

perior enjoys the same right. However, if he does not avail himself of it, the funeral ought to be held in the church of the parish where he died.

Whoever conducts the obsequies in the church has the right and duty, personally or through another priest, of accompanying the body to the place of burial; moreover, the priest who accompanies the body to the church of the funeral or to the place of burial, vested in stole and with Cross elevated, is free to pass through the territorial boundaries of another parish or diocese, even without the permission of the pastor or Ordinary.

Article 126. The cemetery for priests and clerics should be situated in a fitting place and, where possible, separated from the place of interment for lay persons; furthermore, where it can be done conveniently, there should be a distinction between place of burial for priests and the other ministers in the lower Orders.

CHAPTER XI

DISMISSAL FROM THE CONGREGATION

Article 127. Just as a subject professed with temporary vows may freely leave the Congregation when the period of his vows expires, so also the Congregation may, for just and reasonable motives, refuse to admit a subject to perpetual profession; not, however, for reasons of health without certain proof that the religious fraudulently concealed or dissimulated his sickness before his temporary profession.

Article 128. No one can be dispensed from his vows except by the local Ordinary.

Article 129. A religious temporarily professed, and who is legitimately dismissed, is "ipso facto" relieved from his religious vows without prejudice, however, to the obligations attached to Sacred Orders.

Article 130. The obligation of the perpetual vows of obedience and of poverty cease by the very fact of dismissal regularly pronounced, and confirmed by the local Ordinary.

Article 131. In the cases foreseen in Canon 646, the guilty subject is "ipso facto" dismissed from the Congregation; it is then sufficient for the Superior General, with the assistance of his Council, to ascertain and to record in the registers of the Congregation, that such a subject committed such an offense and was subsequently dismissed "ipso facto": they will take care to collect and to preserve the proof of the offense in the archives of the Congregation (C.646). If it is possible to notify the dismissed subject of the aforesaid declaration, it will be well to do so. The Sacred Congregation for Religious is to be informed about a religious so dismissed.

A) The Dismissal of Religious in Temporary Vows

Article 132. A religious temporarily professed, cannot be dismissed before the expiration of his vows except on the following conditions, the observance of which constitutes a grave obligation in conscience for those who concur in the dismissal:

- 1) the motives for the dismissal must be grave;
- 2) these motives may concern either the Congregation or the religious himself. The particular impediments mentioned in Canon 542, if they were hidden at first and discovered after profession, can be causes for dismissal. The lack of the religious spirit, which is the cause of scandal to others, is sufficient reason for dismissal, when a repeated admonition, joined to a salutary penance, has produced no effect. Ill health is not sufficient cause for dismissal, unless there is certain proof that it was fraudulently concealed or dissimulated before profession. A professed religious in temporary vows can be dismissed by the local Ordinary in whose jurisdiction the house is situated but he shall not use this right without the knowl-

edge of the Superior General or against his just disagreement.

Article 133. The aforesaid motives must be known with certainty by the Superior General, together with his Council and by the local Ordinary, but it is not necessary that they be proved by a judicial process. However, the motives must be made known to the religious, and full liberty to reply be given him, and his replies must be faithfully transmitted to the Superior General. The latter will, with his Council, make a thorough examination of the whole affair.

Article 134. The religious has the right to appeal to the Holy See against the decree of dismissal; and, if he has recourse within ten days after being informed of dismissal, the juridic effect of the decree of dismissal is suspended, pending confirmation by the Holy See.

Article 135. A religious who has been duly dismissed is "ipso facto" absolved from all the religious vows; a cleric in major Orders, however, is subject to the obligations of those Orders and to the other regulations of Canons 641-1, 642; a cleric in minor Orders is by the very dismissal reduced to the state of the laity.

B) Dismissal of Religious in Perpetual Vows

Article 136. The dismissal of a perpetually professed religious cannot be pronounced unless he has committed three offenses, and there have been two admonitions and no amendment.

Article 137. These offenses must be grave, external, and committed against common law or against the particular laws of religious. Three offenses at least are required, of the same kind; or if they are of different species, they must be such that, taken together, they manifest a will that is perverse and obstinate in evil. However, a single grave offense persisted in, and virtually transformed into a triple offense by repeated admonitions, is sufficient.

Article 138. In order that there should be grounds for an admonition, it is necessary that the offense be notorious or that the evidence for it comes from the extrajudicial confession of the one culpable, or from other proofs furnished by a previous inquiry. The admonition should be given personally by the Superior General or by another acting on his express orders, as far as possible in the presence of two witnesses or by registered letter; the documents proving that the admonitions have been made should be carefully preserved. Two admonitions are required, that is, one for each of the two first offenses; and, in the case of offenses that are permanent and continuous, it is necessary that at least an interval of three full days intervene between the first and the second admonition. To these admonitions the Superior shall add opportune exhortations and corrections, imposing penances and other penal remedies that he may judge proper for procuring the amendment of the guilty one and repairing the scandal.

Article 139. A religious is considered to have not amended, if, after the second admonition, he commits a new offense or even perseveres in the same permanent offense. After the last, that is after the second admonition, the Superior should, however, wait six days before proceeding further.

Article 140. The facts having been verified and the conditions fulfilled, the Superior General with the assistance of his Consultors, after having weighed carefully all the circumstances in the case, shall consider the question as to whether there is ground for dismissal. The religious will be confronted with the charges brought against him. Time to prepare his defense will be granted him, and, if he so desires, he may seek the help of an advocate chosen from among the members of the Congregation. This advocate will be selected by the accused from a list of confreres which will be offered him by the assembly of Consultors. The acts of the hearing will be recorded.

Article 141. If, after the hearing mentioned in the foregoing Article is concluded, the facts still stand, the Superior General with his Council, carefully weighing again all the circumstances, shall consider the question as to whether there is still cause for dismissal. If the majority of votes favor dismissal, the entire matter is to be referred to the Ordinary of the place in which the house of the religious is located, and he has the right to decide the matter according to his prudent judgment following the rules of Canon 647. The religious has the right to defend himself and his defense must be faithfully entered in the acts of the proceeding.

Article 142. The dismissed religious in perpetual vows is governed by the prescriptions of Canon 641.

Article 143. In the case of grave external scandal or of very serious imminent injury to the community, a religious may be dismissed immediately by the Superior General with the consent of his Council, or, if there be danger in delay and time does not permit recourse to the Superior General, he may be dismissed by the local Superior with the consent of his council and of the local Ordinary, and deprived of his religious habit; in this case, the Ordinary or the Superior General, if he be present, must without delay submit the matter to the judgment of the Holy See.

Article 144. A religious in perpetual vows who is dismissed, is held to the prescriptions of Canons 669, 670, 671, 672, if they apply.

Article 145. Neither a dismissed subject, nor one who withdraws, whether at the end of his vows or by reason of an indult of secularization, can, for any reason claim any indemnity from the Congregation.

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THE GOVERNMENT OF THE
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PART II

The Government of the Congregation

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CHAPTER I

THE GENERAL CHAPTER

1. Convocation and Members

Article 146. The general Chapter is held ordinarily every six years and is announced three months before the day set in a letter sent by the Superior General, or, if he be not living, by the Vicar General.

Article 147. An extraordinary General Chapter is to be convened by the Vicar General not more than a month after a vacancy in the Superior General's office occurs. It is held by exception with the previous permission of the local Ordinary in some important cases. The General Chapter is to be held in the principal house of the Congregation, unless, because of special circumstances another house is chosen by the General Council.

Article 148. Members of the General Chapter are:

1. The Superior General.
2. The General Consultors.
3. The Procurator General at the Holy See.
4. The Treasurer General.
5. The Secretary General.
6. The Superior of each "domus formata" with one delegate.
7. Two delegates from a determined assembly of minor houses. Whenever the General Chapter meets to

replace a Superior General at his death or in any other emergency (Article 197), all the details of the convocation and direction are handled by the Vice-Superior, or if he be wanting, by the second Consultor, so as to assure the vacancy being filled. The convocation is to be made as soon as possible.

2. The Rules to be Observed in Elections

Article 149. The General Chapter can validly deliberate only if two-thirds of its members are present, but all ought to be invited.

Article 150. No one is permitted to abstain from casting a vote, nor to submit a ballot without a name, but let each vote as seems to be the will of God.

Article 151. No one can validly vote in his own favor.

Article 152. If the number of votes exceeds the number of voters the ballot is null and void.

Article 153. The vote must be secret; therefore, no member of the Chapter should disclose to another member how he is voting. Only the votes of the electors who are present are valid. However, if one of the electors be present in the house where the election takes place and not able to participate because of ill health, the Tellers will go and get his written ballot in a closed box and put it with the others.

Article 154. The votes are to be burned immediately after each ballot, or, if there are several ballots in the same session, after the session.

3. The Election of Delegates

Article 155. The electors are all priests of the Congregation who are perpetually professed and who are in good standing. Moreover, to enjoy a passive voice it is required that they be priests and members of the Congregation and perpetually professed. Those eligible

for election are inscribed, according to their order of seniority in the Congregation, upon a list, drawn up six months in advance by the Superior General in his Council. This list, with the names and surnames of the members, will state his age and the function he is performing at the time. Those who are members of the Chapter "ex officio" are not inscribed upon that list.

Article 156. The choice of delegates from the larger houses of the Congregation is made in a local Chapter, over which the Superior of the house presides, with the assistance of two Tellers and one Secretary, who are juniors in perpetual profession.

Article 157. The choice of delegates in houses where at least six professed members live, is made by means of secret ballot and by an absolute majority of votes, disregarding the votes which are null and void. However, if after two ineffectual ballots no delegate is elected, a third and last ballot will be taken in which a relative majority of the votes cast will decide the issue. If the votes in this final ballot are equal, the senior member from first profession is elected; and, in the event of equality in profession, the elder in priestly ordination.

Article 158. The delegates having been elected, a substitute is elected, who will take the place of the delegate in case he is legitimately impeded from attending the General Chapter. The substitute could be the member who received the greater number of votes after the chosen delegate. The substitute for the local Superior is his Vicar. All the acts of the election are to be accurately recorded by the Secretary and signed by the presiding officer, by the secretary and by the two tellers and sent immediately to the Superior General.

Article 159. Small communities are grouped together by the Superior General, with the consent of his Council, so that each such group is comprised of at least six eligible voters but not, however, of more than ten.

Article 160. The Superior General shall send to each group a list of the eligible priests belonging to it. On a stated day the eligible voters shall convene in local Chapter, in the proper house, nor may they absent themselves, and on a secret ballot write two names of those who are eligible, and whom they wish to elect as delegates to the General Chapter.

The Superior will enclose all these ballots and his own in a sealed envelope, bearing his name. He will then place this envelope in another and send it by a safe way to the Secretary General.

Article 161. The counting of the votes of a group or assembly is to be made in the General Council, with all the members present. Two members of the meeting, appointed by the Superior General, will perform the office of Tellers; one of them will unfold the ballots, one by one, and show them to the Superior General; the other will read the names indicated and the Secretary General will write down the names. Those two who have obtained a relative majority of the votes, will be recognized by the Superior General as delegates of that group or assembly. In case of a tie, the preference is given to those who are seniors from first profession and afterwards, as noted above, to the elders in priestly dignity. In addition, those who will have obtained the next highest number of votes after the delegates, will be recognized as substitutes. The substitutes will replace the delegates in case they are legitimately prevented from attending the Chapter. Then the ballots are burned before the assembly, and the Secretary General will immediately draw up an official report of the election.

The Secretary General must notify those who have been elected without delay.

4. Preliminary Sessions

Article 162. On the day set for the beginning of the preliminary sessions of the General Chapter, all the members named above come together under the chairman-

ship of the Superior General, or, in his absence, of him who takes his place. The first places in the Chapter belong to the members "ex officio". Then the delegates take rank according to seniority in the Congregation, which is reckoned from the date of first profession, and, in the case of those admitted at the same time, by seniority in the priesthood.

Article 163. The preliminary business of the General Chapter is as follows:

1. Verification of the credentials of the delegates.
2. Election, by separate and secret ballot, according to a relative majority of votes, of two Tellers and a Secretary for the Chapter, from among the members of the Chapter there present.
3. Taking of an oath by the Tellers and the Presiding Officer that they will perform their office with fidelity and will keep secret, even after the elections, all that they have learned concerning the elections.

Article 164. The office of Secretary is to describe accurately the acts of each session of the Chapter and to read them, for approval, at the beginning of the following Capitular session. The acts shall be endorsed by the presiding officer and by the secretary himself.

Article 165. The office of Tellers is to guard diligently the secrecy of the ballot and, one by one, having care for the order of precedence, to get the vote of each elector; having collected the last ballot, they are to be examined in the presence of the presiding officer to see if the number of ballots agrees with the number of electors, and if so, the ballots themselves are investigated, and the results published.

Article 166. After that, an examination of the accounts of the Treasurer General will be made. For this a commission of three members, who have had no part in the preceding administration, will be named by a relative majority of votes. This commission will examine the ac-

counts, and present all its observations to the Chapter, in order that they may be discussed and the management approved.

Article 167. After the examination into the temporal administration, the Superior General will render an account of the actual state of the Congregation, and each of the members present will give additional information and his personal observations.

5. Election of the Superior General

Article 168. On the day of the election of the Superior General, Mass of the Holy Spirit is celebrated, the rubrics permitting, and at which all the electors devoutly assist.

Article 169. At a stated hour, the Electors assemble in the room chosen for the elections. Before beginning the election of a Superior General, each and every member of the Chapter promises by Oath to elect him whom before God they deem most worthy, with this formula: "Testor Christum Dominum qui me iudicaturus est, me electurum quem secundum Deum iudico eligi debere."

Article 170. Whoever is selected for the office of Superior General should reflect great holiness of life, be outstanding in his observance of the Constitutions, have a deep and abiding love for the Holy Father, be possessed of prudence, sound in doctrine and far-seeing, and endowed with strength of character tempered by meekness.

Article 171. The Superior General is elected by an absolute majority of votes. If on the first ballot no one receives this majority, a second and, if need be, a third is taken. If an absolute majority is not obtained in the third, then in a fourth ballot the electors must cast their votes for one of those two religious who had the larger number of votes in the third, and these will abstain from voting in the fourth ballot. If in this fourth and final ballot the two religious receive an equal number of votes, he

is held to be elected who is older by first profession, or, if professed on the same day, the senior in the priesthood.

Article 172. If in the third ballot more than two obtain the major number of votes without anyone acquiring an absolute majority, in the fourth ballot only those two are eligible who are older by first profession or, as stated above, in the priesthood.

Article 173. As soon as a ballot has given the required majority of votes, the Superior General is elected, and the Presiding Officer publishes the election. This election obtains its effects by the acceptance of the one elected, in addition to which no confirmation is needed. The Secretary of the Chapter immediately makes a report of it, which shall be signed by the Presiding Officer, the Tellers, and the Secretary himself; and the ballots shall be burned in the presence of the assembly. With the acceptance of the elected the function of the Presiding Officer shall end, and the Chapter shall be presided over by the new Superior General.

Article 174. The one elected Superior General will humbly and willingly accept his onerous office, confiding in the help of our Heavenly Father. God Who imposes the burden will Himself give adequate help that it may be borne; for He Who created the office will assist in its administration.

Article 175. The elected Superior will make the Profession of Faith before the Chapter and according to the formula approved by the Apostolic See. The new Superior General will receive the obedience of all present, who, observing the order of precedence, will genuflect, kiss his right hand and receive his blessing. Thence, all will repair to the church and, the elected General officiating, the Te Deum will be sung and Benediction of the Blessed Sacrament given.

Article 176. Notification of the election of the Superior General is to be sent at once to those Ordinaries

who have jurisdiction over members of the Congregation and to all the houses of the Congregation.

Article 177. If the one elected to the office of Superior General is not present, the Presiding Officer will inform him at once of his election, and, pending his appearance, the further business of the Chapter is suspended.

6. Election of Consultors, the General Secretary and General Treasurer

Article 178. Next will come the election, by separate ballot, of the four Consultors, among whom the first will be the Vicar General, and from among the other three are to be designated the General Treasurer, and the General Secretary.

Article 179. The elections mentioned in the preceding article are by a secret ballot, and according to an absolute majority of the votes. If this majority be not obtained on the first and second ballot, a third ballot will be cast, in which a relative majority will suffice; if on this third two have obtained an equal number of votes, he is held to be elected who is older by first profession, or, if professed on the same day, the senior in the priesthood.

Article 180. Each election, regularly held, will be made known separately by the Superior General. Then, the Secretary of the Chapter will draw an official record of all these elections, which will be signed by the Superior General, the Tellers, and the Secretary himself.

Article 181. If anyone elected to these offices is not present at the Chapter, he will be notified at once; but further elections and other business will not be suspended.

7. Other Business of the Chapter

Article 182. The elections over, the Chapter treats of the affairs of the Congregation, both those that concern the Congregation in general and those that concern particular houses. All of these are decided by an absolute

majority of votes, in secret ballot. The Chapter can make regulations and ordinances in conformity with the Constitutions, binding on the entire Congregation, or on any particular house, but only until the next General Chapter. The latter can confirm or abrogate them.

Article 183. To effect a change in the Constitutions, the amendment must be proposed and passed favorably by a two-third majority at three successive General Chapter meetings. If so passed, the amendment does not become effective until confirmed by those Ordinaries in whose dioceses Houses of the Congregation are located.

Article 184. The Secretary of the Chapter will draw up the minutes of the Chapter, which must be signed by the Superior General and all the members of the Chapter.

Article 185. Absolute secrecy is imposed upon all the members of the Chapter in regard to all that has taken place at it. The Superior General alone can communicate, personally or through others, that which he deems it prudent or opportune to make known.

Article 186. The Chapter closes with the celebration of a Requiem Mass for the members who have died since the last Chapter.

Article 187. Whenever the General Chapter meets to replace a Superior General at his death or in any other emergency (Article 197), all the details of the convocation and direction are handled by the Vice-Superior, or, if he be wanting, by the second Consultor, so as to assure the vacancy being filled. The convocation is to be made as soon as possible.

CHAPTER II

THE SUPERIOR GENERAL

Article 188. The Superior General must be a perpetually professed priest, of legitimate birth, at least forty

years old, and professed for ten years from the date of first vows.

Article 189. The Superior General is elected for six years and may be re-elected for another term of six years, but not for a third term immediately consecutive.

Article 190. The Superior General will be faithfully modeled after Christ if he is at one with Him in mind, in heart and in will, and strives to imitate the ways of Jesus in bodily presence, in love of virtue, in the exercise of authority, in appreciation of the sublimity of the priesthood.

Article 191. The Superior General has authority over all the Houses and over all the members of the Congregation, but he must exercise it as prescribed by the Constitutions. In all the meetings of the Chapter, assemblies, or councils, when the votes are equal after the third ballot, the Superior General may make the final decision, except in the elections by secret ballot which are governed by special articles.

Article 192. In accordance with Articles 219, 220, and 221 every three years the Superior General personally, or by a delegate, will visit all the houses of the Congregation, investigating the management, both spiritual and temporal.

Article 193. All the members of the Congregation owe obedience to the Superior General.

Article 194. If after mature reflection and much prayer, the Council of Consultors, for grave reasons, and by a majority vote, should deem it advisable to change the Superior General, it shall submit its reasons to the local Ordinary of the Diocese in which is located the Mother-house of the Congregation, and await his decision.

Article 195. If the Superior General thinks he has reasons to tender his resignation, he shall submit them to the local Ordinary; if he had manifested his decision