

PRESBYTERAL ORDINATION AND THE SEE OF ROME

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When St. Thomas Aquinas wrote that the priesthood and the episcopate are sacramentally the same order,¹ he was not deliberately adjusting his theory in order to make the total number of orders, both major and minor, equal the mystic number seven. He was, rather, basing his conclusions on the fact that the bishops and priests of his day had equal power in regard to the administration of the principal sacraments. He did not realize that for roughly five hundred years a bishop was the normal officiant at both Baptism and Eucharist, or that the term *sacerdos* was used almost exclusively of the episcopate during this period.

Although St. Thomas did not extend the sacramental equality of priests and bishops to include the lesser sacrament of ordination, it is nevertheless true that this further sacramental equality was in fact granted in certain cases by papal decrees issued in the second century after the Angelic Doctor's death. These curious cases of presbyteral ordination – the conferral of holy orders by a papally-licensed presbyter (priest) – has received but scant discussion, almost none of which is available in English. The purpose of this article is to present a systematic discussion of the various documents involved, the circumstances which made their issuance possible, the use to which they were put, and subsequent interpretations of the theological problems involved.

I

The *English Historical Review* for January 1911 contained a brief article by Egerton Beck entitled “Two Bulls of Boniface IX for the Abbot of St. Osyth.”² Only three pages long, it consisted largely of the Latin text of these bulls, and apparently it did not stir up any great interest at the time. It did, however, come to the attention of the German scholar, Fr. Gillmann, who realized that a real find had been made. His book *Zur Lehre der Scholastik*, published in 1920, contained what he recognized as the potentially controversial passages,³ but again nothing happened. Finally, in 1924, Fr. Fofi republished the entire texts in the March issue of *Scuola Cattolica*,⁴ and it was this article that caused the “interesting and lively discussion of these documents” to which Dom Hugh Talbot refers in the *Downside Review*.⁵ And lively the discussion might well be! It now became generally known among Roman Catholic scholars that on 1 February 1400 Pope Boniface IX had empowered the Augustinian abbot of St. Osyth, in Essex, to confer upon his canons not only minor but also the three major orders (“omnes minores necnon subdiaconatus, diaconatus, et presbiteratus ordines ... conferre libere et licite”). Unfortunately, there is no record as to whether this privilege was ever actually used, and the second bull, dated three years later, informs the abbot that the right has been withdrawn due to the protests of the Bishop of London, Robert Braybrook. There can be no doubt that the abbot of St. Osyth's had been granted some privilege in regard to the major orders, for the original bull was even recorded twice (by mistake) in the Calendar of Papal Letters,⁶ and the bull of revocation repeats the names of the major orders.⁷ Moreover, it has been proved that the abbots of St. Osyth's were only priests.⁸ But what was the exact nature of this privilege which drew such strong protests from the local bishop? The literal meaning of the words has apparently been

a great embarrassment to those not prepared to defend the pope's right to grant that the words refer only to the abbot's right of arranging for the ordination of his men; that is, that he could send them to any bishop, rather than just the local one, or even invite an outside bishop to ordain at the monastery. Such a privilege would have infringed the jurisdiction of the local bishop, and it is true that this complaint, rather than any possible invalidity in orders so conferred, is the only objection of Bishop Braybrook, at least as stated in the bull of revocation. That the privilege was only one of jurisdiction, involving the power to issue letter dimissory for ordination, is the position taken by the Jesuit Puig de la Bellacasa and the Dominican Hugon, both writing in 1925,⁹ although in the previous year the latter had been willing to take the documents at face value.¹⁰ As late as 1944, after the publication of Fr. Baisi's doctoral dissertation on this general subject¹¹ in which he accepts the literal meaning and cites the earlier "form criticism" of Hocedez,¹² who had shown that the phrase "conferre libere et licite" was commonly used at this time to indicate the actual power of ordination. To-day it would seem that most Roman Catholic scholars who have studied the subject accept the literal meaning of the document, although some are unwilling to commit themselves. Archdale King, commenting on a similar bull discovered in 1943, will say only that "in the light of this unusual privilege, the bull of Boniface IX may well mean what it appears to say."¹³

The recent discovery just referred to is the bull *Gerentes ad vos*, issued in 1527 by Martin V. It was found in 1943 by K. A. Fink and published by him in that year. According to the terms of this bull, the Cistercian abbot of Alzelle, in the diocese of Meissen, was granted "authority to ordain to *all the sacred orders* for the space of five years, and not only his own religious, but also the clergy who served the parishes appropriated to the abbey."¹⁴ In 1951 this bull was discussed by Columban Bock in two issues of the Trappist *Collectanea*, and although Bock apparently accepted the privilege in its literal sense, a review of his articles comments that

historians have yet to prove conclusively that the grantees in question did actually ordain to major orders, and hence that such phrases as "omnes etiam sacros ordines conferendi ..." are to be interpreted, contrary to the usual opinion of canonists and theologians, as granting power to confer orders and not simply the jurisdiction to promote to orders.¹⁵

Going on to the year 1489, we come to the most discussed of all ordination privileges, those of the bull *Exposcit*, dated 9 April of that year.¹⁶ This document was issued by Pope Innocent VIII as a reward for the reforms in the Cistercian order which had just been made by John IX (de Cirey), forty-third abbot of Cîteaux. In a sense, it was also a reward for the diplomacy of the abbot, who journeyed to Rome personally "to obtain confirmation of ... ancient privileges of the Order and to procure, if possible, even new concessions,"¹⁷ foreshadowing, perhaps, the diplomatic skill of the fifty-fifth abbot of Cîteaux, one Armand Jean du Plessis Richelieu. It is an interesting sidelight that the various bulls of privilege were held "in camera" until the Order had paid the bank debt of six thousand ducats which it had incurred from the expenses of travelling and gifts for cardinals. In order to raise this sum, the General Chapter mortgaged "all the monasteries and members of the Cistercian Orders, with all their moveable and immoveable property."¹⁸ But what was the nature of the privilege which motivated such a drastic step? This question has been the subject of a long and voluminous discussion. According to the printed text

which the Cistercians issued only two years later, the pope had conferred the right of ordaining subdeacons and deacons upon the abbot of Cîteaux, in respect to the entire Cistercian Order, and to the abbots of La Ferté, Pontigny, Clairvaux, and Morimond, respecting the monks of their own abbeys (“subdiaconatus et diaconatus ordines hujusmodi alias rite conferre”). Most twentieth-century scholars are willing to dismiss the likelihood of any serious discrepancy between the original bull and the printed version which appeared only two years later, during the reign of the same pontiff. Their seventeenth-century counterparts, however, were less easily convinced. Vasquez, writing in 1620, claimed to have seen such a document in the Complutensian College of the Jesuit order, but Francis Hallier, writing in 1636, was troubled by Victoria’s reference to a similar document mentioning only the subdiaconate.¹⁹ He recognized that this was probably a different document but questioned the other’s existence, since he had not been able to find anyone besides Vasquez who vouched for it. Actually, the reference in Victoria concerns “a certain Cistercian monastery in Germany,” and it is perhaps possible that he was thinking of the permission to ordain subdeacons which Nicholas V had granted in 1454 to the Cistercian abbot of Salem in the diocese of Constance. Of course, the logical place to look would have been the abbey of Cîteaux itself, where the original copy of the bull was examined by the French Royal Council as late as 1712.²⁰ It is possible that the bull remained there until the upheaval of the French Revolution and was lost at that time, for:

on May 4, 1791, the abbey of Cîteaux, with its 9,800 acres of land, was sold by auction for the sum of 862,000 pounds. The magnificent library was scattered, and of the 2,100 manuscripts listed in the inventory of 1482, only some 312 are preserved to-day in the municipal library at Dijon.²¹

On the other hand, it is possible that the last abbot had already sent this important document to the abbot of Salem, since he suspected a suppression of monasteries at the outbreak of the Revolution and received papal permission to transfer his authority to this German prelate. Whatever did happen to the original bull, the fact remains that no one has seen it in the last two hundred and fifty years – a fact which has accentuated the problem of the Vatican archives’ failing to contain even a record of the bull’s having been issued. (However, this is also true of many known bulls of the period, especially those granted to religious orders which did not want to bother with the formality of registration – or the fee involved.)²² Many recent commentators on canon law have said that the subdiaconate is the only major order mentioned in the bull, and they cite the eminent canonist Gasparri, who is supposed to have made this discovery while searching the Vatican archives. However, when we actually consult Gasparri’s two-volume work on ordination, we find that he did not actually make any such discovery, but simply took the word of someone who claimed to have found the bull there.²³ Thus the many commentators who have cited Gasparri over the years were actually passing on second-hand hearsay rather than the first-hand scholarship which their readers would think they were getting.

But whether such information might be first-hand or third-hand, the question still remained: did the bull mention the diaconate, or only the subdiaconate? If the Vatican registers failed to enlighten scholars on this point, those of the abbey of Clairvaux were more helpful. They cover the period 1530 to 1566 and record the ordination of both deacons and subdeacons.²⁴ It is

significant that we thus have official records of such ordinations as late as three years after the Council of Trent, at which this privilege was supposedly abrogated, according to Navarrus and Suarez. The abbot at this time, Jerome de la Souchère, had attended the Council and was surely aware of any action which affected his Order. Moreover, it cannot be assumed that he deliberately defied the Council's decisions, for in 1571 he was elevated to the College of Cardinals. The power of ordination was confirmed by Clement VIII in 1595 and 1604, and in 1662 the abbot of Cîteaux ordained subdeacons and deacons in the city of Rome itself, "with the knowledge and consent of the pope."²⁵ Two years earlier the Sacred Congregation of Rites had assured the Order that it was not affected by a recent papal decree restricting the use of Pontificals by prelates not in bishop's orders. The editors of *Gallia Christiana* mention the conferral of the diaconate at Cîteaux as late as 1672, and this is only one link in a chain of "outside evidence" which includes Nicholas Ysambert (1565-1642), Henriquez (1629) Morinus (1660), Caramuel (d. 1662), and Francis Henno (1663).²⁶ Of these, Henriquez was an actual eyewitness of such ordinations, and Caramuel was personally acquainted with monks who had been so ordained. Another important source of information is the liturgical books of the order. The Pontifical of Clairvaux, dated 1583, contains the rites for conferring major orders in great detail, and in 1654 the General Chapter selected this book as the basis of a uniform Ritual for the entire Order, making special reference to ordinations. This Ritual, which was finally printed in 1688, contained the text of *Exposcit* at the beginning of the ordinal section.²⁷ As a matter of fact, the present Cistercian ritual, drawn up in 1900, also contains an ordinal. This last-mentioned book appeared under interesting circumstances. On 2 October 1898, the old monastery of Cîteaux was once more occupied by the White Monks, after an interval of 107 years, and in the following year it was the scene of the first general chapter to be held there since 1787. The Trappist abbot-general had been named as the sixty-third abbot of Cîteaux as early as 1892, and it was still an open question whether he had inherited the ordination privileges of his predecessors. Canon Auguste Trihle, who edited the *Collectaneum Cisterciense* in 1900, was a "warm partisan of the survival of this privilege" and thus included the ordination rites in this book.²⁸ Two years later, however, Pope Leo XIII issued the brief *Non mediocri*, which stated that Cistercian abbots could confer the tonsure and minor orders only. We are told that "a powerful pen, unsympathetic to the Order, succeeded in getting this clause inserted."²⁹ The *Collectaneum* of 1900, however, is still the official service-book of the Order. The so-called *Rituale Cisterciense* is actually a codification of rubrics, and the current (1949) edition still contains the section on ordinations, saying that the celebrating abbot is not attended by a deacon and a subdeacon until he has ordained them.³⁰

All this weight of evidence – the Cistercian registers, their service books, and testimony of writings from outside the Order – would seem to indicate that the original bull did mention the diaconate, since the right to perform such ordinations was not only asserted by the abbots but also accepted by the pope himself, not to mention the local bishops who subsequently ordained these Cistercian deacons to the priesthood. Fortunately, however, we are no longer left in this state of scholarly speculation based on the weighing of circumstantial evidence. In 1954 Mgr. A. Mercati found the bull recorded in the Pontifical Archives of the Vatican, thus establishing officially that it did refer to the diaconate as well as the subdiaconate.³¹ The only possible objection that could be raised now is that which figured most prominently in the commentaries

on the bull of 1499 (*Sacrae religionis*, discussed above: was the privilege one of ordination, or simply of promoting to ordination by letters dimissory? The best answer to this question is that given by the Capuchin Father Pius de Langogne: the text of the bull does not mention such letters, and with good reason – the power to grant them had already been given. Moreover, the text of the bull states that the reason for giving the abbot special powers in regard to the ordination of deacons and subdeacons is “so that the monks of the said order be not obliged to run here and there outside of the cloister in order to receive [these orders]” (“ne monachi dicti ordinis pro suscipiendis subdiaconatus et diaconatus ordinibus extra claustrum hinc discurrere cogantur”).³²

A few words should be said about similar concessions to other orders. Several writers make passing remarks about Franciscan superiors in India or, vaguer still, Franciscans and Benedictines. This tradition goes back at least as far as Vasquez and Henriquez, the latter being cited by Morinus, and in this century the statement has been made by Fr. Pius de Langogne and others who cite him. However, no bull has ever been discovered which gives such powers to the Franciscan order. It is possible that Canon Cleaveland had knowledge of one when he wrote: “By commission of Pope Celestine V (1294) ‘Francis Apt, a Franciscan Friar, conferred priest’s orders on Ludovico, son of King Charles of Sicily.’”³³ He does not, however, document his quotation, and the article, which is an attempt to prove that Anglicans have always recognized the validity of ordination by presbyters, is not entirely trustworthy even when it does mention specific names and dates. For example, he speaks of a bull dated 1198 by which Innocent III allowed Cistercian abbots to ordain deacons. This is clearly a mistake for the bull issued in 1498 by Innocent VIII, especially since Innocent III is remembered in Cistercian history as having rebuked the abbots for usurping the prerogatives of a bishop.³⁴ Getting back to the question of Franciscans and Benedictines: on 25 June 1493, Pope Alexander VI issued a bull to one Bernardo Boil (or Buil) giving him jurisdiction over the newly-discovered West Indies.³⁵ This man had once belonged to the Benedictine monastery of Monserrato, but was now a member of an order of friars known as the Minimi of St. Francis of Paola. Due to the similarity of names, he has been referred to as belonging to the *Ordo Fratrorum Minorum* of St. Francis of Assisi (1181/2-1226) rather than the *Ordo Minimorum* of St. Francis of Paola (1416-1507), and as working in India rather than in the West Indies. The foregoing explanation is that of Fr. Baisi,³⁶ whose dissertation of 1935 seems to be the latest word. It should be admitted, however, that earlier scholarship, including that of the *Catholic Encyclopedia*, insisted that there were two Bernardo Boils: the Minim, to whom the pope gave the commission, and the Benedictine whom His Catholic Majesty sent over instead in order to get around the Holy See. Moreover, the bull which Baisi cites does not specifically mention ordination. It is, of course, possible that this privilege was granted in a separate document, but Baisi does not say whether he had special knowledge of such a bull or whether he simply assumed its existence. Such privileges certainly seem to have flourished in the fifteenth century.³⁷

Before we consider the theological interpretations which these bulls have received, something should be said of the historical background. Pope St. Gelasius allowed presbyters to ordain

subdeacons as early as 494,³⁸ but it must be remembered that the subdiaconate did not come to be considered a major order until some time in the twelfth century. It is impossible to fix the exact date, but it was so regarded by writers at the end of the century, and this position was ratified by the Fourth Lateran Council in 1215.³⁹ Some feel that the extension of the obligations of celibacy and the Breviary are responsible, whereas others emphasize the extension of eligibility for election to the episcopate. In any event, when the subdiaconate became a major order there was already a 700-year-old precedent for allowing its ordination to be delegated to a presbyter. This confusion as to whether the subdiaconate is a major or a minor order is undoubtedly a major factor in the willingness of the papacy to permit the presbyteral conferral of even higher orders, for if one major order could be conferred by a mere presbyter, why not the other two also? This leads us to the theological consideration of the question.

3

The attitudes of Roman Catholic theologians to these bulls have been many and devious. St. Thomas Aquinas had held that the diaconate is a sacrament, since the deacon is associated with the Eucharist in a direct way which the subdeacon does not share; hence, a deacon must be ordained by a bishop.⁴⁰ On the other hand, Huguccio (d. 1210) maintained that anyone duly authorized could confer whatever he had received, including confirmation by a confirmed layman. Pope Innocent IV (d. 1254) agreed that any cleric could confer the order which he held, although subsequent discussion has been limited to the priest as minister of ordination.⁴¹ Some hold that the diaconate is not a sacrament, and therefore can be conferred by a priest, whereas the priesthood must be conferred by a bishop.⁴² Others hold that all orders are sacramental, including the minor orders, and hence it is only a question of degree rather than of kind.⁴³ Most defences of presbyteral ordination have been on the basis of an essential identity between the priesthood and the episcopate, and Fr. Beyer, writing seven years after Pope Pius XII declared the episcopate to be a distinct order, was able to say, "The sacerdotal power is ontologically identical among the 'priests of the first order' and their auxiliaries 'of the second order.'"⁴⁴ In the fourteenth century, Aureoli had stated that "the presbyteral power is of the same nature as the episcopal power, but it is bound.... By episcopal consecration, the presbyteral power would be unbound."⁴⁵ Fr. Pius de Langogne, writing at the turn of our own century, has carried this theory one step further, asserting that the unbinding of a power already present can be done by papal decree as well as by episcopal consecration. In biting tones he goes so far as to say that:

the Vicar of Christ here below possesses, by virtue of his sovereign pontificate, not only a right of ritual jurisdiction over the sacraments, as is too parsimoniously accorded him by certain authors richer in scholastic formalism than in breadth of theological outlook, but also a decretorial power over all which, in regard to the matter of sacraments, has not been determined in a concrete fashion by Christ himself.⁴⁶

There have, however, been many who would not concede that the pope has the authority to permit a priest to ordain to the diaconate or to the priesthood. Most of these lived at a time when it was possible to take refuge in the reasoning that the bull was not authentic, that it referred to

letters dimissory, or that it did not include mention of the diaconate. One commentator of this century who took the last-named position did so with full knowledge that the abbots actually performed such ordinations, declaring that their acts were totally invalid.⁴⁷ Apparently Navarrus was the only one who accepted the bull *Exposcit* as authentic and nevertheless denied that the pope had the authority to grant such concessions.⁴⁸ The commentators on *Sacrae religionis* have been less reluctant to deny the papal power regarding ordination to the priesthood. Fr. Pesch has stated flatly, “a pontifical document does not make either a law or a dogma,”⁴⁹ and the more diplomatic Fr. Hugon, also writing in 1924, asserted that “when the concession has been made only once and withdrawn immediately, as of no value, there are manifest reasons for attributing the concession to a sort of inadvertence or surprise.”⁵⁰ There is, of course, a long list of scholars who have held to a middle ground, unwilling to grant such powers to the pope on an *a priori* basis but nevertheless willing to accept the thesis that the pope does have such powers *if* the bull in question be authentic. After all, even the greatest minds must think twice before questioning Peter himself, and Fr. Lécuyer has been kind enough to save face for the naughty Aquinas by asserting, “We do not believe that our Doctor would have hesitated to bow before the facts, and to integrate them into his theology.”⁵¹ It must be acknowledged, however, that those who champion the pope’s right do not necessarily encourage its use, let alone its abuse, and a high view of sacerdotal powers does not necessarily lead to a priestly succession mediated by *presbyteri vagantes*. According to the theory of “unbinding,” an ordination performed by a priest who lacked papal permission would be invalid as well as irregular. In the words, of Fr. Baisi: “If any priest could ordain, *tunc non esset ordo, sed horror*.”⁵²

In the introduction to this article, it was observed that for roughly the first five hundred years of Christian history, a bishop was the normal officiant at both Baptism and the Eucharist, and that the term *sacerdos* was used almost exclusively of the episcopate during this period. The comparatively recent historical scholarship that brought these facts to light has been complemented by the Liturgical Movement, which emphasizes that a bishop’s functions are primarily sacramental and pastoral, and only secondarily administrative. The laying-on of hands in ordination is not a mere administrative act, but a sacramental and pastoral act which must be performed by one who has been set apart as a “Christian patriarch,” a mediator of the fatherhood of God. In other words, ordination is not restricted to bishops simply for the sake of “decency and order,” but because the nature of ordination requires its administration by one possessing the nature of the episcopate. The Christian religion is both a personal and a sacramental religion, and an isolated individual cannot be initiated into it by means of “remote control.” The Christian ministry is likewise a personal and sacramental ministry, and there must be a personal, sacramental relationship between the bishop and the priests and deacons who assist him sacramentally in his ministry as chief pastor of the diocese (*parochia*). The concept of a power of ordination delegated to presbyters by administrative documents is totally inconsistent with such a view of Christian ministry. However, the legalistic and administrative outlook of the late Middle Ages, combining for a while with an emphasis on the priesthood as the highest order, produced a

polity which has been dubbed “papal presbyterianism.” Perhaps one of the best arguments for the sacramental view of the episcopate is found in the irregularities which the administrative emphasis not only made possible but actually approved.

¹ *Summa Theologica*, Suppl., Qu. 40, Art. 5.

² 26: 124-7.

³ Franz Gillmann, *Zur Lehre der Scholastik* (Paderborn, 1920), p. 137.

⁴ F. Fofi, “Un singulare privilegio riguardante il ministro dell’ ordine,” in *La Scuola Cattolica* 52 (1924): 181.

⁵ “The Bull ‘Exposcit’ and a Famous Privilege,” in 62 (1944): 84.

⁶ J. A. Twemlow (ed.), *Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters* (London: H. M. Stationery Office, 1893-1960), 5 (1904): 333, 334.

⁷ *Ibid.*, pp. 534-5.

⁸ Franz Gillmann, in *Archiv für Katolische Kirchenrecht*, 105: 474. (Cited by Stanislaus Woywood and Callistus Smith, *A Practical Commentary on the Code of Canon Law* (New York: Joseph F. Wagner, 1948), I, 559f.

⁹ Joachim Puig de la Bellacasa, in *Estudios ecclesiasticos* for April 1925; Edouard Hugon in *Divus Thomas* for January 1925. Both cited in Hugon’s “Autour du sacrement de l’ordre,” in *Revue Thomiste*, 7 (1924): 491.

¹⁰ “Etudes récentes sur le sacrement de l’ordre,” in *Revue Thomiste*, 7 (1924) : 491.

¹¹ Corrado Baisi, *Il Ministro Straordinario degli Ordini Sacramentali* (Rome: Anonima Libreria Cattolica Italiana, 1935).

¹² *Nouvelle Revue Théologique*, 1924, p. 335n. Cited by Baisi, p. 10.

¹³ *Cîteaux and Her Elder Daughters* (1954), p. 65.

¹⁴ *Ibid.*

¹⁵ *Irish Ecclesiastical Record*, 77 (1952): 239.

¹⁶ Text given by Pius de Langogne, “La Bulle d’Innocent VIII aux Abbés de Cîteaux pour les ordinations *in sacris*,” in *Etudes Franciscaines*, 5 (1901): 130-3. (The same article, in Latin, appears in *Analecta Ecclesiastica*, 9 (1901): 311ff., 421ff., 468ff.)

¹⁷ Talbot, art. cit., p. 85.

¹⁸ *Ibid.*, p. 86.

¹⁹ Francis Hallier, “De sacris electionibus et ordinationibus,” in Migne, *Theologiae Cursus Completus*, 24: 914. Vasquez is cited here, col. 913.

²⁰ Talbot, art. cit., p. 89.

²¹ A. A. King, op. cit., p. 99.

²² Pius de Langogne, art. cit., p. 135.

²³ Pietro Gasparri, *Tractatus Canonice de Sacra Ordinatione* (Paris: Delhomme et Briguet, 1893), II, no. 798.

²⁴ Talbot, art. cit., p. 90.

²⁵ *Ibid.*, pp. 91, 92.

²⁶ *Ibid.*

²⁷ *Ibid.*, p. 93.

²⁸ Jean Beyer, “Nature et Position du Sacerdoce,” in *Nouvelle Revue Théologique*, 76 (1954) : 367.

²⁹ A. A. King, op. cit., p. 66.

³⁰ Beyer, loc. cit.

³¹ J. Lécuyer, "Aux origines de la théologie thomiste de l'Episcopat," in *Gregorianum*, 35 (1954) : 88, f. 107. (The location in the Pontifical Archives is Arm. 54, tom. 8, fol. 295.)

³² Art. cit., pp. 142-3.

³³ George J. Cleaveland, "Anglican Recognition of Presbyteral Ordinations," in *Religion in Life*, 20 (1951): 409.

³⁴ A. A. King, op. cit., pp. 117, 159.

³⁵ Text in Oderico Raynaldi, *Annales Ecclesiastici* (Colonia Agrippinae: J. W. Friessem, jun., 1690-1727), 19: 422f. A picture of the bull appears in the *Catholic Encyclopedia* (New York: Robert Appleton Company, 1907), I: 414.

³⁶ Op. cit., p. 26, n. 2.

³⁷ The only subsequent concession of a similar nature which I have found is the alleged power of ordaining priests granted to the administrators apostolic of Poland in 1906. This undocumented statement is made by Jean Beyer, art. cit., p. 366. No such concession is mentioned in *Actes de Pie X* (Paris: Bonne Presse).

³⁸ Marie-Joseph Gerland, "Le ministre extraordinaire du Sacrement de l'Ordre," in *Revue Thomiste*, 14 (1931), 875.

³⁹ T. G. Jalland, "The Doctrine of the Parity of Ministers," in Kenneth E. Kirk (ed.), *The Apostolic Ministry* (New York: Morehouse-Gorham Co., 1946), pp. 341-42; Pius de Langogne, art. cit., p. 145.

⁴⁰ *Summa Theologica*, Suppl., Qu. 38, Art. 1, ad. 3.

⁴¹ Friedrich Heiler, "Sacrament and Ministry in the Undivided and the Medieval Church," in Roderic Dunkerley (ed.) *The Ministry and the Sacraments* (London: Student Christian Movement Press, 1937), p. 430.

⁴² Bellarmine and Alphonsus, cited by Pius de Langogne, art. cit., p. 145.

⁴³ Barbosa, cited *ibid.*, p. 144; Maertius, Brancatus, and Maums, cited by Gerland, art. cit., p. 846.

⁴⁴ Art. cit., p. 359.

⁴⁵ Gerland, art. cit., p. 884.

⁴⁶ Art. cit., p. 146.

⁴⁷ Otten, cited by Baisi, op. cit., p. 22, n. 1.

⁴⁸ Pius de Langogne, art. cit., p. 134.

⁴⁹ P. Pesch, in *Revue Thomiste*, 7 (1924): 441. Cited by Gerland, art. cit., pp. 878-9.

⁵⁰ Edouard Hugon, "Etudes récentes sur le sacrement de l'ordre," in *Revue Thomiste*, 7 (1924): 492.

⁵¹ Art. cit., p. 88.

⁵² Op. cit., p. 158.