

The Early Signs of the Brazilian Church Policy Crisis: Carlos Kornis de Totvárád, a Hungarian Law Professor in the Brazilian Empire (1854–1862)

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During the reign of the Brazilian emperor Dom Pedro II (1831–1889), the conflict between ultramontanist and the reformist state on the question of civil marriage and registration intensified. This was the earliest instance of the conflict that later returned in 1872–1875 as the “Religious Affair” (*Questão Religiosa*) in the form of the struggle between state administration/Freemasonry and the Church.¹

The growing number of Protestant immigrants – largely German settlers and English merchants – arriving from the 1850s on, meant that mixed and non-Catholic marriages happened more often. This led to many peculiar incidents, and the legislators had to react to the situation; for instance, a contemporary newspaper article reports about a woman raised as a Lutheran but converted to Catholicism, after consulting with the Bishop of Rio de Janeiro, immediately got permission to marry. The only problem: she had been married for the past eleven years to a Swiss Lutheran man, whom she had married on 15 November 1845, in the chapel of the Brazilian Germans, in the presence of many witnesses including their own pastor. Dom Manuel do Monte Rodrigues de Araújo (1798–1863), Bishop of Rio de Janeiro, respected theologian, and a man influential in politics, invalidated the previous marriage in granting permission for a new one. He noted that the first wedding had not followed the regulations of the Council of Trent. The decision caused a public outcry; it offended popular morality, and violated the rules of natural cohabitation. The scandal thus created a more general anti-clerical sentiment.²

To prevent such cases, the imperial government addressed the question of civil marriage and its regulation. In 1856 the Council of State issued a decree qualifying marriage not just as a religious act and a sacrament, but also – following the French example – as a civil contract. In Brazil, however, state and church were not separated, so even raising the question led to protest from some representatives of the Catholic Church. The bishop

¹ See ALVES 2005.

² News on 6 March 1857 from *Correio Mercantil* in ÓNODY 1977, 333.

of São Paulo, Dom Antônio Joaquim de Mello (1791–1861), wrote to the emperor voicing his concerns in 1858.³

Bill No. 1144 (released on 11 September 1861, enacted in 1863), represented an attempt at compromise; however, it did not introduce civil marriage generally.⁴ It therefore failed to resolve the dilemma of mixed marriages. Although it allowed mixed marriages performed in Brazil, among non-Catholic foreigners to be registered, thus guaranteeing the legality, the indissolubility, and the terms of inheritance in these marriages, independent of the Catholic Church.⁵ The bill also ordered the births and deaths of non-Catholics to be registered.

A legal, theoretical debate, in which the followers of ultramontanist took great part, preceded the release of the bill.⁶ Augusto Teixeira de Freitas (1816–1886), one of the best-known and prestigious jurists of the era, studied the subject thoroughly from the perspective of family law and participated in the discussions. (Between 1855 and 1857, he systematised the operative common laws (*Consolidação das Leis Civis*) on behalf of the Brazilian imperial government; in 1859 Dom Pedro II ordered him to elaborate the new civil code (*Código Civil–Esboço*). Teixeira de Freitas encountered a jurist named Carlos Kornis de Totvárado who persistently debated him on the issue of civil marriage. Carlos Kornis de Totvárado, was born in Arad (Hungarian part of Austria–Hungary), as Károly Kornis (1822–1863). He became a law professor and emigrated to the Americas after the Hungarian revolution in 1848.

The dispute of the two jurists runs through issues of Brazilian newspapers, *Diário Mercantil* and *Diário do Rio de Janeiro* from August 1860. Teixeira represented the ultramontane view, in favour of marriage as a sacrament.⁷ Kornis, despite being Catholic, advocated civil marriage. He contended that the law should apply to all citizens uniformly, regardless of religion, and that it should recognise the indissolubility of marriages, even when the ceremony did not follow Catholic rules and traditions. His arguments caught the attention of the public not just in Rio de Janeiro, but also internationally. The Protestants of Brazil sent a message of congratulations to him, whereas the pope pronounced his text on mixed marriage anathema causing him to be the target of the intrigues of the Brazilian archbishops and priests.⁸

The Protestant community's letter of thanks (see Appendix I), signed by 585 people, came in an ornate file given to Kornis in 1861. The document was published by his biographer, Olivér Ónody (1911–1997), who was born in Eperjes (Hungarian part of Austria–Hungary) and settled in Brazil in 1946. Ónody held his inaugural lecture on Károly Kornis in 1975 in Rio de Janeiro, as he was invited to be an honorary member of the prestigious Brazilian Institute of Historical and Geographic Sciences, the *Instituto*

³ “...abro meu coração, pedindo de joelhos a V.M.I. que faça abortar na Assembleia Geral um projeto de lei, emanando do governo de V.M. com o fim de admitir-se no Brasil o casamento civil. Sou, Senhor, talvez o último dos bispos quem vem bradar contra esse passo tão oposto às leis da igreja e às suas dogmáticas definições [...] A Igreja, Senhor repugnara os casamentos de herejes com católicos; e o projeto de lei os legitima e os facilita.” ÓNODY 1977, 333.

⁴ This would happen in 1890, after the downfall of the monarchy, see Decree No. 181, 24.01.1890. ROCHA 1890.

⁵ OBEID 2013.

⁶ Ibid. For more information see NEDER–CERQUEIRA FILHO 2007.

⁷ See GALANTE 2008.

⁸ KORNIS 1890, 2.

Histórico e Geográfico Brasileiro. The edited version⁹ of his study was published in 1977, and it is the most complete analysis and bibliography of the career and oeuvre of Károly Kornis.

The contemporary Hungarian public knew of the adventurous life of this 19th-century jurist. Kornis published articles about his experiences abroad in Hungarian journals (mainly *Alföld*), and soon after his death Endre Balogh wrote a commemorative article praising the jurist on the pages of *Arad*.¹⁰ Even decades later, national papers evoked his memory from time to time (*Vasárnapi Újság*, for example), and the authors of encyclopaedic works such as Sándor Márki (*Arad vármegye és Arad szabad királyi város monographiája*, 1892–1895; *Amerika s a magyarság*, 1893), József Szinyei (*Magyar írók élete és munkái*, 1899), Ferenc Agárdi (*Régi magyar világjárók*, 1955), Dénes Balázs (*Magyar utazók lexikona*, 1993), Péter Torbágyi (*Magyarok Latin-Amerikában*, 2004) documented his life, as well.¹¹

Kornis numbered among the many who emigrated from Hungary for political reasons following the 1848–49 revolution. “After the mournful days of the surrender at Világos, Károly Kornis was also sentenced to death, and because he was not captured, in 1850 he was hung in effigy. For a while he went into hidings in the Hungarian lowlands; later, as tutor to the Návény boys, he found refuge in Brussels, from where he escaped to London, and evaded the hangman’s noose.”¹² In the early 1850s, he lived in the United States (see Appendix II); he moved to Brazil in 1854, where he earned a naturalised citizenship (*naturalizado*) in 1856. For a couple of years he was the co-owner of a photography studio in Rio de Janeiro, shared it with István (Estêvão) Birányi (1815–1856),¹³ another Hungarian political refugee. The firm of Birányi & Kornis is part of the history of world photography. “In the 19th-century, Rio de Janeiro, the capital of the Empire and a vibrant economical and artistic center, became invariably the main spot for making, selling and learning photography in Brazil. [...] In the 1840s and 1850s [...] some of the most outstanding photographers were the American Augustus Morand, the German Francisco Napoleão Bautz, the Swiss Louis-Abraham Buvelot, the Portuguese Joaquim Insley Pacheco and the Hungarians Bira[n]yi and Kornis.”¹⁴

The above-mentioned Insley Pacheco (1830–1912) photographer, draftsman and painter was a well-known figure in the art circles of the Empire and a favourite at the court of Pedro II. He too, had apprenticed in New York in 1849–1851. In his memoirs he mentions Kornis as a fellow apprentice under Matthew Brady (1822–1896), who later became known for his photographs of the American Civil War.

In his unpublished diary Károly Kornis refers to the events: “For seven months I worked as assistant to a daguerreotypist, who taught me the profession. I enrolled together with my fellow countryman named István Birányi, who used his money to purchase equipment and appurtenances so that casting our lot together we could travel around the world while working side by side.” Their studio in Rio de Janeiro began to prosper after the two Hungarian photographers were commissioned to execute portraits of the Emperor, and

⁹ ÓNODY 1977.

¹⁰ BALOGH 1863, 2–3.

¹¹ See also SZILÁGYI 2016, 207–219.

¹² KORNIS 1890, 1.

¹³ ÓNODY 1977, 291–292.

¹⁴ HANNAVY 2013, 206.

their series of portraits were distributed throughout Brazil. After visiting the ruler on five occasions and preparing a series of twelve photo portraits, Kornis recorded his impressions as follows:

“Dom Pedro is one of the most cultured and admirable individuals among the crowned heads of our time. I see him as a majestic human being who aroused our sincere admiration. He speaks French, German, Latin, Spanish, and Italian, in addition to Portuguese, his mother tongue. [...] When we first visited him, he wore a black frock coat and pantaloons, with a white vest, displaying his decorations on the left side. He is of a manly bearing, tall and well-built, with a fine chestnut color beard and mustache, and blond hair. His complexion is as white as a maiden’s and his voice is high-pitched. At first he was reserved [...] but by now we are admitted to his exclusive company and are allowed to approach him with confidence.”¹⁵

From 1859 to 1861, Kornis worked as a language instructor, teaching mostly Latin, but also French and German, and composed a Latin grammar book (*Institutiones Grammaticae Latinae*, 1857). From 1861 he imported and traded Hungarian wines. In 1862 he returned to Europe, although in bad health. He passed away in Gyorok (village near Arad) in January 1863, of tuberculosis at the age of 41.¹⁶

Kornis conducted business activities only to make a living in Brazil; what interested him was his original profession: law. He remained productive in this field, despite working in a foreign language. He published pamphlets in Portuguese and Latin on immigration and family law.¹⁷ His articles appeared in the press and, according to the catalogue of the Brazilian senate’s library, he collected his writings in individual volumes.¹⁸ These volumes show how Kornis debated other prestigious personages of the era, in addition to Teixeira de Freitas. He did so as an outsider, not caring about the inner hierarchy of the Brazilian jurist community. Determined, sober and accurate, he argued on the side of non-Catholics (mainly immigrants), trying to protect their rights against the ultramontane view.

His tractate entitled *O casamento Civil, ou o direito do poder temporal em negócios de casamentos: discussão juridico-histórico-theologica em duas partes* [Civil Marriage, or the Secular Authority on Marital Cases: Legal, Historical and Theoretical Pamphlet] appeared in two parts: Volume 1 was released in 1858, Volume 2 the next year. Kornis based his reasoning on the “laws concerning marriage, traditions and natural law” and argued against “the right reverend Prebendary Joaquim Pinto de Campos”,¹⁹ who viewed Protestants as “abominable dissenters”. (Joaquim Pinto de Campos [1819–1887] published his work dealing with the question of marriage, for which Pope Pius IX awarded him the title

¹⁵ The diary excerpts are quoted in ÁCS 1964. I am grateful to my student Ádám Balogh for calling my attention to the articles of the “Vasváry” Collection.

¹⁶ ÓNODY 1977 *passim*.

¹⁷ For example KORNIS DE TOTVÁRAD 1856. See TORBÁGYI 2004, 36.

¹⁸ See Senate s. a.

¹⁹ “Apresenta argumentos do direito natural, os costumes e leis [...] com a refutação da primeira these do Illmo. e Revmo. Sr. Cônego Joaquim Pinto de Campos.” KORNIS DE TOTVÁRAD 1858–1859, Vol. I.

of Papal Prelate.²⁰) Kornis, an immigrant, replied that “the Brazilian constitution applies to all citizens of the empire, including non-Catholics, so no person has the right to call them abominable dissenters in the Brazilian parliament. If the right reverend Prebendary believes that his expressions were appropriate he may use them on his pulpit, but he has to curb his emotional words, respecting the constitution if he wants to speak as a member of legislation”.²¹

In 1860 Kornis released another pamphlet, *Refutação da doutrina do dr. Braz Florentino Henriques de Souza apresentada na sua obra “O casamento civil e o casamento religioso”* [Refutation of the Theory of Dr. Braz Florentino Henriques de Souza, which He Set Forth in His Work “On Civil and Ecclesiastical Marriage”]. Kornis’s criticism targeted Henriques de Souza (1825–1870), a professor of the Recife law faculty and a respected intellectual within the North Brazilian ultramontane movement. Souza later took part in the revision of the civil law code assembled by Teixeira de Freitas, and ultimately became governor of Maranhão Province. In his work on civil and ecclesiastical marriage, Souza reacted to a bill submitted by the imperial government to the House of Representatives on 19 July 1858 (see Appendix III), calling it anti-Catholic and even unconstitutional. He referred to Protestantism as “the most sanguinary enemy of Brazil’s religion, the main cause behind the people’s disharmony, so all in all as something that entirely goes against them, and rejects any order or authority”.²²

Kornis later published a supplement, *Reflexões sobre a emenda substitutiva* [Reflections on the Planned Amendment]. At nearly 100 pages it is still shorter than either of his two preceding volumes. The work’s starting point is the issue of family law, which had been a topic for several administrations, and the debates on the bill released in 1858. Kornis criticises the bill outlined by the then-Minister of Justice, João Lustosa da Cunha Paranaguá (1821–1912) and his followers, reconfiguring one presented in 1860 by Joaquim Vilella de Castro Tavares (1816–1858), representative from Pernambuco, and professor at the law faculty of Recife. Kornis accused the minister of laxity, pointing out that he was still influenced by ultramontanism, and thus not writing a proper law leading to a consensus. He also states that the changed draft does not guarantee the indissolubility of the marriage in case a spouse later converts, and thus (he argues), the draft goes against the morals of natural law, as well as the traditions of the people.

Károly Kornis was not the only one who thought this way; the emperor and many enlightened Brazilian Catholic intellectuals (for example J. T. Nabuco de Araújo, 1813–1878) held similar views.²³ Kornis was nonetheless subject to many attacks, some personal.

²⁰ On Campos, see WILSON 1978, *passim*.

²¹ “A Constituição do Brasil, recebendo como cidadãos do imperio, os membros tambem não catholicos, julgou-os dignos de serem filhos da grande familia social, e sendo assim, ninguem tem o direito de insulta-los no sanctuario do parlamento brasileiro, com a gratuita expressão, de serem elles de crenças abominaveis. S. Revmo. podera usar de semelhante linguagem, se a julgar conveniente, no seu pulpito sagrado, mas tem a refreiar a violencia das suas palavras quando quizer fallar como guarda da Constituição, e membro da legislação civil.” (Original orthography.) KORNIS DE TOTVÁRAD 1858–1859, 125.

²² “...sendo o protestantismo «o inimigo mais encarniçado da religião do Estado, é tambem o maior dissolvente dos povos, o contraste, a negação, em summa, de toda autoridade e de toda ordem».” The words of Souza in KORNIS DE TOTVÁRAD 1860c, 1.

²³ GALANTE 2008, 113.

They questioned²⁴ his professional competency, his command of the language, and his Catholicism. His notoriety spread to Europe: the Lisbon-based newspaper *Journal de Commercio* reacted to his works negatively in an anonymous article. It pained him that his mother tongue, “magiar” was labelled barbaric.²⁵ Ónody notes in his essay that the rapid worsening of Kornis’s health paralleled the coarsening of the debate; eventually he had to leave Brazil.²⁶ Gizlene Neder, a modern historian, calls Kornis a rare gem (“uma joia rara”) of Brazilian intellectual life. She emphasises that even today readers cannot find serious mistakes in his texts, either professionally or linguistically.²⁷

Károly Kornis touched on his host country’s most crucial juridical and political issue with good sense. With his professionalism and enthusiasm for debate and equality, he influenced the major Brazilian legislative project of the 1850s, the elaboration of the civil code, and especially laws concerning family law and civil marriage. The unfolding argument about legal theory sparked many disagreements between the Catholic Church and the Brazilian Government; ultramontanists and liberal-conservative reformists clashed in polemics that foreshadowed the crisis in the church policy of the 1870s. The law of 1861 created a compromise between the two sides that also marked a small step toward the separation of church and state. Sadly Kornis, who was the greatest advocate for the rights of Protestants and immigrants, did not live to see the completion of that project.

Appendix I

The text of the letter of thanks given to Dr. Carlos Kornis de Totvárd in 1861 by the Protestant community of Rio de Janeiro.²⁸

“Os Protestantes, o Brasil e com eles os respeitadores da santidade do matrimônio, da lei igual e idêntica para todos, da liberdade da consciência e do progresso do gênero humano, reconhecem e agradecem ao Ilmo. Sr. Dr. Carlos Kornis de Totvárd a sua cooperação valiosa, espontânea e generosa, para acelerar o final triunfo da justiça e da razão na lei matrimonial do Brasil, 1862.

Ao Ilmo. Sr. Dr. Carlos Kornis de Totvárd.

Ilmo. Sr., os protestantes do Rio de Janeiro não têm palavras suficientes para exprimir quanto são gratos a V.S. por ter-se tão generoso e desinteressadamente dignado empregar a sua valiosa pena em prol do que eles têm de mais caro e sagrado, a honra e a tranquilidade das suas famílias. Se até aqui, por um fato anomalo no século e no país livre em que vivemos, cuja constituição garante a liberdade de crença, os matrimônios entre pessoas não católicas e os casamentos mixtos careciam de garantia nas leis, principalmente pelo que respeita a incontestável validade dos mesmos com as suas naturais conseqüências,

²⁴ TAUNAY 1895, 240.

²⁵ NEDER 2007, 32–33.

²⁶ ÓNODY 1977, 320–323.

²⁷ “O jurista húngaro meteu-se de corpo e alma num debate ácido, espinhoso, e deixou como contribuição o melhor de si: a luta política e ideológica pela modificação da legislação civil brasileira.” NEDER 2007, 23. See also SILVA 2016.

²⁸ ÓNODY 1977, 354–355.

semelhante falta de garantia acha-se hoje como que sancionada por uma lei especial. Até aqui a bigamia e a desmoralização do vínculo matrimonial entre os protestantes residentes no Brasil não se firmavam senão no abuso dos princípios gerais de direito e da moral, que regem a matéria, visto que nenhuma lei especial a regulava. Hoje esse estado de coisas já se não pode classificar de abuso, pois votou-se a respectiva lei, porém – com dor o dizemos – ela não obsta à reprodução desses imoralidades. Membro da igreja católica romana, mas levando no entanto por uma generosa tolerância, por um vivo sentimento de justiça e incitado por essa natural simpatia que prende as almas bem formadas ao país, aos homens e às coisas, no meio dos quais vivem, teve V. Sa. glória de firmar na consciência pública a convicção da insuficiência dessa nova lei, prestando assim um eminente serviço à verdade, à justiça, à causa do progresso, da tolerância e ilustração religiosa, e contribuindo à divulgação e ao triunfo dos princípios do direito e da boa moral. Depois dos judiciosos trabalhos de V.S., sobre a questão, qualquer equívoco tornar-se-á impossível. Sabem hoje todos, emigrantes e emigrados, a lei sob cujo domínio têm de viver. Embora um zelo mal entendido se tivesse empenhado em confundir, escurecer e equivocar a questão, todo esse esforço se desvirtuou ante o modo por que V.S., dotado de profundos conhecimentos jurídicos, de vasta erudição e invencível lógica, destruiu na opinião pública os argumentos em contrário. Cumpra a nós, espectadores, mais interessados da luta, gratos pelos esforços de V.S., pedir-lhe que aceite esta fraca manifestação de nosso respeito, em testemunho deste seu nobre empenho, e do nosso eterno reconhecimento. Agora que antes mesmo de ser posta em vigor, já se conhece publica e notoriamente quanto a lei, com que deviam ser resolvidas as justas queixas de nosso culto, é insuficiente e irrisória, como a considerou mesmo um distinto membro do Senado brasileiro, na sessão de 9 de agosto próximo passado: agora essa lei não poderá deixar na incerteza a mais ninguém, nem aos colonos, nem aos colonizadores. E nós podemos nutrir justas esperanças de que graças à ilustração, perseverança e abnegação de V.S. estes últimos não tardarão em convencer-se com o tempo de que seria desconhecer os preceitos da justiça e equidade, se deixassem de estabelecer no país uma lei sobre o casamento, que dê garantias eficazes e não sujeitas a capciosas interpretações, aos direitos dos cônjuges e da prole das nossas famílias, satisfazendo assim às exigências da época, e provando a todos, de modo não equívoco, ser uma verdade o art. 5. da constituição do Império, que permite todas as outras religiões, contanto que o seu culto se pratique em edifícios sem forma exterior do templo.

Rio de Janeiro, 10 de setembro de 1861.

Os protestantes residentes no Rio de Janeiro (Seguem as assinaturas.)”

Appendix II

Transcript of Mary Hirschfeld, Hungarians Look at S. America. *Plain Dealer*, (Cleveland, OH) July 29, 1962. (“Vasváry” Collection, Somogyi Library, Szeged.)

“The new fascination with Latin America, the course of this modern destiny, the history of its development, has even engaged the attention of the Association of Hungarian Students in North America.

Dr. Elemer Bako of Columbia University has delved into research to find out what bonds *Hungarians* established with that part of the word and his findings have been published by that organization.²⁹

He discovered that the 16th century Hungarian was the first one to leave a record of that interest. He was Maximilianus Transylvanus (1490–1536), a diplomat who served in The Netherlands. He wrote about the voyage of Ferdinand Magellan around Cape Horn, the southern tip of South America. A relative of Max's wife had financed that first globe-girdling journey.

Baron Janos Retkay [Rátkay] entered the Jesuit order in 1664 and went to Mexico to convert the Indians in the 17th century. In the 18th century Laszlo Orosz, another Jesuit, spent 42 years teaching in Argentina and Paraguay.

THAN THERE WAS Karoly Kornis, who founded the first Hungarian newspaper³⁰ in the United States, in 1852 [1853], according to Dr. Bako, later Kornis went to Rio de Janeiro where he wrote a book on inheritance laws³¹ and another on the civil marriage laws of Latin America.

Ede Szenger, a medical doctor, was a physician at the Mexican court of the Emperor Maximilian, the tragic Hapsburg prince.

Laszlo Madarassy (1840–1893), a popular writer crossed the ocean for a visit to Panama, Colombia, Peru, Chile and Bolivia then wrote several books concerning his experiences. He was one of the Hungarian writers to produce fiction about Latin America for Hungarian youth.”

Appendix III

Bill Submitted by the Imperial Government to the House of Representatives Concerning Civil Marriage, 19 July 1858.³²

„Proposta do governo em negocio de matrimonio apresentada à Assembléa Geral Legislativa em 19 de Julho de 1858

Art. 1.º Os casamentos entre pessoas, que não professão a religião catholica apostolica romana, serão feitos por contracto civil, podendo seguir-se o acto religioso, se este não tiver sido celebrado antes.

Art. 2.º O casamento civil tambem poderá ser contrahido quando um dos contractantes fôr catholico e outro não. Fica porém entendido que se nessa hypothese preferirem celebrar o casamento religioso aute a Igreja catolica, o poderão fazer independentemente do contracto cilvil, produzindo o religioso além do viuculo espiritual para o catholico, todos os effeitos civis para ambos tão completamente como se tivesse havido contracto civil.

²⁹ BAKO 1962, 12.

³⁰ *A magyar számuizöttek lapja* (New York) October–November, 1853. Examples are in the National Széchényi Library, FM3/11443. For a description see LIPTAY 1871, 358–359.

³¹ KORNIS DE TOTVÁRAD 1856.

³² KORNIS DE TOTVÁRAD 1860, 269–270.

Art. 3.º O contracto civil seguido da commuoicação dos esposos, assim na hypothese do art. 1.º, como do art. 2.º, torna o matrimonio indissolúvel, e produz todos os effeitos civis, que resultão do que é contrahido segundo as leis e costumes do Imperio.

Art. 4.º Os casamentos mixtos ou entre pessoas estranhas á Igreja catholica, *bona fide* contrahidos antes da publicação da presente lei por escriptura publica, ou celebrados na fôrma de alguma religião tolerada se considerão *ipso facto* ratificados para os effeitos civis, como se tivessem sido contrahidos ou celebrados na fôrma prescripta para os casamentos civis uma vez que a isso se não opponhão impedimento taes, que os deverão embaraçar, segundo o que houver regulado o governo em conformidnde do § 1.º do art. 6.º

§ Unico. Dentro porém de um anno, contado da publicação da lei, será livre dissolvê-los, quando o permita a religião segundo a qual se tiver celebrado a cerimonia religiosa. Passado este periodo ficarão sendo indissolúveis.

Art. 5.º São reconhecidos válidos e produzirão todos os effeitos civis os casamentos celebrados fôra do Imperio, segundo as leis do paiz onde tiverem sido contrahidos.

Art. 6.º É o governo autorizado:

§ 1.º Para regular os impedimentos, nullidades, divorcios *quoad thorum*, e fôrma da celebração dos referidos casamentos, como contractos civis.

§ 2.º Para organizar e regular o registro dos mesmos casamentos, assim como dos nascimentos que delles provierem.” (Original orthography.)

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