

A DICTIONARY OF CANON LAW

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649037582

A Dictionary of Canon Law by P. Trudel

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Cover @ 2017

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OF CANON LAW**

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BY THE
REV. P. TRUDEL, S.S.

"Let our strength be the law of justice." Wis. 9, 11.

SECOND, REVISED EDITION

B. HERDER BOOK CO.
17 SOUTH BROADWAY, ST. LOUIS, MO.
AND
6 68 GREAT RUSSELL ST., LONDON, W. C.
1920

Harv Dep
BX
1936
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NIHIL OBSTAT

Sti. Ludovici, die 14, Oct. 1919

F. G. Holweck,

Censor Librorum

IMPRIMATUR

Sti. Ludovici, die 20, Oct. 1919

✠ Joannes J. Glennon,

Archiepiscopus

Sti. Ludovici

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Printed in U. S. A.

AUG 19 1927

WAL-BALLOU COMPANY
BIRMINGHAM AND NEW YORK

PREFACE

This Pocket Manual of Canon Law is a digest of the entire Code. It contains all that the average priest should know, more than our Sisterhoods need to know, and much that will interest the laity on the laws of the Church. On most subjects the points of the law are scattered through the Code. By gathering these points under their respective heads and arranging them in alphabetical order, with reference to canon, paragraph, and number in the Code, this manual aims to be a clear, intelligent counsellor in the ordinary affairs of Catholic life, and a ready index to the Code for questions that require a knowledge of the niceties of ecclesiastical law.

A DICTIONARY OF CANON LAW

1. **Abbot.** Within three months after his election, an Abbot must be blessed by his Bishop (625). He may then pontificate in his own church, wear a pectoral cross and a ring (325), but is not permitted the use of the violet skull-cap (625). He may confer the Tonsure and Minor Orders on his subjects (964, 1). For Major Orders, to be received from their Bishop, however, he must grant them dimissorial letters (964, 2). He has the right to attend and to vote at a General Council (223, 1, 4), and must attend Diocesan Synods (358, 1, 8).

2. **Abbot Nullius.** An Abbot *Nullius* has jurisdiction over a certain territory and is independent of neighboring Bishops (319, 1). To hold this title he must have at least three parishes under his jurisdiction (319, 2). He is nominated and appointed by the Pope (320, 1), should have the qualifications of a Bishop (320, 2), and cannot renounce his title (991, 3). He must be blessed within three months after his appointment, but may choose any Bishop to perform the ceremony (322, 2). He is the Ordinary of his territory (198, 1; 215, 2), but cannot exercise jurisdiction be-

fore he has taken possession (322, 1). He has episcopal authority and obligations (323, 1), may administer Confirmation (782, 2) and Minor Orders (957, 2), and give dimissorial letters also to the seculars of his territory who are to be ordained (958, 1, 4). He has the right to attend and to vote at General and Plenary Councils (223, 282). With the approbation of the Holy See he should select a neighboring Archbishop as his metropolitan, take part in his Provincial Councils, and carry out their laws (285). If consecrated, an Abbot *Nullius* has the same power as other Bishops (957, 1).

3. **Abjuration.** All apostates, heretics, and schismatics must renounce their errors in order to become reconciled to the Church. To be juridical, this abjuration must take place before the Bishop or his delegate and two witnesses (2314, 4).
4. **Abortion.** All who participate in producing an abortion incur excommunication reserved to the Bishop (2350, 1), and become irregular (985, 4).
5. **Abrogation.** All laws of the Church which conflict with the Code are abrogated (6). Otherwise plenary, provincial, diocesan, and religious laws are abrogated by it only when expressly stated (22). Matrimonial impediments can be abrogated only by the Pope (1040).

6. Absence. Clerics must not be absent from their diocese for a notable time without the permission of their Bishop (143). Pastors must have the written permission of their Bishops to be absent more than a week from their parishes (466, 4). Bishops should not be absent from their dioceses more than three months in a year (338).

7. Absolution. To grant absolution a priest must have the proper ecclesiastical approbation (879). When once granted, this approbation can be taken from him only for a grave cause (880, 1). The confessor must absolve a penitent who is rightly disposed (886). He may hear the confession of persons who are not his subjects, or who belong to a different rite, when they come to him (881, 1). He may absolve his own subjects everywhere (881, 2). When making a voyage he may absolve his fellow-passengers and also penitents in the ports he happens to enter (883). A person who has incurred a censure must be absolved from it before he can be absolved from his sins (2250). If a person who is not a priest pretends to give absolution he is excommunicated (2322, 1). A priest without approbation is suspended for granting sacramental absolution (2366). A priest with approbation is suspended from hearing confessions if he grants absolution for sins reserved to a higher authority (2366). To absolve an accomplice, except in danger of death when no other priest is near, is invalid (884) and

punished with excommunication reserved in a special manner to the Pope (2367). When a penitent is in danger of death, any priest can absolve him from all sins and censures (882).

8. Abstinence. The law of abstinence forbids the eating of flesh meat and of broth made from meat (1250). It binds all who have completed their seventh year (1254). It is to be observed on all Fridays of the year, on Wednesdays and Saturdays of Lent, and on the Vigils of Pentecost, Assumption, All Saints, and Christmas (1252, 1, 2). If one of these vigils falls on Sunday, or if a holy-day falls on Friday, the law of abstinence ceases. It also ceases at noon on Holy Saturday (1252, 4).

9. Abuses. The abuse of ecclesiastical power is to be punished by legitimate authority in accordance with Canon Law (2404-2414). This abuse of power increases the guilt when it is used to do wrong (2207, 2). The Metropolitan must report abuses in his suffragans to the Pope (274, 4). Bishops must guard against abuses entering their dioceses (336, 2; 617, 2) and report those to the Pope who abuse privileges granted by him (78), as well as abuses of exempt religious that are not corrected by their superiors (617, 1).

10. Accusation. In a criminal trial the accusation must be made by the promoter of justice (1934). In mat-