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A contract between Bishop Truffet, Vicar Apostolic of the Two Guineas and Fr. Francis Libermann, Superior General of the Missionaries of the Holy Heart of Mary¹

This is the contract signed between Bishop Truffet² and Fr. Libermann on March 18th, 1847. It puts into juridical form the main principles of the Memorandum of 1846, with a few minor alterations. The basic principle behind this document is to achieve "a holy unity and a perfect harmony" between the members of the Congregation and the Bishop who receives them. The Bishop is in charge of the Mission and the missionaries must obey him in everything concerning the apostolate; but the internal life of the communities comes under the Superior General, who can appoint a visitor for the area with the role of regional Superior. Unfortunately, these wise guidelines were not always respected, even during the life of Libermann. Much subsequent confusion would have been avoided if they had been carefully upheld and observed.

The Vicariate of the Two-Guineas and the Missionaries of the Holy Heart of Mary

*"Evangelizare pauperibus misit me"*³

(Luke IV, 18)

We, Benoît Truffet, Bishop of Gallipolis, Vicar Apostolic of the Two-Guineas, and François Libermann of the Congregation of the Holy Heart of Mary, in order to found and consolidate the Catholic Church in the Two-Guineas according to the wishes

¹ N.D. IX, pp. 90-95

² See the Index

³ "He sent me to bring the good news to the poor".

of the Holy See, have agreed to the following principles and regulations:

I. Principles

- 1) For the success of the Mission, it must be staffed by men who are detached from themselves and dedicated to Jesus.
- 2) These workers must find in themselves and around themselves the means to persevere in the priestly virtues and the fervour of the apostolic life.
- 3) A holy unity and a perfect harmony are essential: between the Vicar Apostolic and the Superiors of the community to which the missionaries belong; between the members of the community and the Mother House; between the members of their community and their immediate and local Superiors.
- 4) The priests of the Holy Heart of Mary in Guinea have a dual allegiance - as missionaries of the Vicariate Apostolic and as members of the Congregation of the Holy Heart of Mary: As missionaries, they must obey the Bishop to whom the Holy See has confided the Two-Guineas; As members of the Community, they have the right to follow its life and rule, under which they have consecrated themselves to the apostolate.
- 5) The loyalties, the relationships and the duties which flow from their dual roles as missionaries and members of a Community are not incompatible, even though they are different in nature. Therefore, all these duties must be respected and observed.

II. Relations between the Bishop and the Congregation

- 1) The Congregation commits itself to supplying missionaries to the Vicariate Apostolic of the Two-Guineas at the request of the Bishop according to the needs of the mission and according to the resources of the Congregation itself, having

regard to the number of its members and its other engagements.

2) The Vicar Apostolic will be responsible for the subsistence and the maintenance of his missionaries.

3) The Vicar Apostolic retains the totality and the full extent of the powers he has received from the Holy See. The Superior of the Congregation has no rights regarding the administration of the Vicariate and the work of the missionaries in those areas which concern ecclesiastical ministry, appointments and canonical and liturgical discipline.

4) The Superior General of the Congregation retains full authority over the members of the said Congregation in all that concerns the internal running of the Communities, the perseverance and ascetical progress of individuals and the relations between them and their local superiors.

The Superiors appointed by the Superior General for different Communities will have the same power in the district to which they are appointed. In running the affairs of their respective Communities, they will remain under the authority of the Superior General, in accordance with the Rules of the Congregation of the Holy Heart of Mary.

5) The Bishop will not make any decisions or give any order which threaten to abolish or seriously break one of the Rules of the Society, without the prior agreement of the Superior General of the Congregation, or, in the case of urgency, without the agreement of the Superiors of the Communities concerned.

In the case of a disagreement between the Bishop and the Superior General, they will jointly and amicably put the question to the Sacred Congregation of the Propaganda; the two parties will consider the decision of the Sacred Congregation as a clear expression of the will of God.

6) When the Vicar Apostolic wishes to give a particular task to a missionary, he will send his letter via the Superior of the Community to which the missionary belongs, so that the Superior can be aware of the orders of the Bishop.

7) The Superior General can appoint one of the missionaries as a General Visitor, to whom he will give his total or partial authority over all the Communities and all their members, either permanently or for a limited period, but always solely for the internal discipline of the Community, according to the letter and the spirit of the Society.

8) The Superior General has the right to appoint and depose the local Superiors as laid down by the same Rules.

9) The Bishop agrees never to establish a rule or a usage for the internal discipline of the Communities without the participation of the Superiors. The Superiors, for their part, are exhorted to carry out his wishes as long as in their consciences they do not see anything contrary to the Rule or the spiritual good of the individuals concerned.

10) Without prejudice to article 5, the Bishop alone has the right to regulate the discipline of the house of studies, established for the young people in the Vicariate. It is for him to regulate the relations of the missionaries with the students, as long as the house of studies is uniquely for his own Apostolic Vicariate.

11) When the Mission of the Two-Guineas will be divided into two or several Vicariates, the house set aside for the acclimatisation of the missionaries and the education of the young black people will come under the collective direction of all the Apostolic Vicariates.

Each of the Bishops concerned will appoint a Director in the establishment to represent his particular Mission. The nomination of the Superior will be done in conformity with

article 8. The Superior will not be able, on his own authority, to take any important decisions relative to the good of the Mission without a meeting of the council composed of the members nominated by the Bishops and who, in consequence, will have a deliberative voice.

This same council will decide on the distribution of missionaries to the different Vicariates and the admission of students to the house of education.

Although the Bishop of the place retains the powers that the common law gives to the Ordinary regarding the Communities existing in his circumscription, he will make no disciplinary rules for the establishment and he will impose no task on the directors, nor on the missionaries, without the participation of the other Vicars Apostolic.

12) After the division of the Mission into several Vicariates, which will then all share the facilities for the acclimatisation of the missionaries and the education of the young students, each of the Vicariates will contribute to the expenses of the shared house in proportion to the advantages that they receive from it.

III. Financial Administration

- 1) The Vicar Apostolic will have his Council for the distribution of the funds of his Mission. This Council will be made up of one member nominated by the Bishop and another appointed by the Superior General of the Congregation. When there will eventually be local priests who are not members of the Congregation who need a share of the funds available, the Bishop will chose a third member to represent them on the Council.
- 2) The object of the deliberations of this Council each year will be a wise sharing of the annual funds for the ordinary needs of the Mission, for the person of the

Bishop and the worthy maintenance of his status, and for the extraordinary and unforeseen needs which may arise and for which a reserve fund will be set up.

The Council will also decide on the following: the re-directing of a sum of money destined for a specific need to another destination, and the permanent alienation or replacement of funds belonging to the Mission.

- 3) The Vicar Apostolic, with his Council, will appoint a Procurator to administer the goods of the Mission. The Procurator can never decide on his own how to use the money, but only according to the decision of the Bishop and his Council, unless the Vicar, in certain circumstances, decides to give him a greater or lesser freedom in his administration.

The Procurator must submit an account of his management and the income and expenditure to the Bishop and his Council, at least once a year or at any time when the Bishop asks for it.

- 4) When the Holy See divides the Mission into two or several Apostolic Vicariates, all the goods destined for the formation of a local clergy and the civil development of the black people will become the common property of these same Vicariates by the fact of their establishment, but always and solely according to the initial purposes set for these funds. If a Vicar cannot or does not want to send subjects to these shared houses for civil and clerical education, he will not be able to claim a part of these funds which were intended to be owned without any division. These goods or their revenues, in whole or in part, cannot be diverted from their original destination (the ecclesiastical and civil education of the black people) without the formal and unanimous agreement of all the Bishops concerned.

- 5) The members of the Congregation who have built the house of acclimatisation and education at Dakar commit themselves and those who come after them never to alienate these funds and never to use them for another purpose, without the formal and unanimous agreement of all the heads of Mission who, according to the rules laid down above, have the right to benefit from this establishment.

The Superior General commits himself, his successors and the Congregation to guarantee the observance of this article.

If, however, because of unforeseen and violent circumstances, these goods fall into hands outside the Congregation, the responsibility of the Superior General for the funds or part of the funds will cease by that fact.

Amiens, March 18th, 1847

F. Libermann, priest

Superior of the Missionaries
of the Holy Heart of Mary

Benoît, Bishop of Gallipolis

Vic. Apostolic of the Two-
Guineas