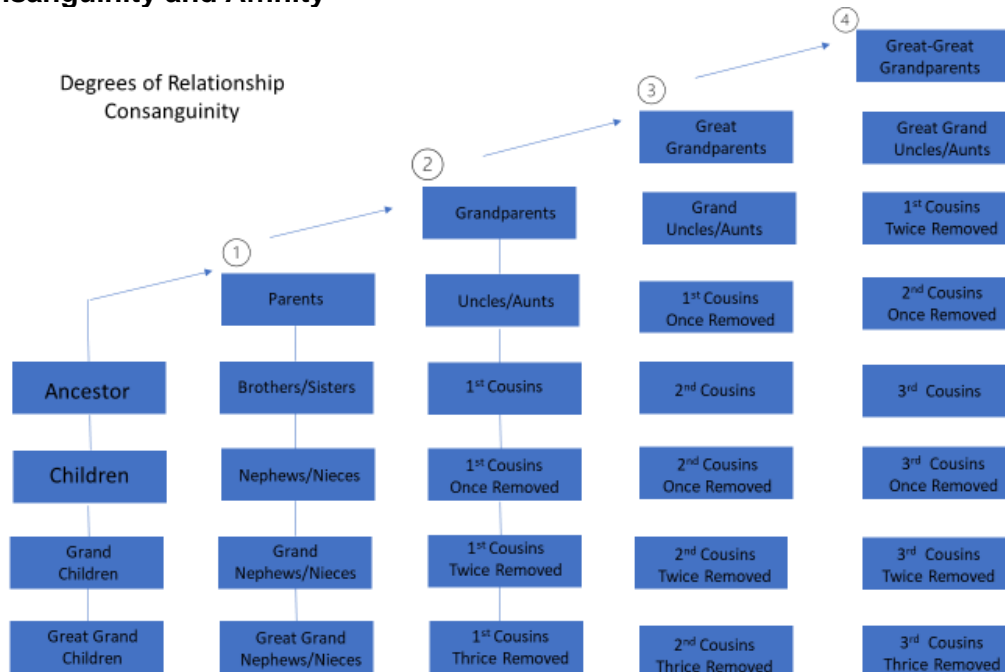
**One of the parties had not reached puberty** - If one of the parties had not yet reached puberty-the marriage could not take place and no dispensation would have been granted in these cases.

**One party not a Catholic\*** - A marriage between a Catholic and an un-baptized person is invalid unless the person becomes baptized. This is also sometimes called “disparity of worship”

**Clandestine marriage, often initiated by abduction** - If a woman was thought to be abducted, she was to be separated from that person and “in a safe and free place” asked whether or not she gave her consent to be the abductor’s wife. Whether or not she consented he was “bound” to “settle on her a handsome dowry at the discretion of the judge. an “abductor” and all those who helped by lending advice or aid in the abduction were to be excommunicated and stripped of their dignity. If they were clerics, they were required to forfeit their rank.

\*Impediments marked by an asterisk could be waved or “dispensed” by judgment of a bishop.

## Consanguinity and Affinity



**Affinity:** a kinship link created by marriage, such as the bond between a man and his wife and her family. People who have an affinity relationship with each other are "affines".

**Consanguinity:** a socially recognized biological descent link, such as between a woman and her father, aunt, or daughter. Individuals who have a consanguinity relationship are "consanguines" to each other. "Consanguinity" literally means "with the blood", reflecting the old incorrect assumption that biological inheritance is passed on through blood rather than DNA. Consanguinity refers to the state of having descent from a common ancestor; being of "common blood" (siblings, cousins, etc).

**See Also:**

Ryskamp, George. "Catholic Marriage Records" *Ancestry Support*.

Online at: <https://support.ancestry.com/s/article/Catholic-Marriage-Records>

**Marriage Supplements and Dispensations**

Marriage supplements and dispensations are generally found at the diocesan level but may not always survive. They generally refer to the pre-marriage interrogations/questions asked by priests to determine if there were any impediments to the marriage. Most often priests were trying to determine if a bride or groom were marrying of their own free will and choice (a preventative measure for clandestine weddings), if either of them had been married previously or was still married, if they were too closely related or if one of the parties was from a different town their status in the Catholic Church.

FamilySearch does not have many of these records, but you can search for the following terms to get an idea of collections that are in FamilySearch holdings for various countries.

- Dispensation - English
- Dispenses - French
- Dispensas/Dispensas matrimoniales/Expedientes matrimoniales – Spanish
- Dispensas matrimoniais/expedients matrimoniais - Portuguese
- Dispensazioni/Dispense/Documenti Matrimoniali/Allegati matrimoniali/processetti - Italian

**Further Reading:****Italy**

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### **Spain and Latin America**

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### **Europe**

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