

THE VILATTE DECLARATION

BEING A DECLARATION REGARDING THE ECCLESIASTICAL AND CANONICAL STATUS OF PRINCE-ABBOT JOSEPH III DE SAN LUIGI, OTHERWISE ARCHBISHOP JOSEPH-RENE VILATTE (MAR TIMOTHEOS)

PREAMBLE

This Declaration is concerned with the widespread and often deliberately promulgated falsehoods that concern our predecessor Prince-Abbot Joseph III. Several books, including one by the present Prince-Abbot, discuss in depth the reasons why Prince-Abbot Joseph III came into conflict with the Anglican Communion and the Union of Utrecht of the Old Catholic Churches, and to a lesser extent the Roman Catholic Church, the primary cause of such disharmony being that his Old Catholic mission, which at one point numbered some 50,000 souls in the United States and Canada, was seen as a threat to other denominations and as an incursion into their jurisdictions. The politics of the situation became such that, although Prince-Abbot Joseph III was a priest of the Union of Utrecht of the Old Catholic Churches, that body – already moving towards the close relationship with the Anglicans that would lead to formal intercommunion in the Bonn Agreement of 1931 – would side with the Episcopalian hierarchy rather than support him, leaving him stranded by his own communion and compelled to seek the oversight of the Orthodox churches. After his death, divisions among the Syrian Orthodox Church, which had been responsible for his consecration, together with Anglican pressure, would also lead to the ending of formal relations with that church in the 1930s.

The Council of London of 1943, at which the Order of Antioch and our sister jurisdiction the Apostolic Episcopal Church were represented, in its published Act VI, “protested against resolutions 27 and 28 of the Lambeth Conference 1920, which it regarded as an unwarranted attack upon the validity of Episcopal Orders of many Catholic and Orthodox autocephalous Churches and a hindrance to the re-union of Christendom.” It is significant that the Holy Orders of the Anglican Communion were then and continue now to be regarded by the Holy See as “absolutely null and utterly void” (*Apostolicae Curae*, 1896, reaffirmed in the commentary to *Ad Tuendam Fidem*, 1998) and thus the pronouncements of the Anglican Communion upon the Holy Orders of valid Catholic and Orthodox churches must be regarded as moot. Act VI of the Council of London has been endorsed in the St James Declaration of this

communion and further commentary on this particular matter is regarded as redundant given that the relevant issues are discussed in the context of earlier developments.

This Declaration must needs be a summary of the facts, but this is nevertheless sufficient to establish the truth of the matter and hopefully to contribute to ensuring that, where others repeat falsehoods concerning these events, they cannot reasonably plead ignorance in their defence. It may serve as an exhortation for those concerned to re-examine the evidence referred to herein, and referenced in much greater detail elsewhere, with the aim that if we cannot altogether undo the errors and injustices committed by previous generations, we should ensure in the interests of the furtherance of Christian principle that we do not perpetuate them.

DECLARATION

Accordingly, we declare as follows:

CONCERNING THE CANONICAL STATUS OF PRINCE-ABBOT JOSEPH III

1. That Prince-Abbot Joseph III was never at any point a member of the Protestant Episcopal Church of the United States of America.
2. That Prince-Abbot Joseph III never at any point executed an oath of canonical obedience to any prelate of the Protestant Episcopal Church of the United States of America.
3. That Prince Abbot Joseph III was never at any point in breach of any canonical obligation to any Ordinary; and that no such obligation having existed in respect of the Protestant Episcopal Church of the United States of America, it was not possible for him to be in breach thereof.
4. That any excommunication or other sanction such as suspension or deprivation in respect of him that may have been issued by the said Protestant Episcopal Church of the United States of America is null and void for the above reasons, and that as such it represents an action by that body *ultra vires* and an unwarranted incursion into jurisdictions within which that body has no legitimate authority.
5. That Prince Abbot Joseph III was excommunicated by Pope Leo XIII on 13 June 1900; that this excommunication was remitted by Bonaventura, Cardinal Cerretti, in 1925, and that from then until his death on 1 July 1929 he was reconciled with the Holy See which through Cardinal Cerretti had issued a written confirmation of the validity of his Holy Orders and Episcopate (published in the “Bayerischer Kurier” no. 189, 11 July 1925).
6. That between 1925 and 1929 Prince-Abbot Joseph III was resident at the Cistercian Abbey of Sainte Marie du Pont-Colbert in Versailles, where he lived in a cottage in the grounds and had permission to wear episcopal dress. He received a pension from the Roman Catholic Church of 22,000 francs per annum. A private Requiem Mass was said for him at the abbey the day after his passing; the celebrant was the Curate of St. Michael de Porchefontaine and several clergy of the Vilatte succession were in attendance.
7. That until his reconciliation with Rome, Prince-Abbot Joseph III was in communion with the Syrian Orthodox Patriarchate of Antioch (and with his consecrator Mar Julius I Alvarez until his death in 1923) and that this relationship continued until at least 1929 in respect of his successors in the American Catholic Church and the Order of Antioch, and that neither he nor they were ever subject to formal excommunication proceedings by the Syrian Orthodox Patriarch.

CONCERNING THE PRIESTLY MINISTRY OF PRINCE-ABBOT JOSEPH III

8. That Prince-Abbot Joseph III's mission had received the episcopal protection of John Henry Hobart Brown, PECUSA Bishop of Fond-du-Lac, from January 1885 onwards, and that he received ministerial education at Nashotah House in preparation for Holy Orders, but that (despite the wish of Bishop Brown) he rejected the possibility of receiving such Orders in the PECUSA because those Orders were held by the Roman Catholic Church and therefore by some Catholic members of his flock to be invalid.
9. That Bishop Brown wrote to Edward Herzog, Presiding Bishop of the Old Catholic Church of Switzerland, on 5 May 1885, authorizing Herzog to ordain Prince-Abbot Joseph III priest, and saying of him,

"Several delegations of these Belgians have waited on Mr. Vilatte and besought him to become their priest. Mr. Vilatte's character for piety, sobriety, purity, intelligence and prudence has been attested to the satisfaction of the authorities of this diocese."
10. That Prince-Abbot Joseph III was given a specific assurance by Bishop Brown that he would never be subject to the Standing Committee of that diocese.
11. That Prince-Abbot Joseph III was ordained priest by the Old Catholic Church of Switzerland on 7 June 1885 and designated as a mission priest.
12. That on the basis of the assurance given at (10) above, and the existing understanding of the status of his mission, Prince-Abbot Joseph III consented to his name being placed on the clergy list of the PECUSA Diocese of Fond-du-Lac from October 1885, but in doing so he implied no obedience to that diocese nor any relationship other than the already-extant position whereby the Bishop of Fond-du-Lac exercised a role of episcopal protection over the mission.

CONCERNING THE EPISCOPAL ELECTION AND CONSECRATION OF PRINCE-ABBOT JOSEPH III

13. That in Summer 1889 Prince-Abbot Joseph III agreed that his missions in Fond-du-Lac should be donated to the diocese in exchange for the settlement of their debts, with the condition that they should continue to be for the use of the Old Catholics.
14. That on 16 November 1889 the parishes at Green Bay met in Synod at St Mary's, Dyckesville (later Duval), and approved the Duval Faith and Order Declaration, which affirmed the distinction of their Old Catholic position from both Protestantism and Romanism, and that they then and there elected Prince-Abbot Joseph III to be their bishop, and that Prince-Abbot Joseph III wrote to Archbishop Johannes Heykamp, then head of the Union of Utrecht, informing him of the fact, and in the

replies of Archbishop Heykamp and Bishop Diependaal of Deventer their counsel was unanimously that Prince-Abbot Joseph III should break with the Anglicans. Accordingly, Prince-Abbot Joseph III in the same month withdrew his name from the clergy list of the Diocese of Fond-du-Lac, but later hoped that relations might be restored, and asked that it be reinstated.

15. That it is therefore a false statement that Prince-Abbot Joseph III was not elected bishop by a competent Synod; his election being subsequently accepted by the Syrian Orthodox Church. In an Encyclical, he responded to this charge on the part of the PECUSA House of Bishops, saying,

“Will that extremely remarkable Committee appointed by the House of Bishops inform me what Synod elects the Roman Bishops *in partibus*? or the Anglican Bishops in central Africa and Alaska? This charge, as is easily seen, might be perfectly true (as it is not,) and yet be perfectly irrelevant.”

16. That Charles Chapman Grafton, PECUSA Bishop of Fond-du-Lac in succession to Bishop Brown, in his writings and actions stated falsely and in knowing violation of the true facts that Prince-Abbot Joseph III had executed an oath of canonical obedience to the Bishop of Fond-du-Lac and that the presence of his name on the clergy list of the diocese served as confirmation of that obedience. Further, that Bishop Grafton refused to release control or ownership of the Old Catholic missions to Prince-Abbot Joseph III (see (13) above) thus providing that if he were to be consecrated and removed from his control,

“Monsieur Vilatte would consequently be forced to leave his present position and begin work elsewhere. He would be cut off from all financial support of any kind as it is only through his connection with us, and by reason of our commendation that he has been hitherto sustained. It would be very hard upon the people to lose the pastor to whom they are attached.”

17. That in a response on 8 April 1889, Prince-Abbot Joseph III clarified fully that he had not executed an oath of canonical obedience to the Bishop of Fond-du-Lac and that the presence of his name on the clergy list of the diocese was not indicative of membership of the PECUSA. Despite this, the Union of Utrecht chose to withdraw their support rather than enter conflict with Bishop Grafton. They nevertheless continued to urge Prince-Abbot Joseph III to break with the Anglicans, Archbishop Heykamp writing to him on 13 May 1889,

“What is certain is, that you, a Catholic priest cannot be of the number of Anglican priests, not to be recognised as such. However great may be your gratitude for benefits received from them, neither gold nor silver should lead you to act against conscience, to be *amicus usque ad aras*.”

18. That given the withdrawal of the support of the Union of Utrecht and the recognition of the commonality of the faith of the Old Catholics with that of Eastern Orthodoxy, Prince-Abbot Joseph III approached Bishop Vladimir Sokolovsky of San Francisco of the Russian Orthodox Diocese of North America, Aleutian Islands and Alaska, for protection, and that on 8 May Bishop Vladimir wrote to him,

“I understand from your last letter that your relation to the Anglican Church is unpleasant, and to say the truth not canonical, because you do not recognise the Protestant hierarchy of the Anglican Church as an institution of Christ. The Orthodox Church hesitates to admit that Anglican Bishops are successors of the Apostles. To say the truth you are now under the jurisdiction of a prominent layman, who calls himself a bishop of the Anglican Church. The opinion of the Archbishop of Utrecht about the heterodoxy of the Anglican Church is true. I am sorry that the Old Catholic Bishops of Europe disagree in this case.”

19. That on 24 July 1890, the PECUSA Diocesan Board of Fond-du-Lac voted to cut off Prince-Abbot Joseph III's stipend from the end of that August; that in September Bishop Grafton visited Duval to administer Confirmation but Prince-Abbot Joseph III withheld the candidates from him, saying that the Dutch Old Catholic bishops had forbidden him to accept any sacraments at Grafton's hands; that in response to Grafton's intemperate reaction Prince-Abbot Joseph III wrote to him on 24 September wishing for a complete breach between his jurisdiction and that of the PECUSA.

20. That in September 1890 the First Old Catholic Congress had met in Cologne and, in consideration of the proposal that Prince-Abbot Joseph III should be consecrated as Old Catholic bishop in the United States, responded by siding with the Anglicans,

“All things considered, while we do not regard the Anglican Church as perfect, yet it is our opinion that it is our duty to aid her reformation in a Catholic direction, above all since a great movement is already operating within her in that sense. And we consider that it is not good to put an Old Catholic Episcopate side by side with hers and so produce the scandal of schism.”

After that time, the Union of Utrecht of the Old Catholic Churches made common cause with Bishop Grafton, notwithstanding the clear evidence in their possession that he was in the wrong.

21. That Bishop Grafton conducted an energetic campaign in the press and through his correspondence that was dedicated to the aim of destroying Prince-Abbot Joseph III's reputation and making his position impossible; but throughout the Old Catholic missions remained loyal to their priest, and the Duval mission sent Grafton a petition that said they would rather return to Rome than submit to him or any other Protestant. When Grafton sought to gain possession of the buildings of the mission at Duval, he was refused the keys by the trustees.

22. That on 20 January 1891 the Synodal Council of Green Bay had written to Mar Julius I Alvarez, Metropolitan of the diocese of Ceylon, Goa and India (The Independent Catholic Church of India) of The Malankara Orthodox Syrian Church, which was then in union with the Syrian Orthodox Patriarchate of Antioch and All the East, asking him to consecrate Prince-Abbot Joseph III, and that Mar Julius agreed to this request.

23. That Mar Julius I Alvarez had written to Prince-Abbot Joseph III on 10 May 1891 affirming the Latin Rite nature of his church,
 “We also retain the Missale Romanum and Rituals with everything connected with the Latin Rite, *mutatis mutandis*...”
24. That in response to a letter from Grafton, Bishop Vladimir wrote to Prince-Abbot Joseph III on 27 February 1891 as follows,
 “I received this letter from Mr Grafton addressed in my name (probably for an insulting purpose), with the information that this so-called Bishop tries to remove you from your parish at Dykesville [Duval], and I send you his unjust letter. You can protest against the decision of removal together with your parishioners on the ground that you are Orthodox Old Catholics and cannot be subject to a Protestant jurisdiction, because the canons of the Church prohibit this. May God help you to fight as a true soldier of Christ against the unjust assault and preach Orthodox Old Catholic truth and endear that truth and salvation to your people. Preach and fight against your enemies incessantly. We shall sustain you as a true brother in Christ, beloved and esteemed by all true Christians. Try to make as many friends of your holy Mission as possible and fight against imposters who change the authority of the Oecumenical Church on the authority of private opinion and become sectarians and nihilists inside of Christendom, because they annihilated the one true only Old Catholic Orthodox Church. If you would advise me I will write a Pastoral Letter to the Old Catholics defending your Christian piety in one paper and in the other paper protesting against the unlawful encroachment in spiritual affairs of the Old Catholics by Mr Grafton.”

On 9 May 1891 Bishop Vladimir placed Prince-Abbot Joseph III and his mission under the protection of his diocese of the Russian Orthodox Church, stating,

“By the Grace of God and the Authority bestowed on me by the Apostolic Succession, I, VLADIMIR, Bishop of the Orthodox Catholic Church, announce to all clergymen of the different Christian denominations and to all Old Catholics that The Reverend Joseph René Vilatte, Superior of the Old Catholic Parish in Dykesville, Wisc., is now a true Old Catholic Orthodox Christian, under the patronage of our Church, and no Bishop or Priest of any denomination has the right to interdict him or to suspend his religious duties, except the Holy Synod of the Russian Church, and myself. Any action contrary to this declaration, is null and void on the basis of liberty of conscience and the law of this country.”

However, the mission could not be permanently received into the Russian Orthodox Church without the decision of the Holy Synod, and by May 1891 that decision had been pending for a number of months and there was no indication of when it would be forthcoming, and although Bishop Vladimir’s advice was sought as to what should be done under the circumstances, he was unable to help further without having received news from Russia. In the event, Bishop Vladimir was suddenly reassigned to Russia in June 1891; he continued to be in good relations with Prince-Abbot Joseph III after this and accepted the patronage of the Order of the Crown of Thorns at his hands.

25. That accordingly Prince-Abbot Marie-Timothee left his missions in the charge of Fr. Harding, one of his priests, and sailed for Ceylon on 15

July 1891 in order to accept the offer of consecration from the Syrian Orthodox Church. Once in Ceylon he was subject to lengthy testing and instruction in every aspect of ministry to establish his suitability and was admitted as a monk (Ramban). A Bull for his consecration was issued by Maran Mar Ignatius XXXIV Peter III/IV, Patriarch of The Syrian Patriarchate of Antioch and All the East, on 29 December 1891 (this was received in Malabar on 25 March 1892).

26. That Patriarch Maran Mar Ignatius XXXIV Peter III/IV was familiar with the Old Catholics and was invited to the Old Catholic Congress of 1892; while he could not be present, he sent a letter of support for the objects of the Congress. He was strongly ecumenical in his policy and at one point offered to submit to the Pope in order to bring about unity in the Church. As was demonstrated by his remarks and documentation concerning his earlier consecration of Mar Julius of Iona (Ferrette) in 1866, his intention was not to create parishes of the Syrian Orthodox Church in the West; that would have been to impose upon those countries the practices of a foreign church. Rather, it was to enable the growth of an indigenous Western Rite Orthodoxy that would maintain the received faith of the Church undivided, but establish its own distinct identity and mission. It was accepted that the faith of the Old Catholics corresponded to this Orthodoxy in the same way as did the Latin Rite of Mar Julius I Alvarez. Thus the Bull of the Patriarch declares,

“We, the humble servant of God, hereby allow the consecration by the Holy Ghost of the Priest Joseph Rene Vilatte, elected for Archepiscopal dignity, Archbishop Metropolitan, in the name of Mar Timotheus, for the church of the Mother of God in Dyckesville, Wisconsin, United States, and other churches in the Archdiocese of America, viz, the churches adhering to the Orthodox Faith, in the name of the Father, Amen, of the Son, Amen, and of the Living Holy Ghost, Amen.”

27. That on 29 May 1892, the Sunday before Whit Sunday, Prince-Abbot Joseph III was consecrated as Mar Timotheos, Archbishop Metropolitan of the Old Catholic Church of America, by Mar Julius I assisted by Paulose Mar Athanasius (Kadavil Kooran) and Geevarghese Mar Gregorios (Chathuruthil) (both bishops of the Malankara Orthodox Syrian Church) in The Cathedral of Our Lady of Good Death, Huttisdorf, Colombo. The ceremony was performed “according to the formalities of the Latin Ritual”, the Bull of the Patriarch was read, and the candidate read aloud his Profession of Faith which he subsequently published in his Pastoral Letter for Advent 1893. Two certificates of consecration were issued, and the second reads,

“Know all men by these presents (these present letters) that on the twenty-ninth day of the month of May, one thousand eight hundred and ninety-two, in the Cathedral of Our Lady of Good Death, Hulsdorf, assisted by Mar Paul Athanasius, Bishop of Kottayam, Mar George Gregorius, Bishop of Niranam, Malabar, India, and in the presence of a large number of Christians of our jurisdiction, and others, in virtue of the powers conferred upon us by the Apostolic Succession, and by favour of His Holiness Peter III, Patriarch of

the Orthodox See of Antioch, after invoking the presence of the Living Holy Ghost, we imposed our hands on the priest Joseph Rénatus Vilatte, Parisian by birth and American by naturization; consecrated him with the holy oils to the Archiepiscopal dignity, according to the formalities of the *Latin Ritual* under the title of *Archbishop of the Old Catholic Church of America*, and conferred upon him the power to ordain monks and priests, to consecrate churches, chancels, cemeteries etc., and to perform all functions appertaining to *Metropolitan rank*.”

This certificate was witnessed by William Morey, United States Consul at Ceylon. The consecration was reported in the Diocesan Paper, vol. 1 no 5, of 1892. The Sacred Pallium was conferred on 5 June.

28. That it is a false statement that Prince-Abbot Joseph III was consecrated merely as a bishop of the Syrian Orthodox Church. The above certificate of consecration makes clear and unambiguous that he was specifically consecrated by the Syrian Orthodox Church as Archbishop of the Old Catholic Church of America, and that the power of ordination was specifically authorized to him along with “all functions appertaining to Metropolitan rank” (the power to ordain and consecrate is understood by the Oriental Orthodox as inherent to the episcopal state). As a Metropolitan of his own jurisdiction, Prince-Abbot Joseph III had equal standing with his consecrator Mar Julius I Alvarez and was subject directly to the Syrian Orthodox Patriarch and no other. The position is stated in *The Old American Catholic* of May 1915,

“Father Vilatte expected to be made a simple bishop, but the Holy See of Antioch which had in 1854 [sic., the correct date is 1866] sent a regional bishop to Europe and America to gather the lost souls of the house of God from Popish and Rationalist errors into the true fold, again sends our leader forth on a similar errand, making Archbishop Vilatte Primatial Metropolitan with regional jurisdiction for the Western World.”

Moreover, his Old Catholic diaconate and priesthood were accepted as valid by the Syrian Orthodox Church, which would not have occurred were it not accepted that the Old Catholics were one in faith with them.

29. That it is a false statement that the successors of Prince-Abbot Joseph III have been unable to produce the Syriac original of his consecration certificate. This document has been published and freely available since its publication on page 8 of *The African Orthodox Church* by A.C. Terry-Thompson in 1956. The English translation of the Bull of the Patriarch was notarized as true by William Morey, United States Consul at Ceylon.
30. That the Old Catholic Church of America was given canonical standing by virtue of the consecration of Prince-Abbot Joseph III, and that its existence as a canonical jurisdiction is due to the Syrian Orthodox Church and not to the Union of Utrecht of the Old Catholic Churches or any other body. It is a Western Rite body from its inception and has since 1946 been united with the Apostolic Episcopal Church.

CONCERNING THE REACTIONS OF OTHER COMMUNIONS TO THE CONSECRATION OF PRINCE-ABBOT MARIE-TIMOTHEE

31. That the resolutions of the PECUSA House of Bishops at the General Convention of 1892 in respect of Prince-Abbot Joseph III rest upon false statements of fact and therefore cannot be given credence.
32. That in response to this attempted censure, Prince-Abbot Joseph III issued the following statements in an Encyclical, firstly concerning his Episcopal jurisdiction,

“I was not consecrated Bishop of the diocese of Fond du Lac, nor any part of it. I was consecrated Archbishop for the Old Catholics of America. Even had I been consecrated for the diocese of Fond du Lac, (which has no existence save for Episcopalians) I should have the same right as the Roman Catholic Bp. Messmer, a Moravian, Swedish, or Greek bishop in the same territory. It has never entered the head of even an Episcopalian bishop, as far as I know, to deny the validity of Bp. Messmer's orders because he had not previously obtained permission to be consecrated from Bishop Grafton or his House of Bishops! But worse and worse, according to this brilliant logic of the House of Bishops of the Protestant Episcopal Church, even our well-beloved Bishop Nicholas of San Francisco is a worse “fraud” (I beg pardon for using the word applied to me by the “Living Church”) than I am. For he was consecrated in Russia, and sent to this country by the Holy Synod as Orthodox Bishop for the entire United States and Alaska, and that most certainly without the permission of, or even consulting with, the Bishops of the Protestant Episcopal Church. Now were the Greeks, Bulgarians, Syrians, etc., who are equally Orthodox and Christian, to send their Bishops into this same territory to care for the Orthodox of their own nationalities, would that invalidate their Orders? *Pas si bete!* What our brethren of the Episcopal Church do not yet comprehend, owing to the taint of Romanism still existing in them, is that the American Republic, or rather the New World, is *extra jurisdictionem* of the five Holy Patriarchs - (In courtesy we reckon the Pope of Old Rome, tho' he has miserably fallen from the Orthodoxy of Christ). It is therefore open and free to Orthodox Bishops of every rite. Concurrent jurisdiction must be conceded by every Catholic mind. For even among Episcopalians, I venture to say there is not one so arrogant as to claim or imagine that all Roman, Greek, Armenian, Syrian, Russian and other Christians in America must embrace Protestant Episcopalianism in order to become veritably and indubitably Catholic. Again, if in America the Old Catholics like other Orthodox, have no right to have a Bishop to minister to them, what right have Anglican bishops on the continent of Europe, in the Orient especially, and in Roman Catholic Countries here? Look at the "Mexican Muddle!"

Secondly, concerning his alleged “deposition” by PECUSA Bishop Grafton,

“I assert, without fear of contradiction, that a Roman, Greek, Syrian or Old Catholic priest cannot be deposed by a Protestant Episcopal bishop, except in case such a priest had abandoned his Romanism, Orthodoxy or Old Catholicism (as the case might be) and having become a convert to Anglicanism, had submitted himself as such to an Episcopalian diocesan. This I had never done. Hence Bp. Grafton could not depose me. There is absolutely no parity between my case and that of a Canadian, English or

Colonial Anglican minister who submitted to an American P. E. bishop. Because their faith, book of prayer and sacraments, and articles of religion are one and the same. On the contrary, I have always used the Roman Missal, and Ritual, either in Latin or French, and observed the Orthodox Faith of the Seven Councils and Seven Sacraments; and, I repeat, have never embraced Anglicanism. But, granting the fact of the deposition and the power of the deposer, am I any the less a Bishop? No. The formality of deposition was gone through with in Wisconsin, while I was far off in Asia, and from its date it could not have been known either by myself or by my consecrators. The deposition, too, had been forbidden by an Orthodox-Russian Bishop. In any case, it could not hinder my reception of the episcopal character, for an unknown sentence is ineffective, and even if it had any value, the consecration cancelled it. My first knowledge of the deposition at Lucerne was communicated by the American P. E. clergyman of the place on my way home to America. Besides what is deposition? Simply speaking, it is nothing more nor less than perpetual suspension from the priesthood. But this does not prevent other Bishops from removing or ignoring it, and elevating the restored priest to the order and rank of Bishop. I know it has been claimed by some American Episcopalians that a deposed priest is an “ecclesiastical corpse.” This is absurd, and in direct contravention of the Indelibility of Holy Orders. If a deposed priest were a “corpse” how could he ever be restored to the priesthood? Deposition, I repeat, is simply perpetual suspension, and the sentence can be removed, or even (in divided Christendom) ignored by other Bishops. For example, the deposed “corpse”, Dr. Forbes, was made Dean of the General Theological Seminary in N. York for many years. The alleged “corpses” Bishops Herzog and Reinkens are recognized as living Bishops by all Anglicans. Dr. Curtis, Roman Catholic Bishop of Wilmington, Del. was deposed as an Anglican priest 20 years ago. If he would return he would now be welcomed as an Anglican Bishop. Such a plea is drivelling idiocy. Finally, Mission and jurisdiction in divided Christendom have power only over those who acknowledge them. Otherwise why did the Anglicans send bishops to Hayti and Mexico, to Jerusalem and Constantinople? I do not claim or desire to have jurisdiction over Roman Catholics, or Greeks, or Protestant Episcopalians. My jurisdiction extends over the Old Catholics in America (i.e. those Catholics who like myself attach themselves to Western Orthodoxy). Let me emphasize the fact that America is quite an open field.”

Lastly, concerning Grafton’s claim that he was under canonical obedience to him as a result of the promises made when he was ordained priest by the Old Catholic Church of Switzerland,

“This promise of obedience [made at his priestly ordination]...is intended to apply only to ordinations performed by one Roman Bishop for another; it could not apply to any other ordination. It cannot, therefore, be construed into an oath of canonical obedience to the Bishop of Fond du Lac, as the Episcopal Bishop Grafton has stated falsely, and on which his entire contention is based, that I was an Episcopalian clergyman.”

33. That the PECUSA Bishop of Western New York, Arthur Cleveland Coxe distanced himself from this position and wrote to Fr. Harding,

“I praise you in showing fidelity to your pastor, Mons. Vilatte, and I honor and love the Old Catholics. It would not be polite for me to interfere with a brother bishop’s affairs, and the “Churchman” never publishes articles of this kind from *other* papers. I am glad to read the articles and to see ‘the other side’. Tho, I wish Christians and Catholics might *never* forget self-respect, in

dealing with one another...Whatever the House of Bishops may say to the contrary, no Roman prelate in the United States has an Episcopate as valid as yours.”

34. That in response to the continued circulation of malicious propaganda, the Very Revd. Ingram Irvine, Dean of St Nicholas’ Russian Cathedral in New York, stated in 1909,

“Such treatment of Monsignor Vilatte by the Roman and Anglican press is a disgrace to them...he is an Archbishop of Christ's Church, who has served Jesus Christ, is serving, and is following Him closer, perhaps, than two-thirds of the prelates of any other church in Christendom. I am related to Archbishop Vilatte as a child of God, and therefore as a man and a priest, when the Archbishop is lied about, slandered, held up to mockery, it is my privilege and duty, who has nothing to gain by his defense, to proclaim to the world that I would prefer his position, however much persecuted, to the vaingloriously vile position held by his un-Christian persecutors”

35. That in a letter of 12 December 1901 Mar Julius of Iona, who had likewise received his Episcopate and jurisdiction from the Syrian Orthodox Church, defended Prince-Abbot Joseph III, saying,

“I have never believed for a moment that Monsieur Vilatte ever, in deed or intention, was ever guilty of simony nor of anything which could damage the honour of his character.”

36. That both before and after his consecration, the ministry of Prince-Abbot Joseph III was that of a missionary, serving principally immigrant groups in the United States of America and Canada along with missions in Europe that sought to establish themselves as part of a canonical Western Orthodoxy represented by Old Catholicism. This work was precisely that for which he was ordained and consecrated.

37. That throughout the episcopate of Prince-Abbot Joseph III until his reconciliation with Rome in 1925, and until at least 1929 in respect of those bishops and other clergy who were in his succession in the American Catholic Church, they continued to be recognized by the Syrian Orthodox Patriarchate of Antioch and financial contributions continued to be sent by the American Catholic Church to the Patriarchate; that no protest was made by the Patriarchate during this time concerning the faith of the American Catholic Church or its practice with respect to the consecration of bishops or ordination of other clergy; that there was at no time any expectation that the indigenous Eastern Rite practices of the Syrian Orthodox Church be adopted by the American Catholic Church, nor any edict issued that this should happen.

38. That the Syrian Orthodox Church has in its past history undertaken an episcopal consecration solo and without assistants (in the case of the consecration of Mar Julius of Iona in 1866) and that such a practice is valid as understood by the Western Church, to which the Old Catholic tradition belongs and for which Prince-Abbot Joseph III was consecrated. It would be contradictory for the Syrian Orthodox Church to have accepted the validity of the Old Catholic diaconate and

priesthood conferred upon Prince-Abbot Joseph III (which ultimately derived from the solo consecration of Petrus Johannes Meindaerts as Old Catholic Bishop of Utrecht in 1739) while then denying the validity of consecrations performed by Prince-Abbot Joseph III on the grounds that some of them were performed without the assistance of other bishops; similarly no such objections have been raised by the Syrian Orthodox Church to the Holy Orders of Roman Catholics because of the occasional solo consecrations that have occurred in that church.

39. That this entire matter becomes moot because, unlike the Western church, among the Oriental Orthodox Churches, the validity of sacraments conferred outside the Orthodox Church is conceived as a pastoral matter, is not subject to dogma, and is not governed by precedent, in the absence of an Ecumenical Council to rule upon the point. There is no consensus within Orthodoxy concerning an absolute position on “validity” as that concept is understood in the Western church, which renders the various statements in which individual prelates of the Syrian Orthodox Church have sought to comment on the supposed validity or recognition of the Vilatte succession *en bloc* or “on behalf of the Syrian Orthodox Church” faulty where they attempt to subject the matter to a dogmatic or even “Western-style” interpretation. Such an approach is foreign to Oriental Orthodoxy, which is generally only concerned with such matters on an individual basis when a person from another communion presents himself wishing to be received into Orthodoxy, and does not seek to pronounce on matters “outside the Church” as they conceive that phrase.
40. That because of a combination of Anglican pressure and the refusal of an increase in financial contributions to the Patriarchate, the Syrian Orthodox Church was falsely persuaded to sever its relations with its brethren of the Vilatte succession by the early 1930s and eventually to issue an illiterate statement to the Anglicans in 1938 disclaiming them. However, the contradictions inherent in this position have been pointed out above, nor is it clearly the case that this statement or others issued subsequently by various prelates can be said to represent any dogmatic position on the issue on the part of the Syrian Orthodox Church, since such a position would be un-Orthodox by definition.
41. That it is a false statement that Prince-Abbot Joseph III or his successors in the American Catholic Church until its division in 1940 or in our own unbroken jurisdiction of the Order of Antioch and the Abbey-Principality of San Luigi have ever repudiated or deviated from the faith as professed by him publically at his consecration, and that we continue today to hold that Old Catholic faith that is also in its truest sense Western Orthodoxy; moreover we continue to assert that we are an integral part of the Catholic Church and not a sect or schism from it.

Done at St James's, London, this 5th day of November in the year of Our Lord
two thousand and twelve:

+EDMOND P
Superior-General

+ANDREAS
Titular Archbishop of Mount-Carmel

+ANTONIUS
Titular Bishop of Gaza

JASON+
Vicar-General

FOR THE GENERAL CHAPTER OF THE ORDER OF ANTIOCH

