

CASES AND QUERIES

APPLICATION OF THE MASS AND REMITTANCE OF THE STIPEND TO THE ORDINARY

Indult Masses are celebrated "ad intentionem Ordinarii". Now, if a wedding is celebrated in that Indult Mass, should the intention be applied for the Ordinary's or for the couple's intention which they had not explicitly expressed, being ignorant of the fact, although interpretatively supposed with the Mass stipend being included in the wedding fee?

Now, the law says that in case the stipend were applied in the Mass, it must be sent to the Curia. But would it be right to celebrate another Mass on some other day of the week or on any other free day ad intentionem Episcopi in lieu of that indult Mass, retain the stipend and report this Mass to the Curia among the indult Masses without stipend?

1. The fees set down for the celebration of weddings are different from the stipend established for the application of the Mass; and although it is advisable that when a wedding is solemnized the Mass be applied to the intention of the spouses, yet it is not necessary to do so.

In determining the fees for weddings, the competent authority may decree that the amount fixed include the stipend for the application of the Mass or may provide that when the spouses ask for the application of the Mass they should add the amount set down as stipend.

In the query propounded (whose place of origin we do not know), if we have understood it well, there seems to be stated that the fee for the celebration of the wedding includes the stipend for the application of the Mass "for the couple's intention which they had not explicitly expressed, *being ignorant of the fact*, although interpretatively supposed with the Mass stipend being included in the wedding fee."

In such a case, the celebrant should apply the Mass to the intention of the spouses, even though they should not have expressly asked for it because they are ignorant of the fact that the stipend for the application of the Mass is included in the fee they have paid.

Otherwise, the celebrant should apply the Mass for the intention of the Ordinary, unless he *expressly* is asked the application for the intention of the spouses giving him the corresponding stipend.

2. When the Mass was applied for the intention of the spouses because its stipend was included in the total fees paid for the celebration of the wedding (or because they expressly asked for it, adding the corresponding stipend), *the stipend received should be remitted to the Ordinary, and the practice suggested in the query is not licit*; that is to say, retain it and inform the Curia of a Mass celebrated "ad intentionem Episcopi", which in fact is applied on a day when the priest has no intention committed.

Canon 824 decrees in Par. 2: "Whenever he celebrates more than one Mass on a given day, if he applies one Mass under title of Justice, the priest may not receive stipend for the others, save on the day of the Nativity of Our Lord".

The obligation that the Parish priest has to apply the Mass "pro populo" on fixed days is an obligation of justice, established by ecclesiastical law, and the dispensation granted for some of those days, more than an exemption, is a *commutation* of the obligation, authorized by the Holy See, in order to be able to attend to the needs of the diocese. This is also the end for which in cases of bination, although a stipend has been received for a Mass, it is authorized to apply the other Mass for the intention of the Bishop or for the intention of the person offering the stipend, which must be remitted to the Curia.

It would not do to adduce the reason that the Curia would always receive the same aid, applying the Mass some other day, because the law, that prohibits the celebrant to receive a stipend when he should apply the Mass "pro populo" or has to binate and has already received a stipend for the other Mass, binds him always; the indult to apply "ad intentionem Episcopi", or receiving a stipend that is to be re-

mitted to the Bishop, is not meant to enable the celebrant to receive an alms, but so that it be received for the needs of any pious cause of the diocese.

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ANTICIPATION OF LAUDS

Some years ago, there was a debate among priests whether Lauds could be advanced together with the Matins on the previous afternoon of the Office. At that time, many believed that Matins could be advanced but not Lauds. As the prohibition to advance Lauds appeared only in the *L'Osservatore Romano*, and not in the *Acta Apostolicae Sedis*, some authors now opine that both Matins and Lauds be prayed in advance. What is your opinion on the matter?

You are actually referring to a *declaration* of the Sacred Congregation of Rites dated 28 December 1960, which appeared in *L'Osservatore Romano*, 30 December 1960. According to this *declaration*:

a) anticipation of matins *in choir, in common* and *in private* is "technically and exclusively" permitted by No. 144 of the new code of rubrics;

b) No. 145 of the same new code "technically and exclusively stipulates that the recitation of lauds *in choir* and *in common* can take place only in the early morning, that is, without any anticipation; recitation *in private*, which also may not be anticipated, is fittingly performed during the same time of the morning".

Though this appeared only in *L'Osservatore Romano*, and did not, therefore, carry the force of an "official" answer to a doubt, nonetheless it was an acclamation given by a competent office, with this end in view: "lest uncertainty remain in a matter directly pertaining to the public prayer of the Church".

Personally I have no knowledge of authors, who, as you say, opine that both Matins and Lauds may be prayed in advance. In which case they would certainly be going against the spirit of that law in