

CONVENTUAL FRANCISCANS
IN THE UNITED STATES:
THE FIRST HALF-CENTURY

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Author's Foreword

This monograph is a reworking of material found more completely in my doctoral dissertation "Early Development of the Conventual Franciscan Identity in the United States of America: 1852-1906" submitted to the Faculty of Ecclesiastical History of the Pontifical Gregorian University in Rome in 1997, an extract of which was privately published in Rome in 1998. This monograph was requested by Michael Kolodziej, OFM Conv., Minister Provincial of the St. Anthony of Padua Province, U.S.A., in commemoration of the 150th Anniversary of the arrival of the Conventual Franciscan Friars in North America in September, 1852. My thanks to Michael and the Province for all their support and encouragement.

CONVENTUAL FRANCISCANS IN THE UNITED STATES: THE FIRST HALF-CENTURY

Part One: Chronology

I. Introduction

The Conventual Franciscan Friars who came to the United States from various centers in Europe in the second half of the nineteenth century certainly cannot be viewed in isolation. They journeyed with their own unique personalities and world-views, and these personalities and world-views were formed in very subtle yet powerful ways by their experiences of Church and Order in mid-nineteenth century Europe. These personalities and world-views would be continually formed and molded by the American context. American culture was in the process of forming itself, with certain patterns well established and others still in gestation.¹ Thus a powerful mix and creative ferment is the dominant motif of the American Conventual Franciscan experience.

The highly legalistic system of European religious life, the product of *Ancien Regime* privilege, would be called into question by any number of factors, including the change in ministerial focus from sacramental Conventual churches to strictly parochial interest. The *Constitutions*,² with their presupposition of large, regular, well-endowed friaries, would prove cumbersome in the smaller, more fluid friaries attached to fluid parishes. The distance, both physical and mental, from the centers of authority in the Roman dicasteries bred both American independence as well as Roman frustration.

While the European economic situation of the Conventual Franciscans was still in recovery from the revolutionary and Napoleonic periods, the American situation would prove to be absolutely precarious. Inundated by succeeding waves of immigrants, the American Church was forced to build almost all at once an infrastructure of parishes, schools, support buildings, and social outreach centers to serve the burgeoning and needy immigrant class. The Conventual Franciscans joined this struggle, and added to it the economic strain of supporting a religious community. The community always was economically precarious, dependent at first upon European aid societies, and then later on the size and generosity of parochial communities. Never in the period treated in this work were the Conventual Franciscans to consider themselves economically sound or independent.

The status of personnel can be summed up in one word: insufficient. The quantity itself was regularly insufficient, both prior to and after the establishment of indigenous vocation recruitment. Regular appeals were made to Europe, but Europe itself in this growing secular situation was not replete with candidates, and those who could or did emigrate were often not of very high caliber. Insufficiency, then,

existed as well in the quality of candidates: regular laments were made concerning language capacity, zeal, and theological and moral preparedness, both of friars formed in the United States and friars who immigrated from Europe. While there always was a crust of highly trained and talented men, as in Europe it never seemed enough to meet both internal needs and external evangelization.

A high sense of individual self-interest and privilege, another inheritance from the *Ancien Regime*, was part of the European scene, and that inheritance flourished in the American one as well. It took the form of a marked resistance to living in community, coupled with a marked resistance to being economically interdependent on the local community. The wide-open American geography, coupled with the expanding American church scene, encouraged such independence. Personal grudge and faction are normal, leading to extended and protracted acrimony between individual friars. The individual self-interest developed along national lines as well, as friars from one ethnic group banded together against "the other," in a sometimes baffling and frankly xenophobic manner. Yet in all this a sense of province identity unquestionably did develop, albeit by the end of the nineteenth century along national lines.

II. Prior to 1852

The formal history of the Conventual Franciscans in the United States begins with the group of five Franciscans associated with the Argentine (or Germanic) Province who arrived in Texas in 1852 under the auspices of the Bishop of Galveston. However, isolated Conventuals had been and were already present in the United States, although available information is scanty and oftentimes contradictory.

A. Possible isolated missionaries

The earliest evidences are the most contradictory and sketchy. Various attempts have been made to identify a Narcisius Font, who died in St. Augustine, Florida, in 1791, and a Theodore Browsers, who labored in Westmoreland County, Pennsylvania, around 1790, as Conventual Franciscans, but other evidence identifies them as Observant Franciscans.³ Francisco Porro y Reinado, Bishop of Spanish Florida and Louisiana in 1801, was mistakenly identified as a Conventual Minor, but was in fact previously General Minister of the Minims.⁴

One Conventual Franciscan who certainly did labor in the United States was Caesar Reuter, who worked with German immigrants in Philadelphia in the 1790's. He was involved in early issues of trusteeship and ethnic parochial pastoral work, which caused conflict with his ecclesiastical superior, Bishop John Carroll of Baltimore. Archival holdings on that case are large.⁵

In the period immediately precedent to the 1852 foundation, some evidence suggests that a Gregory

Stasiewicz of the German Province labored in America for ten years prior to 1846, but this is inconclusive.⁶ A letter to the Superior of the Hospice of Venice, Fr. Francesco Riona, concerning the request of a certain Fr. Spirito Chatenay to labor in Cincinnati, notes that as of 21/1/1845, there are no Conventuals in America.⁷ However, General Minister Giancarlo Magni in 1848 writes to Propaganda, stating that "My Order still does not have proper missions in America, but three of my religious from the Austrian Provinces have been sent there as missionaries by the Leopoldine Congregation of Vienna, if I'm not mistaken."⁸ Of these three nothing whatsoever is known, and the General Minister's ignorance is probably due to the enduring Josephinism marking religious congregations in Imperial Austria.

This communication of Magni is occasioned by the request of a Dutch friar, Joseph Bruenemann, to labor in America, specifically in Cincinnati, a request that was formally granted. Bruenemann left his convent in Hal, Holland, in 1848 and worked in the Cincinnati diocese until 1854, when he migrated in good standing to work in the Diocese of Brooklyn. There he labored until his death, most probably in 1874. His life and work in the Brooklyn area weave in and out of the life of the early community foundation,⁹ and it is probably fair to say (taking in note Smith's spirited defense of the man's good will), that Bruenemann was a dedicated free-lancer only tangentially involved in the formal foundation of the Order in America.

B. Preparations for the expedition

What was to become of the south-central region of the present-day United States was, c. 1850, an immense geographical area which was, though blessed with abundant natural resources, still sparsely settled. In these sparsely settled areas, minority Catholic settlers were oftentimes recipients of sporadic ministry by circuit-riding priests and bishops. One such bishop was the Vincentian Jean Marie Odin, Vicar Apostolic of the Texas territories in 1842, and first Bishop of Galveston in 1848.¹⁰ A contemporary describes Odin's ministry in these words: "Bishop Odin lives as did the early Christian evangelists. He journeys incessantly up and down the country in order to tend a flock scattered in all directions."¹¹

Odin and his brother bishops were meagerly assisted by whatever foreign-born clergy they could find (in contrast to the largely native-born population),¹² and consequently spent even more time recruiting both manpower and money throughout Europe. "Since the Texas Mission that has been entrusted to me lacks adequate apostolic help, I have to beg Europe to have priests attached to me."¹³ In that letter addressed to Conventual Franciscan Fathers Bonaventure Keller and Leopold Moczygamba, Odin rejoices that he has managed to recruit some help.

The unquestioned leader of the planned expedition was at this time Bonaventure Keller. Keller, serving as Guardian of Oggersheim and in contention to be named Guardian of Schonau,¹⁴ is the principal

initiator and contact person of the whole enterprise.¹⁵ He states in 1852 that he had had a desire to serve as a missionary for some six years,¹⁶ and he had written repeatedly to his major superior that he wished so.¹⁷ What is unclear in the documentation is whether the missionary call came before Odin's recruiting efforts, or in response to them. A testimonial letter from the Vicar General of the Diocese of Speyer has come down to us, dated 8/X/1851,¹⁸ although for what purpose the testimonial was obtained is unclear. The first mention of Odin occurs in a letter of Odin to both Keller and Moczygemba, dated in February of the following year,¹⁹ and it is unclear whether Keller initiated the project himself, or responded to Odin.

In any case, Keller was enthusiastic, and his letter writing is stylistically flowery, though no doubt sincere.²⁰ His enthusiasm also comes through in writing to the General Minister in Rome: when writing to his German Superior, Keller is almost obsequiously deferential; to Rome, almost boastfully forceful.²¹ He is ministerially prepared, after some years of *cura animarum*, and he only wants to work for the glory of God, for the salvation of souls, and for the honor of the Order.

The earliest correspondence of Keller always has him in tandem with Leopold Moczygemba,²² and the earliest independent request of Moczygemba's can be dated no earlier than April, 1852.²³ However, all does not appear to be harmonious between the two, because when Odin hints that Keller should look for another companion, (because in his experience, "Polish priests are too full of revolutionary spirit and have caused him nothing but trouble"²⁴), Keller in no way defends Moczygemba. Instead, Keller immediately solicits as companion Anthony Mueller, "who, incidentally, played an important part in his life..."²⁵ and whose name begins to precede that of Moczygemba in correspondence.²⁶

A number of early references occur in the archival holdings concerning Mueller,²⁷ none of them positive. He is described as frivolous, not prayerful, unfit for ministry, and complaining: no German friary seemed to want him. He himself admitted that he had little sense of vocation and wanted to secularize. Other friars counseled against this, saying that he would be more of a disgrace presenting himself as an ex-Conventual without controls than as a Conventual reined in by the community. His regular means of appeal had been to suggest to allow him to live under Bonaventure Keller, who described him as "the only other in the entire Province with the will to become a missionary."²⁸

A fourth member of the founding group finds his way in the earliest letter of Keller's as wanting to accompany him, a certain Dominic Mesens.²⁹ Mesens had been at Schonau previously with Keller, and the two had clashed somewhat violently over Mesens' faculties for confession. Mesens felt lacking in the command of German and refused to confess, and Keller refused to have him in the house if he would not confess. The situation was feared to be coming to bloodshed. Yet Keller states that he has known Mesens for two years, and he believes him very suited for the mission.³⁰ It seems as if the request to go to Texas

were a means for Mesens to simply leave Germany.³¹

The fifth member of the original band was a brother, Giles Augustin. The documentation suggests that Augustin did not volunteer for the mission, but was suggested by Keller as a faithful brother servant for the priests on their journey, as well as an aid in the setting up of the mission. He was accredited to Keller as virtual manservant, who contracted to meet all his economic needs, and to pay return expenses if Augustin did not find America to his liking.³²

Already in this brief sketch something of the character of religious life in Europe was making its way to America. Two friars (Keller and Moczygemba) seem to be well trained and full of zeal, but the charitable relations between them do not seem to be at the highest. A third (Mueller) is a weak character and weak vocation. A fourth (Mesens) seems most interested in escaping the confines of Germany, and does not speak what will presumably be the language of "German America."³³ The fifth (Augustin) seems accredited as personal servant to Keller, who postulates himself as Superior of the little band.³⁴

III. The Texas Experience³⁵

It seems as if the little group departed from Le Havre, France, on July 6, 1852.³⁶ They disembarked in Galveston, Texas, though the date of arrival is not specified (probably September 14, 1852, when a formal letter of welcome and duties from Bishop Odin is promulgated). In this letter Odin states his joy at the friars' arrival to assume pastoral care of the German immigrants scattered in his flock, and he grants them the German parishes³⁷ of Castroville, Dhanis, New Braunfels, and Fredericksburg (all in Texas) with full parochial rights, with promises of twelve future places if other friars arrive. They were also granted exempt status and full right to live their Rule and Constitutions.³⁸

The friars split themselves up in their mission stations. One group was to reside in Castroville, which would service Dhanis and some outstations, while Fredericksburg and New Braunfels each had resident friars, necessitated by the large number of Protestant sects in the area who were proselytizing the essentially spiritually abandoned German immigrants.³⁹ Anthony Mueller describes his missionary adventures in an 1854 letter to the General Minister, in which he describes the distances involved, the dangers of nearby Comanche and Lepano Indians, his scattered flock of three hundred souls in eighty square miles, and his recent trek of forty-five miles on horseback for a sick call, sleeping out in the open with the snakes and tarantulas.⁴⁰

Because of these conditions disillusionment and disappointment quickly set in. First, Augustin was not settled in America, and by August, 1853, had received permission and finances from Keller to return to Germany.⁴¹ Second, the manpower and financial constraints of the Texas missions forced Odin to send

Mesens on a begging trip back to Europe.⁴² Mueller grew increasingly dissatisfied with Texas, requesting to attach himself to another bishop, ostensibly for reasons of health, a motive he had previously frequently cited for his discontent in Germany.⁴³

But the greatest disappointment of these early years was occasioned by an episode of the mission superior, Bonaventure Keller, "believed to be a good and worthy son of St. Francis who has shown himself a predatory wolf more than a zealous pastor." Living apart from other priest confreres by his own preference in Castroville, Bishop Odin was disturbed upon discovering, during a Confirmation visit in November, 1852, that Keller had a woman in his rectory with him, notwithstanding the presence of Augustin, "a good and pious man who inspires confidence in me." The parishioners complained, as did his confreres, but Keller refused to listen. Eventually Mesens formally denounced Keller to Odin, saying that, during the voyage from Le Havre, he had walked in on Keller "*in copula carnali in lecto istius personae*," and during the journey other passengers had assumed Keller to be a Protestant clergyman traveling with his wife. On ship Moczygamba counseled Mesens to allow Keller to reform himself, as did all the confreres in Texas, but to no avail. Giles Augustin eventually went to the Bishop's house in Texas, while Keller continued to "spend more than three hundred dollars on that creature." Keller's obstinacy forced Odin to "employ ecclesiastical censures against him."⁴⁴ Odin took no further measures against Keller, but recommended that he be recalled to Europe and that another be sent in his place.

Keller remained in this state through at least September of 1853, "giving scandal to the faithful and the priests of the diocese."⁴⁵ He "remained pertinacious, notwithstanding admonitions," until "the woman Elizabeth Muench gave birth to a daughter," popularly believed to be Keller's. At that point, March, 1854, he left Texas, though in the good graces of the Bishop.

I certify by these presents that Very Rev. Bonaventure Keller has left the diocese of Galveston, State of Texas, by his own will, and, free from censures. I wish that everywhere and in any circumstances he will be received by his old friend as he expressed from the beginning of his ministry in Texas. Having been placed in hard trials, since that time, he made his resolution for going into the diocese where you live; I hope you will help him before your high respectful Bishop. For this act of Christian charity....⁴⁶

Several different interpretations have been placed upon this unsavory episode. Keller's friend Mueller spoke not of one, but two women on the boat, whom Keller explained to him as "future nuns for instructing the children." Keller was at least imprudent, although probably innocent as far as paternity goes, since "a citizen of Castroville has declared himself before a judge to be the father of the little girl." Mueller is perplexed, as well as loyal: "In past years I have known Father Keller as a good priest and devoted religious."⁴⁷

The historian Jeremiah Smith puts much effort into exonerating Bonaventure Keller.⁴⁸ First of all, he objects that Augustin and Mesens are the only two witnesses; how many witnesses can be desired or expected to corroborate actions *in flagrante delicto*? Secondly, he grasps at straws as to the character of Augustin and Mesens, insinuating that since they both came from the same convent of Hal, they would have had something in collusion. But neither had anything to gain: Giles Augustin had a promise to return to Europe at his desire all expenses paid, and Mesens had nowhere to go anyway, since he was for all intents and purposes *persona non grata* in his home province. It is true that Keller had previous bad blood with Mesens, but it is also true that Keller rescued Mesens from a bad situation in Europe.

Smith also tries to implicate Leopold Moczygemba as part of some sort of plot. Basing himself on a suggestion of Moczygemba to move Mesens from New Braunfels to Castroville,⁴⁹ Smith sees an attempt at making Keller's life miserable. But it is entirely plausible to argue the pastoral effectiveness of Mesens for the subordinate mission at Dhanis, Mesens whose German was weak but whose French was fluent, making him a better candidate for ministry in the multi-lingual Alsatian Dhanis. Smith sees these machinations as a prelude to Moczygemba's being named Mission Superior. It is true, that Moczygemba was the only other possible candidate in the absence of Keller, but that in no way implicates Moczygemba in any plot to remove Keller. Moczygemba was temporarily nominated Superior by the Vicar General of Galveston, a nomination confirmed in July, 1854, by the General Minister.⁵⁰

Smith is also at pains to prove that German General Commissary Robert Zahradniczek believed Keller's innocence. In fact, Zahradniczek never explicitly proclaims Keller's innocence of the sixth commandment infringement; rather, he is more interested in hushing up the scandal. When Giles Augustin was debriefed after his return to Germany, Zahradniczek noted that "when repeatedly asked, he swore that on the journey he never brought out anything to anyone or in the presence of anyone, that could be seen as harmful to our Texas missionaries."⁵¹ And when Dominic Mesens passes through Wurzburg, Zahradniczek is only infuriated that he spoke with "Brother Valentine Schmitt, known as the biggest gossip in Bavaria."⁵²

As Smith himself notes of the whole woman-in-the-rectory affair, "If the contents of this report could be taken literally, however, then the character of Father Keller would be jeopardized."⁵³ This is certainly true, and the importance of the accusation is great, particularly when Keller would later become the first Provincial Minister of the American Province of the Immaculate Conception.

In any case, the change in leadership of the Conventual mission from Keller to Moczygemba also signaled a certain change in pastoral activity and ministerial thrust. As we saw above, Keller founded the early establishments as basically stable small functioning parishes. These parishes were responsible for the German immigrants in the area, with English used only in church-sponsored schools. Parochial work was

exclusively German-oriented, stable and not migratory, with English as the language of school, not church.⁵⁴

Moczygemba, on the other hand, even before his formal nomination as mission superior, was speaking not in terms of parishes, but of a district⁵⁵ granted the friars by Odin, which would include land, wells, houses, and parishes. He envisions a missionary apostolate somewhat akin to Propaganda Fide's mission districts, and immediately recognizes that what the community needs in the district is a regular convent, where "the fathers who are on mission can return occasionally during the year, in order to be renewed in religious spirit." Without such an opportunity, "the religious spirit is easily lost. Texas is a huge country in which our Order will be able to expand, if we act with prudence and religious spirit." Knowledge of both German and English would be necessary for all the friars.⁵⁶

Moczygemba's plans for a mission headquarters began to center around the abandoned Franciscan mission of San Jose, outside of the city of San Antonio. The convent attached had been previously alienated, but the church was still standing, although in need of immediate repair. Both were necessary, for without the convent "it is very difficult and almost impossible to conserve discipline, the spirit of the Order, and unity among the missionary fathers."⁵⁷ Moczygemba was frantic trying to secure help in financing this adventure, for fear of legal action for non-payment of his contracted debts.⁵⁸ He wrote to Propaganda Fide,

At this time the greatest need for the Order's mission in Texas is the erection of a convent, both for the spiritual good of the missionary fathers and for receiving and multiplying the number of religious in this vast state of Texas. Without such an establishment our hopes for the Order will be lost.⁵⁹

Added to the centralized planning as mission superior, Moczygemba and the other friars had regular pastoral duties as circuit-riding priests.

The mission of Texas is very fatiguing--Catholics are scattered throughout--traveling has to be done on horseback through deserts, and frequently you have to spend the night in desert camps. You don't find many comforts in this place....⁶⁰

In addition to simply serving the spiritual needs of German immigrants in the area, Moczygemba also took seriously the future of the district under his care. Recognizing that the counties of his mandate from Odin were grossly under populated, on his own initiative Moczygemba began a public relations campaign among his acquaintances from Upper Silesia. By the summer of 1854 some fifty families of industrious Polish peasants had been persuaded to leave their homeland (buffeted as it was by chronic poverty, discriminatory land practice, and persistent famine) and come to Texas. There Moczygemba gathered them in the colony of Panna Maria, the oldest Polish settlement in the United States.⁶¹ This was an independent action on the part of Moczygemba. In the interim of Keller's disgrace, and before his own

nomination as Mission Superior, Moczygemba unilaterally organized this settlement and then assumed pastoral care, notifying the General Minister only the following year.⁶²

The friars' foresight took notice that much good could be done for the Church's evangelization efforts, both among her own scattered flock as well as a sort of inroads among the Protestant majority, through extensive support of Catholic education.⁶³ Keller early on assumed education as an integral part of his own stable ministry, noting that education was usually the priest's job, since finances were too unstable to provide for the hiring of a schoolmaster.⁶⁴

Of course, ambitious plans such as these--extensive pastoral care, resettlement, evangelizing outreach, primary and secondary education--all required two things above all: money and manpower. It was hoped that in the long range the foundation at San Jose would supply this, taking in boarders for a classical education whose tuition would go towards further support of the parochial establishments while at the same time attracting and forming vocations.⁶⁵ But the problem remained: what could be done in the immediate present and future?

Manpower remained the most immediately insoluble problem for the nascent community. To Bonaventure Keller's exit and Giles Augustin's return to Europe must be added the departure of Anthony Mueller, who went to join Keller in the northeast. Dominic Mesens departed on a fund-and-friar raising tour of Europe in 1856, and Moczygemba followed him in a similar venture in 1858.⁶⁶ And although the Procurator General for the Missions, Giacinto Gualerni, could piously state, "certainly the Order has subjects to send to Texas,"⁶⁷ the reality was that the shortage of qualified candidates for the missions did hamper recruitment.

Some friars did come to America in this early period, but their story is not a uniformly felicitous one. The Swiss Anthony Heimo was sent from the friary at Fribourg in 1853, but actually joined his family in upstate New York.⁶⁸ John Baptist Dornseiffer, a veteran of the Moldavian missions, was sent in 1854, but by 1857 was described as being "old and in ill health."⁶⁹ A good addition to the mission band was Alphonse Zoeller, sent from Oggersheim in 1855, "one of the most solid of the early missionaries, a very stable, steady character."⁷⁰ Arriving with Zoeller was Anthony Rossadowski, a Pole, about whom the parishioners at Panna Maria would say to be a "tyrant" with a "gloomy and revolutionary spirit."⁷¹ Clement Mutsaers, a Belgian from Hal, was sent in 1857, but was illicitly ordained in Brooklyn where he remained in defiance of obedience.⁷² Finally, Francesco Gatti and a group of clerical students were sent in 1858, but by that time the Texas mission was an afterthought to the more promising foundations in the northeast.

Notwithstanding the meager response that he received, Moczygemba wrote regularly and continually to the General Minister. He outlined his plans of action for apostolic endeavors or community

sustenance, and pleaded for the needs of the abandoned mission stations. Oftentimes he suggested particular friars of his acquaintance as possible missionaries to be approached by the General Minister, but through it all the truth of the Gospel phrase often-times repeated in these missives was proved: *mensis multa, operarii autem pauci*.

Finance was the most persistent and thorny question for the early Texas experience. Keller had noted that the only income was free-will offerings of the faithful. Even in the best of times, considering drought and pestilence, this amounted to roughly \$400 per year, hardly sufficient to maintain the missionaries as well as build the necessary ecclesiastical infrastructure from scratch. Keller advised seeking subsidies from Europe, investing them, and living off the interest to provide regular and stable financing.⁷³

As on so many other questions, Moczygamba counseled a completely opposite course. Much more akin to a European model, he felt that the free-will offerings of the faithful should be used for their own parochial expenses. The friars' maintenance should come from investment in land. He envisioned skilled brothers working the land at San Jose and Panna Maria. "This country is very healthy and has a mild climate, so it can become as beautiful as Italy." In unsettled American conditions, Moczygamba preferred land to banks: "In America it is dangerous to have money in the bank. The best thing is to have land; at least people tell me so."⁷⁴

Both Keller and Moczygamba agreed, however, that financial assistance needed to be sought from Europe. The Order itself did not have the resources to spare: "the lack of means is real and absolute".⁷⁵ That left the various European missionary societies, including *La Societe de la Propagation de la Foi*, the *Leopoldinen Stiftung*, and the *Ludwig Missionsverein*.⁷⁶

The *Ludwigsverein* had already helped in the foundation journey, and to it Moczygamba appealed already in 1854.⁷⁷ Bishop Odin also disbursed some of the diocesan dole to the friars for their work among the immigrants.⁷⁸ As the flow of money from the *Ludwigsverein* was not proving regular or stable, Moczygamba continued his money quest. *Propagation de la Foi* did respond with some aid, but the source was not promising in the future. That foundation required accurate accounting not from individual missionaries but from the General Minister, who used the opportunity to chide Moczygamba for his irregular reporting to Rome.⁷⁹ The *Leopoldinen Stiftung* had proved helpful during Dominic Mesens' 1856 begging campaign,⁸⁰ and would prove helpful again during Moczygamba's 1858 campaign.⁸¹ The donation came, however, with a gentle reminder about the need for reform of Conventual Franciscans within the Hapsburg domain, so the Minister General saw it expedient to make no more appeals to Vienna.⁸²

By 1858, change was in the air for the Conventual Franciscans in Texas. Leopold Moczygamba had returned to America from his European odyssey with several goodies in his basket, including the recognition

of the American venture as a Commissariate General of the Order, as well as needed funds and a reinforcement of two priest friars and six clerical students.⁸³ While some thoughts to permanence in Texas were indicated by the canonical erection of Galveston as both friary and novitiate,⁸⁴ the focus of the American Commissariate moved elsewhere, signaled by the fact of Moczygamba's remaining in the East. Some negative interpretation has been put forth concerning Moczygamba's motives for this decision,⁸⁵ but on the whole it seems an intelligent one. The Texas missions could not be either economically or personally self-sufficient in the near future, and reliance on Europe for both manpower and materiel had proved sporadic. In the East a much more settled Church condition reigned, which would allow the Order to develop more easily. In the meantime, Fr. Francesco Gatti would head the formation and educational programs in Texas, until they were abandoned in 1859.

General Minister Salvatore Calì was never resigned to the failure of the Texas venture, and would harp on it repeatedly over the years.⁸⁶ Some of the unease about the demise of the Texas missions seems to have been spread in the air of the General Curia by one of the Texas missionaries, John Baptist Dornseiffer. Although he recognized that the needs of the faithful were vast, he blames Moczygamba for overextending himself. He concedes that the Keller scandal had eroded the friars' effectiveness, but still blames Moczygamba as a poor superior but fine missionary, one with too much enthusiasm and ideas and not enough practice.⁸⁷ The expansive and dynamic character of Leopold Moczygamba would continue to clash with the predominating centripetal and static condition of the Order in the coming years.

IV. Brooklyn and Philadelphia

Between the first Conventual Franciscan foundation in Texas and the definitive foundations in central New York State, there was a brief but enlightening interval in the cities of Brooklyn, New York, and Philadelphia, Pennsylvania. In the spring of 1854, Bonaventure Keller (in disgrace from his Texas misadventures), together with Joseph Bruenemann, came from Cincinnati, Ohio, to Brooklyn, New York.⁸⁸ There the two friars seemed to have worked as free-lance traveling priests among German immigrants, though without a contract as representatives of a religious community.⁸⁹ The traces we have of Bruenemann in this period are interesting. He appears content to live the life of a missionary parish priest, and he seems to have done well. His long tenure at St. Andrew, Sag Harbor was marked by a zealous dedication for the care of souls.⁹⁰ He took over from Irish/English clergy as first resident pastor, and conducted a day school for children, a night school for adults, and a large Sunday school. He also embellished the liturgical spirit in choir and services. Not everything was pleasant: the church and church grounds were vandalized on several occasions by anti-Catholics. Although Bruenemann might not have been a model friar,⁹¹ his pastoral

dedication cannot be impugned.

The picture that Keller tried to create, however, was quite different. In his view, he and Bruenemann were responsible for twenty-two mission stations in the Diocese of Brooklyn, and the Bishop wanted to entrust more to the friars, including the premier German parish at the time, Holy Trinity, Williamsburg. The Bishop did not trust religious priests in general, "foreign priests who, knowing nothing of America, in their early days do more harm than good, without knowing it." However, the Bishop was inclined to grant canonical permission for a convent, a Novitiate, a college, and whatever else was desired, but only to the Conventuals, "since he was instructed by the Conventuals at the Sapienza in Rome." However, "I am most certain that Monsignor Bishop will not give permission to found a convent if I cannot demonstrate that I will be the Superior of the convent."⁹² All of this was quite fanciful, but Keller seems to have been trying to desperately ingratiate himself with the General Minister, evident in the almost obsequious tone of a later letter from Brooklyn.⁹³

Keller's major preoccupation in this period seems to have been the formation of a preparatory seminary.⁹⁴ Known as St. Bonaventure's, it was attached to the parish of St. Francis in the Fields, Bedford. Economics was the key difficulty: the German apostolate was expanding, the Diocese of Brooklyn was newly created, the supporting parishes were not self-sufficient themselves, and the Order was in no position to subsidize a diocesan seminary.⁹⁵ The institution was designed as "a seminary for young German Catholic boys who wish to become priests," a boarding school for boys ages ten to fifteen modeled after German *gymnasias*.⁹⁶ The difficulty, acknowledged in another letter, was that seminary training was a long-range investment, and had to compete with scarce funds needed for the most pressing immediate concerns of pastoral care of the immigrants and their social disadvantages.⁹⁷ Keller, however, never received an augment of friar professors to staff the seminary, and the *Ludwigsverein* never saw fit to financially underwrite it. It soon closed, probably by the middle of 1858.⁹⁸

While failure continued to dog Keller in Brooklyn, prospects were opening in the Diocese of Philadelphia.⁹⁹ The Bishop of Philadelphia, John Neumann, was greatly short of priests to serve his growing congregation, particularly his German-speaking new immigrants. Preliminary contact solidified in a formal acceptance by Bonaventure Keller of pastoral care for the German parish of St. Alphonsus in Philadelphia on August 31, 1857.¹⁰⁰ Keller seems to have assumed the pastorate in early 1858,¹⁰¹ while Bruenemann remained in Brooklyn, visiting Keller on occasion.

Keller suddenly resigned his pastorate in early 1859, possibly due to the permanent arrival of his nemesis Leopold Moczygamba on the East Coast.¹⁰² He was succeeded by Philip Nicola, an Italo-German friar, who lasted about a year.¹⁰³ He in turn was succeeded by Alphonse Zoeller, newly arrived from Texas,

who remained until the end of 1861.¹⁰⁴ At that time the Conventual Franciscans withdrew from administration of St. Alphonsus, and concentrated their efforts on the Diocese of Albany, New York.

Aside from the brevity of the stay of the friars in Philadelphia, their presence left a considerable impact on the parish community.¹⁰⁵ Their stay coincided with the foundation of the Franciscan Sisters of Philadelphia; the parish school dates from their tenure; the parish witnessed investitures and professions of novices; the Holy Year of 1858 was celebrated lavishly, with concerts, oratorios, and bands; church services were splendid Germanic liturgical feasts; outreach was done to English-speakers in the neighborhood; a Latin prep school, a type of minor seminary, was established; and the church was remodeled, with the addition of Franciscan-themed art and accompanied by the first parish mission. It seemed as if the presence of the friars was beneficial to the parish, but the financial uncertainty of lack of resources for the life of the Order in the absence of access to parish funds, forced the Order to look elsewhere.

V. The Leopold Moczygemba Years: 1858-1866

After the failed venture in Texas and the transitory settlement in Brooklyn and Philadelphia, the Conventual Franciscans began firm foundations of their community, primarily in central New York State and secondarily in the Midwest. These more lasting foundations were accompanied by a solidification of the Order's institutional presence in North America. Local government structure and the beginnings of indigenous formation mark this solidification process, and to those points we now turn.

A. The erection of the General Commissariate, 1858

Leopold Moczygemba, as Superior of the American Mission, journeyed to Europe in 1858, as we have seen, on a fund-raising and manpower-recruiting campaign. An ulterior motive was to provide some governance for the nascent community, although General authorities were at best lukewarm to the idea.

I fear that we will have great difficulty, trying the same method [of establishing a General Commissariate] as we used to obtain permission for the renewed province of Argentina [the Latin term for the Strasbourg Province]. There were always convents in Bavaria, Belgium and Switzerland, while America is a thoroughly new foundation: there are not even Convents there, just hopes for them.¹⁰⁶

In the petition to the Sacred Congregation for Bishops and Regulars,¹⁰⁷ the General Procurator sidesteps many of the difficulties to which Gualerni alludes. Admitting that there are no convents, he stresses that there are twenty places, of which eleven are actually occupied. These eleven places are staffed by eleven friars, but there are another ten set to go, provided funds for travel costs are found. He stresses that four parishes *in perpetuum* are granted to the friars in the Diocese of Galveston with full religious

exemptions recognized, and the same conditions exist in promise for one house in the Diocese of Albany and two houses in the Diocese of Philadelphia. Religious discipline as such does not exist, but the friars are good and willing to do so, when convents are erected and a Province in place. The parishes are already *ad formam conventuum*, and novitiates could be established in the academy in Galveston as well as in Philadelphia.

Notwithstanding such a meager basis, the Congregation acceded.¹⁰⁸ However, permission was not granted for a Province, but for a temporary pre-province (a General Commissariate, according to the *Constitutions*, VIII, t. XLV, 3) until a Chapter could be called. Both Galveston and Philadelphia were canonically erected as convents and novitiates, whose first Guardians were to be nominated by the General Minister. The General Minister could also nominate his Commissary from the American friars *ad triennium*, and that friar was required to report annually both to the General Minister and to Propaganda Fide. Permission was also granted to administer parishes in the name of the Ordinary, the pastors of which were removable by both the Ordinary and the General Commissary.

This somewhat vague status as General Commissariate would cause some friction between the new General Commissary in America Leopold Moczygemba and the new General Minister in Rome, Salvatore Cali. As delegate of the General Minister, he had some local jurisdiction, but limited authority over friars whom he considered troublesome and deleterious to the mission station. Cali would regularly correct Moczygemba for overstepping authority on the point of relations with friars.

You do not have that [power] to dismiss and return to Europe those religious who are in America and were placed there by me....If they behave badly you can punish them according to our Constitutions and then send me a report and wait for my resolution of the matter.¹⁰⁹

In a later letter Cali acidly reminds Moczygemba that Moczygemba needs to ingratiate himself with the German Provincial Minister for manpower. This Moczygemba cannot do so if, without the General Minister's permission, Moczygemba sends the worst friars back to Germany and asks for the best.¹¹⁰

There was also considerable friction over the double aspect of Moczygemba's line of authority, towards the General Minister and towards Propaganda Fide. Responding to a request of Moczygemba's to shorten novitiate for prospective candidates, Cali writes,

Know that our institution in America is not subject to Propaganda. It is not a mission properly speaking, but rather convents regularly established that depend exclusively on the Order. You are my Commissary General and not a Superior instituted by Propaganda. Therefore, why did you contact Propaganda for a disciplinary affair of the Order, instead of the Congregation for Bishops and Regulars? We worked hard to obtain a novitiate, and now you want to throw everything away by deviating from competent authority? Let's not shoot ourselves in the foot.¹¹¹

The jurisdictional confusion was complicated by the ever-present need for personnel. The establishment of a General Commissariate actually exacerbated this problem, since with the formation of the Commissariate came the obligation to formation. Formation required adequately trained personnel, and these were in excruciatingly painful short supply. By 1864, Moczygamba was noting to Rome that as of the following year there were to be eight clerics, and there was no one qualified to teach them or to guide them. In addition, the Novitiate was in the hands of an old and sickly man (Anthony Rossadowski) who could barely communicate with his charges in either German or English. He was assisted by a bright young friar (Oderic Vogt), who was unfortunately ill trained himself and given to drink. Qualified help for both novitiate and clericate was needed.¹¹² These urgent pleas for formation personnel were added to the regular pleas for missionaries to do basic pastoral work.

The General Minister was highly exasperated with Moczygamba. "With all the good will in my heart I cannot help you as you want. You need priests, and I can't create them and give them to you spanking fresh and clean in America." Moczygamba needed to lower his expectations, because "we don't have any kind of agreement with anyone to furnish a set number of individuals." People in America needed to be patient, because "you can't get from Europe to America in one day." No one in Europe was available, because "Italians don't want to go, and Germans have enough to do at home."¹¹³

The travails of the new foundation seem to have dampened Roman enthusiasm for the venture. Cali arrived at the point of saying, "Until I will be sure of the conditions of the new institution, that there is at least probable hope of a good outcome and that religious life can be reconciled with the activity of care of souls, I will never agree to create new foundations....I no longer want to know anything beyond what is necessary to know."¹¹⁴

The difficulties of government alone wore out Moczygamba, since already in September, 1864, he was asking to be relieved. He requested a new Commissary "*qui veniet ministrare et non ministrari*," stating "I will submit to all that the new General Commissary commands, and I will be happier seeing the foundation better established."¹¹⁵ In 1866, the General Minister solicited a German friar, Fidelis Dehm, as his new General Commissary in America.¹¹⁶

B. Foundations in central New York and the Midwest

Already in 1857, Bishop John McCloskey of Albany, New York, was in communication with Bonaventure Keller in Brooklyn, New York, promising protection for an eventual convent foundation in his diocese and offering the administration of several parishes. Conventual Franciscan Antoine Heimo was already in Constableville, and parishes were promised in Croghan, Danesville, Nassau, and Bleecker.¹¹⁷

When the friars arrived in the diocese, however, they agreed with the Bishop to minister "in those areas where Catholics of the German and French nation are found," the churches of St. Joseph in Utica, New York, and Assumption of the Blessed Virgin Mary in Syracuse, New York. There the friars could erect convents "with all rights and privileges," but the churches attached therein would possess the care of souls under the full authority and jurisdiction of the Ordinary.¹¹⁸

The church in Syracuse, by self-definition of its trustees, was aggressively German in character. In its charter of agreement with the friars,¹¹⁹ it stipulated that "Assumption will always remain a German Roman Catholic Church," and that "the Superior of the Parish and the Convent is always a German by birth, or one who understands and speaks that language well." "The Irish Catholics are to have no rights whatsoever in the Church," and that "no other but German societies can be established at the Church." To preserve the German character in the future, "The German school exists all the time, and the Teacher is a practical [SIC] Roman Catholic who is either a German or understands, speaks, and writes his German perfectly well."

The convent at Syracuse would play a particular part in the life of the friars. For one, in 1861 the canonically erected novitiate in Philadelphia was transferred to Syracuse, both for better discipline and environment to the novices and for proximity to other convents.¹²⁰ Secondly, the trustees had also stipulated "that the Convent of Syracuse will always be the Motherhouse of the respective Province to which it belongs," a stipulation agreed to by the Order's authority.

The Convent of Syracuse, where the novitiate and the seminary are established, shall be considered as the Head and the Center of the other Convents and religious houses existing in the United States of America. It will continue to be so until it is otherwise changed by the General Minister of the Order. I advise that this declaration of mine does not give to the Convent of Syracuse any jurisdiction and right over the other Convents, that enjoy proper rights according to our Constitutions.¹²¹

Assumption Parish in Syracuse was noted particularly in this period for two reasons.¹²² The first was the lavish and spectacular Germanic liturgical spirit evident in the parades, singing, music, and panoply of parish *Vereinen* that turned out for any and every occasion.¹²³ The second was the highly organized and incredibly efficient-sounding money making abilities of the parish, encompassing everything from pew rents to cemetery fees.¹²⁴

Assumption Church, Syracuse, had had a brief tussle with the issue of trusteeship in its pre-Conventual Franciscan history.¹²⁵ That issue was exacerbated and extremely sensitive in the other parish in which the friars first ministered in the Diocese of Albany, St. Joseph in Utica.¹²⁶ McCloskey noted to the friars, "I am of the opinion that when once a permanent pastor is settled in Utica and time has been given for

a proper hold to have been gained on the affections and confidence of the people, there will be little difficulty in regulating the trustees." Moczygemba seems to have tried to obviate the issue of property rights by simply nominating the friars as the trustees, but McCloskey objected, noting that nothing would really change, since "your community is not incorporated, but a body of laymen bearing the title of your community."¹²⁷ The coming of the friars seems to have alleviated much of the discontent, since "like the rain from heaven after a summer of drought, peace came to St. Joseph's."¹²⁸

While early history of the friars in Utica is sketchy, some of the good will earned by them probably stems from their manner of establishing the parish. They solicited funds in a traditional European manner for a fifty-year foundation "for the erection of a church and a mother monastery, together with a novitiate and a theological seminary of the Order of Minor Conventuals." Anyone who donated three dollars was to be remembered for fifty years in fifty yearly masses, and to be remembered *in perpetuum* in the daily prayers, good works, and monthly masses of the friars.¹²⁹ The spiritual incorporation of the friars and the parish, drawn from traditional European ideas of endowments and confraternities, possibly did much to dissipate the wrangling over property rights and trusteeship.

There is another avenue to understand the dissipation of the ill will that the friars found in their advent. Utica was labeled publicly as motherhouse, novitiate, and seminary of the friars, while, as we have seen, the parish friary of Syracuse formally possessed all these dignities. It has been surmised that the friars artfully channeled the energy and combativeness of the trustee era into a friendly rivalry between the two German Conventual Franciscan parishes of Utica and Syracuse.¹³⁰ This would also explain the later shift of site of the Commissariate and Provincial Curia, which alternated between Utica and Syracuse.¹³¹

The third stable foundation during this time (1861) was quite distant, in Louisville, Kentucky.¹³² From the residence at St. Peter's in the city of Louisville, the friars also served St. Andrew's in Louisville as well as St. Anthony's across the river in Jeffersonville, Indiana. During the 1860's Louisville was served by the reunited team from Texas days, Bonaventure Keller and Anthony Mueller, who seem to have desired to stay at least half a continent away from Leopold Moczygemba at all times. Keller had briefly been the pastor at Utica, but four months later was named pastor and guardian "*locum erigendi Ludovicopolis*."¹³³ The two seem to have disliked the assignment, so much so that "in order that our Order no longer have the inconvenience of this tiny and unimportant station," Keller and Mueller volunteered to start a mission in Mexico, where "we can do more good...than here in this desolate situation."¹³⁴ Moczygemba was livid at this suggestion.

For the love of Jesus Christ do not give permission to Frs. Keller and Mueller, because we do not have the religious to replace them in Louisville. Besides, they are people of bad past behavior, and in the

present do not inspire confidence for such a mission, since they lack both learning and piety. These friars do well where they are and where they are guarded. If they go elsewhere they will only renew old scandals and then we'll have to handle them.¹³⁵

Moczygemba replied directly to Keller, stating almost sarcastically that such an obedience during wartime was impractical. Keller was strictly commanded to serve out his triennium in Louisville.¹³⁶

VI. The Fidelis Dehm Years: 1866-1872

The end of that triennium marked as well the end of the commissariate of Leopold Moczygemba, and the arrival from Germany of his appointed successor, Fidelis Dehm. Dehm was forty-one years old, and serving at the time of his appointment in Linz, Austria. He had served in formation capacities in his native Argentine Province, and had also served as its Provincial Minister. A tough Teutonic man who spoke no English, his impact upon the American Commissariate would be strong.¹³⁷ His tenure also saw the further apostolic consolidation of the American friars, as well as gradual expansion, especially in the Midwest.

A. Further foundations in central New York State and the Midwest

Chronologically speaking, the friars consolidated their position in central New York State first by accepting in 1867 the care of a newly forming German parish in the western part of the see city of Albany, which came to be called Our Lady of the Angels.¹³⁸ The German mother parish of Holy Cross had proved too small, and immigration was expanding to other areas of the city, despite growing nativist opposition. The parish was organized by Francis Neubauer, who began in the usual way of gradual construction of a first church, school, second church, friary, sisters' convent, etc. By 1869 the parish school already had some 300 students, indicative of rapid parish growth.¹³⁹

More expansion in this period, however, took place in the Midwest, where Dehm felt there was a more favorable environment. Expansion took place almost immediately from the friars' establishment at St. Peter's, Louisville, Kentucky.¹⁴⁰ Care was accepted perpetually for a new German congregation in Louisville, St. Anthony, in 1867. By 1869 some four friars were in Louisville, divided, it appears, in two houses,¹⁴¹ with the friars at St. Anthony's also assuming care for St. Anthony's Parish across the river in Jeffersonville, Indiana.

Bishop Clement Smith of Dubuque, Iowa, was in communication with the Conventual Franciscans early in 1865, desirous of either German-speaking or English-speaking priests.¹⁴² Eventually two Irish priests originally affiliated to the Roman Province, Joseph Butler and Patrick Delany, were sent by Dehm. They soon severed communication with the friars, and proceeded with the process of secularization and

incardination.¹⁴³

In addition, Bishop Maurice de St. Palais of Vincennes, Indiana, invited the friars in 1872 to assume care of two small parishes in the city of Terre Haute, Indiana, St. Benedict's and St. Joseph's. They were immediately permitted to erect convents in both places, and a high school/minor seminary in one of them.¹⁴⁴ However, the financial conditions of these small and struggling communities never allowed these plans for Conventual-type establishments to ever take place.¹⁴⁵

While this new expansion was taking place, consolidation was occurring in the older establishments.¹⁴⁶ Assumption, Syracuse, built a new church in this period and acquired land for a parish cemetery. St. Joseph's, Utica, acquired sufficient land for the building of a whole new parish complex. Bonaventure Keller, adapting himself to his task in Louisville, constructed a new church for the congregation at St. Peter's.

B. Commissariate Governance under Fidelis Dehm

"The formative period...would not be complete without a... review...of Father Fidelis Dehm, including his religious philosophy...."¹⁴⁷ As we have seen, Leopold Moczygemba adopted a modified model of mission district in New York State, establishing a central house (Syracuse or Utica) to which resident out-station ministers could return periodically for religious reinvigoration. Dehm viewed this model as less than useless, preferring instead well-established convents and ordered discipline, even if that meant that some scattered German immigrants be neglected. He was even willing to bargain away several outstations in the Albany Diocese for an established convent in the see city. In Dehm's view the foundation in New York State was weak in community life. Dehm had hopes that the Midwest, between Louisville, Jeffersonville, and Terre Haute, would be more amenable to his vision of religious life and ministry. He wanted all foundations to be as tightly controlled as Syracuse, where he functioned as General Commissary, Pastor, and Guardian.¹⁴⁸ A centralized, localized ministry under tight control seemed to be the ideal that Dehm propagated.

This centralized, localized community dynamic of Dehm's (as opposed to a more apostolically-oriented, though still community-based dynamic espoused by Moczygemba) ran into the same difficulty as did Moczygemba: quality and quantity of personnel. Dehm's correspondence lists a whole series of defections from the community: the secularization of Clement Mutsaers; the flight of Bernard Teutenberg; the assignment of Leopold Moczygemba as Papal Confessor at St. Peter's in Rome; the incardination of Edmund De Pauw into the diocese of Ogdensburg; the obstinacy of Joseph Bruenemann in Brooklyn and Franz Rombouts in Cincinnati; the incardination of Joseph Butler and Patrick Delany to the Diocese of

Vincennes; the vagabond status of Franz Gerber. All of this Dehm blames on defective initial formation and the inability of these friars to live the common life as promulgated by Dehm. Since he inherited the situation of poorly formed friars and lax communities, their departures reflect only on them, and not on him. In other words, now that things are in shape, the Commissariate can flourish.¹⁴⁹

In order for things to remain in shape in the future, Dehm took great care in initial formation. He allowed the formation program at Syracuse to lapse, and transferred the students to Europe. He did not trust the Flemish friary at Urmond for formation, insisting that his students go to Wurzburg. He was particularly interested in the progress of John Kroeger (the first native-born Conventual Franciscan vocation), grooming him for greater things by progressing his formation from Innsbruck to Wurzburg to the Pontifical Faculty in Rome, constantly checking on his "religious vocation" (*Ordensberuf*). He promised to accept only brothers that are of a mature age, and friars in America who are good religious. He also instructed that any novices who might be accepted in Germany for the American mission make their formation in the German-speaking novitiate at Cherso in the Adriatic, whose program he trusted.¹⁵⁰

Moreover, it seems as if the only things that Dehm could trust were Germanic in origin. Urmond in Holland did not qualify, and nor did the various Italian friars who volunteered to serve in America, who in Dehm's view were practically useless. Neither of course could the Anglo-Irish clergy of the eastern United States be trusted, since they did not have the care of the German immigrants foremost in their minds. The Flemish and Irish priests were untrustworthy as well, since they all defect or refuse to live in German community. All in all, Dehm exhibits an extreme Germanophilic tendency, to the exclusion of all else in pluralistic America.¹⁵¹

Dehm's germanocentric outlook was coupled with a sharply negative view of people and personalities.¹⁵² Norbert Stoller, a recent arrival from Germany, did not inspire him with full confidence, and Anthony Mueller could not be depended upon. Dehm exhibited a continuing distrust of John Kroeger, notwithstanding his hopes for him, while Dehm derided Leopold Moczygamba for going to Rome and living in community after living as a free-lancer in America. Cruelly, Dehm noted that Bruenemann's house in Far Rockaway, New York, burnt down, and that it was nicer than the church. Dehm also refused to pay the funeral expenses of Franz Rombouts in Cincinnati, Ohio, since he never worked under Dehm's jurisdiction. Sometimes his nastiness is quite petty: Constantine Gallus was too homesick, Avellino Szabo was too grumpy, and Bernard Teutenberg yelled while preaching! All in all, Dehm does not appear to be a gentle and kind pastor and guardian of his flock.

The tenure of Fidelis Dehm could not have been an easy one for the friars. His highly authoritarian stance,¹⁵³ coupled with a certain disagreeable nastiness, could not have made his time as General

Commissary a happy one. Since he also insisted upon closed, controlled conventual life, and seemed prejudicial towards all things Germanic, it is little wonder that when word came of the erection of an American Province in 1872, Dehm was passed over as first Provincial Minister.¹⁵⁴

C. The creation of a religious province, 1872¹⁵⁵

The unhappiness of the friars with Dehm's governance was communicated to Apostolic Visitor Antonio Grasselli in his visitation of the American friars, beginning in August, 1871, and in preparation for the canonical erection of the American General Commissariate into the regular Province of the Immaculate Conception. When Chapter convened in February, 1872, Grasselli was forced to defend Dehm, admitting his defects and noting the friars' complaints, but also reminding them of "his indefatigable zeal, his love for promoting religious discipline, his earnestness (which certainly no one could label as inopportune) in eradicating abuses, his skill in the administration of economic affairs, and his ardor in promoting piety...."¹⁵⁶ Evidently those qualities were not admired by the chapter vocales, because election as first Minister Provincial passed to another. In the first ballot, Leopold Moczygemba received one vote, Fidelis Dehm three votes, and Bonaventure Keller was elected first Provincial Minister with eighteen votes.¹⁵⁷

The petition to elevate the American General Commissariate to a regular religious Province noted that the authority of a General Commissary was too limited, given the great distance involved both between America and Rome as well as within the American jurisdiction.¹⁵⁸ The Chapter, however, only gave Provincial Minister Bonaventure Keller faculties to set a monthly allowance, but reserved all other faculties to the Provincial Definitory. Nominated as Perpetual Definitors were two Italian friars, Pietro Jacchetti and Giuseppe Lesen.¹⁵⁹

Both Jacchetti and Lesen had been recruited by Ludovico Marangoni to go to America to serve as seminary professors and formation personnel. The tone of their correspondence with Marangoni indicates both his trust in them, and their willingness to serve as his eyes and ears in the American mission: "keep me informed about the state of our convents".¹⁶⁰ Whatever lingering doubts about Keller would now be circumvented by surrounding him with Jacchetti and Lesen, and particularly Giuseppe Lesen, who would assume a very visible role in the Keller administration as Province Secretary.

VII. The Keller and Lesen Years: 1872-1889

With the erection of Immaculate Conception Province of North America in 1872, the Conventual Franciscans began more regularly to resemble the older European foundations in many respects. The governing apparatus of provincial and intermediate chapters, *definitoria parva et plena*, decrees and

regulations, honoraria and nominations, began to take form. The apostolic life, though, was markedly different from the European model, which impacted considerably on the style of religious living. The Provincial Ministers in this period, Bonaventure Keller (1872-77) and Giuseppe Lesen (1877-1889, first as General Commissary and then as Provincial Minister, following a brief four-month interregnum of Fidelis Dehm as General Commissary in 1877), guided the nascent province in these transitions.

A. The provincialate of Bonaventure Keller, 1872-1877

In a circular letter issued soon after his election, Keller articulated the particular tensions and foci that he saw as pertinent to these transition years.¹⁶¹ First and foremost was fraternal strife and discord, which could arise from "diversity of nationality or education, a keen adherence to factions, a tendency to exalt self, or any other perverse motivation." Secondly, although the friars "are involved in many activities, the first and the greatest activity is personal sanctification by means of religious observance." Thirdly, disagreements are to be expected with the secular clergy, but these must be resolved as gently and as amicably as possible, since "the times in which we live are truly evil and the Church everywhere is pressured by adversity." Keller felt that the friars certainly did not need to add to that spirit of adversity by sheer contentiousness.

The contentiousness that was evident in the world and between religious and secular clergy was mirrored in the contentiousness within religious life, and it was felt that strong discipline and strict obedience were the correctives.

Peace flourishes where order reigns. Peace grows where authority is firmly and gently exercised. Peace triumphs, where the principle of authority is revered as coming almost from God. [This occurs] not in fear, but in the conscience of every subject.¹⁶²

That peace would be shattered by events and personalities emanating from the new foundation in Terre Haute, Indiana, which had recently received an indult to serve as a second regular novitiate, provided there were regular observance, a large enough number of professed friars, and a suitable master.¹⁶³ That peace broke in the person of an old nemesis, Leopold Moczygamba, who, decrying a growing German nationalism in the American Province, took the opportunity of several disagreements with Keller to request the erection of the Midwestern Commissariate.¹⁶⁴ This request was denied, "because the religious houses in the West are small and poor, and the religious anything but mature enough to govern themselves."¹⁶⁵

Soon after this outbreak, a group of friars formally brought charges against Keller. Much of Bonaventure Keller's defense was handled by the Provincial Secretary, Giuseppe Lesen. In Lesen's written defense, he noted that Keller was practically bedridden, and that the accusations caused him further grief.

Keller himself never took actions in his own defense, and in fact the only archival record of Keller's second term is a series of correspondence from Lesen. It is unclear as to whether Keller's health ever fully rebounded, and he died in Utica on April 5, 1877.¹⁶⁶

B. The governance of Giuseppe Lesen: 1877-1889

The hallmark of the period of governance of Giuseppe Lesen was undoubtedly a period of administrative consolidation and the real establishment of a governing authority in the young religious province. In administrative terms particularly, "the name and work of Father Joseph Lesen emerges so often that it seems more than appropriate to single him out as the friar who dominated the history of the province from 1877-1889."¹⁶⁷ The stamp of his personality and administrative acumen marked indelibly the character of the young province.

The tone of the governance of these years is well caught in a circular letter written by Lesen on September 8, 1881,¹⁶⁸ after his canonical election as Provincial Minister. There he stated, "Certainly nothing else stood out more in the Provincial Chapter than the intention (albeit incomplete) of the consolidation and growth of this Province in regular observance." Contrasting the state of American affairs with the anticlerical and secular stance increasingly prevalent in Europe, he held that "all our enthusiasm among ourselves ought to be principally directed, so that we might be living members of a live body, expressed through faithful and constant guard of our laws. This is our greatest task, and we owe it to God, to ourselves, to the Order, and to society." Regular observance, then, meant faithful adherence to the law and to the authority that promulgates it.

This religious observance ought to be as well the touchstone of all ministry, for without it ministry becomes work that is not spiritual. Lesen commented that frequently religious obligations were viewed by the friars as impediments to ministry, as things that detract from work, which then becomes the principal road to sanctity. Instead, "Let's get rid of false excuses: our own holiness consists in nothing else but faithful and constant observance of those things we have assumed in profession,...so that we might lead a life formed exactly on the Rule and Constitutions." It is to these ends that visitation and all the work of the Provincial Minister will be directed.¹⁶⁹

Lesen set the American Province on firm administrative footing; in fact, he spearheaded virtually all the administrative adaptations necessary for the Conventual Franciscans to flourish in America. His adaptability and recognition of changed situations comes to the fore in a request to transfer the canonical novitiate from Terre Haute, Indiana, to Trenton, New Jersey. The Trenton site would not be the ordinary site, unless the situation changed. "I say 'unless the situation changes,' because it can easily happen that

Trenton be used as the ordinary place of novitiate instead of Syracuse. Things in America are not as stable as they are elsewhere."¹⁷⁰ That lack of stability was found first and foremost in personnel.

1. The securing of stable personnel

The commitment of many of the friars living in the new American Province was tenuous at best. Already in 1864, Leopold Moczygamba had noted the difficulty of planning and developing the American adventure with friars who could easily "check out" of it.

Many times when the European friars do not get their way, they quickly threaten the Superior that they will return to Europe or abandon the habit. In this way they impede the good work that is to be done.¹⁷¹

Very little could be done, however, as long as the American foundation had the indeterminate status of a General Commissariate.

At the first Chapter of the newly erected province, *Praeses* Antonio Grasselli made it a point to underline the fact that all friars in America -- simple priests or *Magistri Ordinis*, native American vocations or European non-natives -- all had both active and passive voice in the new American province.¹⁷² Prior to what would have been the second Provincial Chapter in 1878 (the triennium of 1875 was nominated directly from Rome, much to the friars' consternation), Provincial Secretary Giuseppe Lesen was writing to Rome, "No decree regarding active and passive voice was ever sent to America, and I am positively sure that it was never requested from any Sacred Congregation".¹⁷³ He was more insistent after the death in office of then-Provincial Minister Bonaventure Keller:

I come back to begging you, Fr. Procurator General, that you insist that the Vicar General definitively nominate someone as Commissary. At the same time speed up the obtaining of the decree for active and passive voice, and thereby establish the time of election for the new Provincial. I would love to see this Province put back on the regular course. In any case I can assure you that, God be thanked, we have quiet everywhere.¹⁷⁴

The decree was obtained, but only for three years; in June, 1880, Lesen was writing once again for the rescript, which was granted.¹⁷⁵ The momentum was building for what Lesen really desired, the full explanation of which came in 1883.

Fr. General requested the *Sacra Congregatio de Disciplina Regularium* that the friars stationed in America but belonging to European Provinces have the right of active and passive voice in all the acts and Chapters of the American Province. The Sacred Congregation responded on July 10, 1878, "yes", *ad triennium*....

The rescript gives rise to doubts. Do the words *ad triennium* refer to the friars themselves, in such a way that with the expiration of the triennium, they would no longer enjoy rights to active and passive voice in this

Province? Or...does the Sacred Congregation intend that these foreign friars are aggregated to this Province in so far as active and passive voice entails, enjoying this right in themselves even after the triennium?

If the rescript is understood in the first sense, I think it just to obtain another rescript *in perpetuum* to those friars presently residing in this Province, that they have active and passive voice in Chapters and acts of this Province because:

1) these friars are still necessary for the good and the government of the Province;

2) to these friars the Province is indebted for its very existence, its present government, and the native friars for all that they might have;

3) it seems incongruous that those friars who have spent the best years of their lives for the foundation and the governance of the Province, and who will most probably remain and work for this Province until death, should now be excused from its governance, because of a law promulgated for Provinces of the Order existing in completely different conditions.¹⁷⁶

This was granted, together with a *sanatio* to resolve any lingering doubts about the validity of the 1880 rescripts.¹⁷⁷

With non-native friars tied juridically to the American system, Lesen then proceeded to cut the economic ties that bound friars to European provinces. When Friar Benvenute Stengele, a student who entered the community in Syracuse, requested to transfiliate to the German Province and return there, American Provincial Minister Giuseppe Lesen asked a financial reimbursement for the cost of education. German Provincial Minister Franz Ehrenburg heatedly replied that if Lesen persisted, the Germans would press claims for financial restitution after Bonaventure Keller's death, as well as monies due them for the service of so many friars in America over the years: Bonaventure Keller, Fidelis Dehm, Alphonse Zoeller, Francis Rodenberg, Francis Neubauer, Norbert Stoller, Clement Luitz, Pius Kotterer, Bernard Ettensperger, and Alexis Rossbauer. If the monies did not come, Ehrenburg would consider these friars incorporated into the American Province.¹⁷⁸

In a triangulated correspondence between the American Curia in Syracuse, the German Curia in Wurzburg, and the General Curia in Rome, the matter was unhappily resolved (in German eyes) by Lesen paying a fraction to Germany. The rest was supposedly to come from a recalcitrant German-American friar, Pius Kotterer, who returned to Germany supposedly embezzling large sums of money from American coffers.¹⁷⁹ There the matter rested, but reciprocal economic ties with Germany were now broken. Since the Italian Provinces had been suppressed, any friars affiliated to Italian jurisdictions were freed already: the American Province had thereby broken all ties to mother provinces. The ties that bind were solidified in 1891, when it was decreed that "the same suffrages are due to those non-native friars who faithfully worked

in this Province as the Urban Constitutions prescribe for native friars".¹⁸⁰

2. Affiliations

A further difficulty that needed to be resolved was the issue of affiliation. In the European context, affiliation was the aggregating of individual friars to individual friaries. It was based upon the ability of the endowments of the individual friaries to support a certain prescribed number of friars. In turn, the friar owed regular financial duties to his affiliated house, and at his death all his goods reverted to his friary. Intricately tied to the form of life known as the *vita particularis*, it safeguarded the economic interests of a friary from overpopulation and financial ruin.

It was, however, based upon the system of endowments, and here the system had already run into difficulties in the American context, which had no endowed friaries. The very first official act of the friary chapter of Syracuse was to affiliate three friars at the behest of Commissary General Leopold Moczygemba; those three friars in turn affiliated Moczygemba, and the rationale for all these transactions was the financial situation of the parish.¹⁸¹ The same rationale was operative when Moczygemba nominated Bonaventure Keller as an honorary affiliate of the friary in Philadelphia.¹⁸² Moczygemba realized that he was flying blind in the process of American affiliations. He requested guidance from the General Minister, who replied, "If I don't have before me the economic state of the convent, I can't give you precise instructions on how to conduct aggregations and regulate affiliations".¹⁸³ The problem was, Moczygemba could not give the economic state of the convents, because they fluctuated with the changing tide of the attached parishes.

The novel status of American friaries in regards to endowed rents was alluded to in a codicil to the document erecting the province in 1872. In the erection process, it was specifically requested to be able to affiliate friars to friaries where they were not in residence,¹⁸⁴ a concession that tacitly acknowledged that the American situation was not settled nor endowed. This would allow, for example, a student to be affiliated to Albany, but prepare himself for ordination at Trenton, and vice versa.¹⁸⁵

The fictitious nature of American affiliations was challenged diplomatically by Commissary General Giuseppe Lesen. In 1879 he wrote a long explanation to the General Curia:

We explained to the Vicar General when he was in America the serious difficulties that exist in this province in order to follow the laws of the Urban Constitutions regarding affiliations. We proposed to him to obtain from the Holy See a decree to abolish affiliations to friaries in this province; to establish affiliations to the province like those generally used in Orders that do not possess goods; and to grant to the Provincial Chapter or Congregation, and outside the Provincial Chapter or Congregation to the Provincial with his definitory, the right to affiliate to the province. He saw the reasonableness of the request, and requested in writing the reasons for changing a law that seems so fundamental. Fr. Master Jachetti wrote

his observations on the subject....¹⁸⁶

Jachetti's treatise went as follows:

In Italy religious are affiliated to friaries because the friaries have stable and secure finances, and it is thus known the number of religious that each friary can support. In America it is very different: one can guess the number of friars the province can support, but not each house.

1) In America houses are missions, and revenues are either fixed or occasional. Even the fixed revenues, however, are uncertain. These consist of the salary of the pastor and the assistants, which can be changed by the Bishop each time he sees fit to do so in his diocese. It changes also by the people, who might not be able to, or want to, bear the expenses of the Church, in which case there is no source from which to extract the assigned salaries.

2) The other revenue comes from stole fees, gifts, collections, etc., and is even less certain. First of all, the Bishop can and sometimes must divide a congregation—here the real pastor is only the Bishop. Secondly, there are frequently disagreements in a congregation, between people themselves and between people and priests. In such a case the dissatisfied party does not give, or is not as generous. (In our experience in times of discord the collections are truly meager.) Third, this is a people on the move. When there is no work in one place, they emigrate to others, where new establishments spring up. In fact, many once-flourishing congregations are now in decline, while other once poor ones are now prosperous, and some have become cathedrals.

3) The system adopted by the American episcopate is to no longer grant religious the deed of property of the congregation—its church, house, and school. Legally the owners are the bishops, and in a disagreement the law would side with the bishops against anyone. In this position clearly the friars, who depend upon the bishop and the people, run the risk of being replaced. Furthermore, once they are unable to work they can earn nothing, and they have to be removed and replaced by others able to work.

4) Independent friaries can be erected with due permissions, if the religious buy land and form a civil corporation. Our friary in Trenton is like this, totally the property of the Order. It would be desirable to have more than one like this, to educate our youth and house our friars unable to work. But even these friaries cannot have affiliations, because their existence is dependent upon superfluous revenue of other houses, from offerings, from missions, or from the assistance the friars give to churches and the faithful. All of this is uncertain.

5) That which applies to each friary, the uncertainty of revenue, cannot be said to the totality of houses and friaries. Everyday experience shows that when difficulties occur in one place, favorable circumstances occur in another. If work is bad in one place, it remains good in another. In this way the province is sure to have the necessary means for the needs of the young

and the sick, even if it cannot have them always from the same thing.

6) Is this not the system of the Catholic Church in this country? All secular priests are ordained to the mission.¹⁸⁷

Lesen picked up on this last point of Jachetti's.

Our law of affiliating to friaries seems to be analogous to the law of not ordaining any secular cleric without benefice. The American episcopate, which has no benefices, has obtained for all dioceses of the United States the faculty of ordaining *titulo missionis*, each bishop ordaining the number of priests that he judges expedient for the needs of the diocese.

Our Province is precisely in the same boat as American dioceses, which are real dioceses, canonically erected, which nonetheless do not have any parishes, but only congregations of faithful, administered not by pastors but by missionaries. This is due to the lack of benefices in a canonical sense. Our Province does not possess immovable goods, except for three houses. Our maintenance, like that of secular priests, comes from voluntary offerings of the faithful for the upkeep of church and its ministers. It is difficult to canonically and fixedly determine how many friars can be maintained in a friary. The number of friars stationed in a particular place depends principally on the actual circumstances and other changing causes. The most natural, easiest, and most reasonable thing to do is imitate the American dioceses, abolishing in this province the affiliations to friaries, even those already in place.¹⁸⁸

Lesen expected this decree to come imminently, and wrote that coming professions in Trenton could take place as if the friars were affiliated directly to the province.¹⁸⁹ The concession never seems to have been granted, since in 1890 General Minister Lorenzo Caratelli was writing that the American system of affiliation was completely invalid, and a *sanatio* was necessary for all prior professions.¹⁹⁰ The entire system of affiliations was dropped by the Order at its General Chapter of 1891, promulgated in 1894.¹⁹¹ The American Province had pressed for this change due to its own financial exigencies, although the Order did so as part of its spiritual rejuvenation based upon the elimination of the concept of the *vita particularis*, intimately joined to the system of convent affiliations. The affiliation system never seems to have been rooted in the United States: the only provincial capitular response to the General decree was to stipulate that the goods belonging to a friar still professing the *vita particularis* was to accrue to the Province, and not to the individual friary or church.¹⁹²

3. Relationships with bishops and expansion

In addition to straightening up administrative irregularities in the internal life of the friars, Giuseppe Lesen was also involved in a number of disputes with local bishops concerning the relationships of the friars *viz a viz* local dioceses. Long, turgid, drawn-out instances of disputes between priests and bishops, and

religious and Bishops, are characteristic of the 1870's and 1880's. Lesen was involved in more than his share of them. The continuing pressure of all these disputes led to some of the administrative reforms of the Third Plenary Council of Baltimore in 1884.

While friction existed between the Conventual Franciscans and various dioceses during Lesen's tenure, great expansion took place in the Diocese of Newark, New Jersey. The first toehold of the friars occurred in the Philadelphia years, when Philadelphia priests ministered across the river in southern New Jersey; among these was Anthony Mueller at St. Francis, Trenton, New Jersey.¹⁹³ St. Francis was served for a time by Francis Gerber,¹⁹⁴ an exlaustrated Conventual Franciscan received back into the Order for a time by Leopold Moczygamba. He was succeeded by Pietro Jachetti, companion to Giuseppe Lesen, when the parish was formally ceded to the friars in 1870.¹⁹⁵ The parish remained in the hands of the friars until it was exchanged for the Parish of Sts. Peter and Paul in Camden, New Jersey, in 1883.¹⁹⁶

"The name that stands out for almost feverish activity in... New Jersey is that of Father Peter Jachetti, the missionary par excellence."¹⁹⁷ That activity began when Jachetti resigned as pastor of St. Francis, Trenton, in 1874, to organize a German parish in the Chambersburg area of Trenton, to be called Immaculate Conception--Our Lady of Lourdes. A complex consisting of a church, school, convent, and friary were soon built; the friary served as a studium for seminary preparation and a sometime novitiate. This foundation was the only one owned whole and entire by the Order.¹⁹⁸ From here, the friars rode circuit to isolated Catholics within a radius of fifty miles, and to Jachetti and the friars is attributed the foundation of about a dozen parishes.¹⁹⁹ Among these is the resort parish of St. Peter in Point Pleasant Beach, originally founded as a rest and vacation home for the friars (following a mandate of the 1880 Provincial Chapter), which grew slowly into a seasonal parish.²⁰⁰

While several foundations were in the process of formation in south Jersey, the Conventual Franciscans also assumed *cura* in the northern part of the state, in the city of Hoboken. Hoboken was consistently inundated with succeeding waves of immigration, due to its proximity to Ellis Island, the gateway of European immigration to America. Consequently, the first Conventual foundation, St. Joseph's, begun in 1874, though designed as a German parish, actually served succeeding waves of immigrants as a territorial parish, being formally declared as such in 1889. It generated a Conventual Franciscan Italian parish, St. Anthony, with the increase in Italian immigration in the 1880's.²⁰¹

VIII. The Neubauer and Fudzinski Years: 1889-1899

A. The administration of Francis Neubauer, 1889-1895

The Provincial Chapter of 1889 elected as Provincial Minister Francis Neubauer. The new Provincial Minister was born in Bavaria in 1837, emigrated to America in 1859, entered the Conventual Franciscans, and was ordained in 1863. He served as Pastor during his entire priestly life, first at Our Lady of the Angels in Albany, New York, and then in Sts. Peter and Paul in Camden, New Jersey. A somewhat retiring and unimaginative man, he seems to have not relished his position as Provincial Minister, but went about his duty in a quiet and simple manner.²⁰²

The unimaginative tone was set in his opening circular letter of 1889.²⁰³ After reminding that legislation is the key to religious life and after a brief excursus of the religious vows, Neubauer simply repeats all the Statutes and Decrees that had been promulgated since the Province's erection. He concludes with a brief exhortation to work hard, work in an ordered manner, and remember each other in prayer.

Continued expansion in Neubauer's term of office took place in Trenton. Expansion, however, was somewhat more complicated than in the past. By the mid-1880-s Polish immigration had begun to settle in the German areas of Trenton, and Pietro Jachetti drew on his Polish connections of the past, namely Leopold Moczygemba, to help organize a Polish parish. Moczygemba began by buying land for the new congregation as site for a future church. Moczygemba expected reimbursement from Jachetti, Jachetti claimed Moczygemba had donated the land, while the diocese viewed the land as a purchase of the friary. The title never seems to have been really clear, but in any case on these lots grew St. Stanislaus Church.²⁰⁴ Jachetti explained his part in this by blaming factional elements among the Polish immigrants.²⁰⁵

Polish immigration in this period, particularly from Polish lands under German or Austrian control, seemed to gravitate to the German-speaking parishes staffed by the friars.²⁰⁶ This necessitated Polish-speaking friars for ministry, and throughout late 1890 and early 1891 the General Minister was involved in procuring Polish friars for the American Province, delegating Hyacinth Fudzinski (then Rector of the Confessors in St. Peter's Basilica) to recruit Poles for America, with the proviso that they be first somewhat Germanized.²⁰⁷

Neubauer was reelected as Provincial Minister in 1892. His second term was spent primarily adapting to the reform elements promulgated in the General Chapter of 1891.²⁰⁸ His work in that regard will be treated below.

B. The Provincial Chapter of 1895

By 1895, it was obvious that Neubauer would not be reelected Provincial Minister, due to opposition in Rome. The Minister General expressed his critique of the Neubauer years: "I am disappointed in the negative criticism and the position of this provincialate, due to either the poor health or ill-will of

some of the friars and the recent change of heart of the bishops."²⁰⁹ Rumors were circulating that after a six-year hiatus (spent as Novice Master in Syracuse, New York, and from 1891 Guardian of the Generalate in Rome), the General Minister was backing Giuseppe Lesen as Provincial Minister. Supposedly this was confirmed by Lesen's appointment as *Praeses* of the Chapter.²¹⁰

In an attempt to stop Lesen's triumphal return, Francis Neubauer subtly put forward the name of another esteemed European confrere. In discussing the physical arrangements for the upcoming chapter, Neubauer wrote,

It will neither do to send P. Hyacinth outside. Location and circumstances will altogether be the best dictator to you in proper arrangement....

Though I am not anxious for re-election and notwithstanding my begging to be let free from the burden of office, yet a priori I am not deprived of dispensation and hence eligible. Take also P. Hyacinth as eligible together with the other *Definitores perpetui* and the *Doctors S. Theologiae* and there will be a very nice contingent to unite on such a man who will ably ware [sic] our interests for the future. There is absolutely no need to go outside for a candidate and I only hope that there will be no German and particularly no native frater, who will consider his own interests higher than the common good. I have been represented to the General as an Italian and Rome hater; certainly this act of charity was not bestowed upon me by a German! P. Lesen in his statement to me says that he has faculties to confirm any man who receives a majority and whom he considers fit.²¹¹

When the Chapter convened, the first ballot showed a close race between Hyacinth Fudzinski and Giuseppe Lesen. When Lesen withdrew himself, the second ballot gave Fudzinski fifteen votes out of twenty-one, and Hyacinth Fudzinski was elected fourth Provincial Minister of the Immaculate Conception Province.

Much speculation has been made on Fudzinski's election as Provincial Minister.²¹² He had been in Europe since 1874, educated first at Louvain, and then serving as Papal Confessor first at the Loreto Basilica and then at St. Peter's Basilica in Rome, where he earned several advanced degrees. Beside his obvious linguistic and academic talents, the pool of possible candidates was limited, due to the absence of a dispensation for the requirement of *Magisterium*. As a Polish German, he could handle the growing tensions between those two groups. Finally, he seemed a non-factional candidate around whom the entire Province could unite, particularly to prevent the triumphal return of Giuseppe Lesen.

There also may have been economic incentive in selecting Fudzinski. In nominating Lesen as *Praeses*, the General Minister charged him to procure from the American Province a commitment to endow two or three students for the new International College that was being formed in Rome. Prior to the Chapter, Hyacinth Fudzinski, from his own pocket, had already donated two endowments. The Chapter evaded the question of its own endowments, but later voted to add a third one, adding to the two given by Fudzinski

which they considered Province gifts.²¹³

C. The administration of Hyacinth Fudzinski: 1895-1899

Fudzinski arrived in North America together with a reforming and revitalizing wind that began blowing in the General Chapter of 1891. In addition to expanding houses of formation throughout Italy to try to ensure candidates after the various suppressions,²¹⁴ the General Chapter of 1891 decreed that the perfect common life be introduced throughout the Order and that the system of affiliations be abolished, thereby cutting to the heart of the internal life of the community.²¹⁵ Much of Fudzinski's administration would be spent implementing those decrees.

In addition to the introduction of the common life, Fudzinski began an expansion of ministerial opportunity, predominately among Polish immigrants. His expansion always was dependent upon the availability of Polish-language clergy. In 1896, Stanislaus Tarnowski arrived from Poland and was placed in Trenton, New Jersey, whose Pastor, Felix Baran (a native American vocation of German-Polish background) went to assume care of St. Adalbert's in Newtown (today Elmhurst), New York. The Bishop of Brooklyn, New York, would not entrust *cura animarum* to a foreign-born priest, and was so happy with the American-born Baran's administration that care of the parish was decreed perpetually in 1898.²¹⁶ That same year, Stanislaus Czelusniak (who had gone from America to work in the missions of Moldavia, probably unhappy with the absence of the common life in Trenton) was summoned back and sent to Buffalo, New York, whose Bishop was creating the new parish of Corpus Christi and entrusting it with full rights to the friars.²¹⁷

Fudzinski involved himself to a significant degree in the parochial expansion of the friars. Some of the flavor of his work is seen in a report to the General Minister on his ministry in New England.

I wanted to cultivate the favorable wind that was blowing for us in the Diocese of Springfield [Massachusetts].

For two years I have laid the groundwork with the intention of obtaining a parish for the Order with canonical rights to erect and have a friary.

After Easter I spent seventeen days in the D.[iocese] of Springfield working for my compatriots. It is a work that wears one down and stretches one out, since it starts at 4:30 in the morning and finishes at midnight. Without asking for money I received almost \$400 from the good Poles for the work. Finishing up in Massachusetts, the Bishop caught up with me and we came to the decision that he will give us an already established Polish parish, with the rights for a friary, under the condition that we care for the Poles who are scattered in seven or eight other places in the Diocese. It has a church, a comfortable house, and a school, with a debt of only \$13000. Within days the proposal will come before the diocesan consultors, and I'm sure of a favorable response. The Bishop and the priests are anxious to get rid of three or four Polish priests, who

confuse and disrupt the poor Poles, to the point that with much work I was able to impede the foundation of two heretical, so-called independent, churches. In Springfield, as in all of New England, the clergy are not favorable to the friars. If they want us, it is only that their need forces their hand.²¹⁸

This labor resulted in the care of St. Joseph Parish in Webster, Massachusetts, which in 1901 was exchanged for the care of St. Stanislaus Parish in Chicopee, Massachusetts.²¹⁹

In his zeal to further implement the reform decrees of the 1891 General Chapter, as well as his zeal for pastoral care of his co-nationals, Fudzinski left many loose ends as well as tangled knots. Fudzinski was aware of some of his administrative sloppiness: "I do not want the present chaos of my affairs to delay the Provincial Chapter, which is due to be celebrated next October," he wrote to Rome. Yet some friars were willing to overlook the details, in view of his other gifts. Custos Custodum Michael McEvoy (dispensed from attending General Chapter due to pressing parochial matters) made a special point of lauding Fudzinski's expansion of apostolic zeal and the administrative acumen he showed with episcopal relations. He also praised Fudzinski's knowledge, zeal, piety and prudence, which in McEvoy's view had increased the respect of the local bishops towards all the friars.²²⁰

Fudzinski came to the Provincial Chapter of 1899 with much riding against him. He had alienated a section of the Province with his insistence on adopting the common life; his zeal for the Polish apostolate was uncomfortable to the highly German Province majority; his attempts to juggle many balls at once left some wondering about his acumen and judgment. When provincial elections came, Fudzinski never garnered more than a few votes, and the Chapter on the fourth ballot elected Louis Miller as Provincial Minister.²²¹

IX. Louis Miller, Provincial Minister of Immaculate Conception Province: 1899-1909

Louis Miller had been among those mentioned as possible Provincial Minister throughout the 1880's and 1890's. He had served as Regent in Trenton, done pastoral work in the West, and served as Neubauer's Provincial Secretary. The documentary evidence does not suggest a strong character, but rather a quiet, behind-the-scenes man who took priestly and religious duties seriously.²²²

A. Administration of Louis Miller

Much of Miller's time was involved in clearing the legal and administrative confusion left in the wake of Hyacinth Fudzinski's apostolic zeal. During his time in office, Miller seemed to grow more deeply aware that parochial labors were making the friars identify themselves less as friars and more as secular

priests. His circular letter of 1902 acknowledges that there is a tremendous amount of pastoral work to be done, and leaves it at that. But by 1906 he is much more pointed, asking whether the friars have spent too much energy building churches, and not enough energy building themselves spiritually. He deplores the laxity that has crept into common prayer being seen as merely something for the young in formation to do, and mandates at least common daily meditation, no matter how small the house. Finally, he cautions those priests who are caught up in purely temporal and financial care of their flocks not to abandon spiritual formation of their young. They are encouraged to dedicate themselves weekly to catechesis, if nothing else than for their own spiritual nourishment.²²³

Little else can be gleaned on Louis Miller: the dynamic person of his term as Provincial Minister continued to be his predecessor Hyacinth Fudzinski. Some of the reticence might be due to ill and declining health. Miller died quietly, while in office, on September 10, 1909.

B. The continued activity of Hyacinth Fudzinski

At the Chapter of 1899, Fudzinski had been nominated as Guardian of the friary in Syracuse, New York, although there is some doubt that he ever actually served in that capacity.²²⁴ Instead, he remained active in the blossoming Polish parish of Corpus Christi in Buffalo, New York, and from there continued his peregrinations in search of Polish communities in difficulty. He mediated in the travails of the parish of St. Stanislaus Kostka in Shamokin, Pennsylvania, in the year 1900. His skill, tact, and diplomacy calmed a turbulent ethnic, financial, and social situation. His labors were rewarded by the decree of perpetual administration of that parish (and its filial, St. Stephen in the same city) by the Bishop of Harrisburg, Pennsylvania, in 1901.²²⁵

Fudzinski's efficacy with struggling Polish communities began to bear greater fruit. The parish of St. Stanislaus, Trenton, New Jersey, which had been withdrawn from the care of the friars after the regularizing of administration in 1896 and given to Polish secular priests, was so riven with contention that its care was returned perpetually to the friars in 1902.²²⁶ The Springfield Diocese was so impressed with the friars, first in Webster, Massachusetts, and then in Chicopee, Massachusetts, that the Polish parish of Mater Dolorosa in Holyoke, Massachusetts, was entrusted perpetually to the friars in 1903.²²⁷ Fudzinski's earlier preaching tours in New England gestated another commitment, when the Archdiocese of Boston, Massachusetts, asked Fudzinski to help found St. Stanislaus Parish in Chelsea, Massachusetts, whose care was also assumed by the friars.²²⁸

Fudzinski's fame rapidly spread in ecclesiastical circles. The leading American churchman, James Cardinal Gibbons, Archbishop of Baltimore, Maryland, contacted Fudzinski in 1905 to help resolve another turbulent situation in St. Stanislaus Kostka Parish in his see city, which was soon granted *in perpetuum* to

the friars.²²⁹ Gibbons recommended the friars to the Bishop of Detroit, Michigan, who in 1906 perpetually granted St. Hedwig Parish to the friars.²³⁰ Gibbons turned to the friars again in 1906 to bail out another struggling parish in his see city, St. Casimir, which was soon granted *in perpetuum* to the friars.²³¹ In that same year, Fudzinski was asked to rescue St. Michael Parish, Bridgeport, Connecticut, from near bankruptcy; the friars remained, and in 1913 were granted perpetual *cura animarum*.²³²

The most spectacular rescue operation mounted by Fudzinski involved St. Josaphat Parish in Milwaukee, Wisconsin.²³³ In 1895 the Polish immigrant parish undertook the task of building a church modeled on St. Peter's Basilica in Rome. By 1906, the debt had risen to \$400,000, and by 1908 to \$700,000, threatening to bankrupt the diocese. Roman curial authorities recommended to Archbishop Sebastian Messmer to find a religious community to assume the debt, and Conventual General Minister Dominic Reuter recommended Fudzinski. Fudzinski rose to the occasion, agreed to assume \$400,000 of the debt in the name of the friars, and received concessions on financial arrangements to work the debt down. By 1914 the debt was liquidated.²³⁴

C. Toward the new Province of St. Anthony

The numerical increase in parochial commitments among the new Polish immigrants caused a corresponding growth in the Immaculate Conception Province. Primarily, a good number of Polish friars emigrated to America, responding to impassioned pleas from Hyacinth Fudzinski for aid.²³⁵ The growth in numbers and commitments caused a request for a growth in American jurisdictions.

The Provincial Chapter of 1899 had already arrived at this point, requesting

Because of the very great difficulty, if not near impossibility, which any Provincial or Superior not knowing the Polish language would encounter in dealing with any of the Polish congregations, as well as to stimulate progress among those fathers already living in the three Polish friaries, the Definitory, almost unanimously (except for one who was neither for nor against), petitions the General Minister that these Polish convents be erected into a General Custody.

Praeses of the Chapter Dominic Reuter attempted to head off any Roman objections in his cover letter.

I beg you to not consider this petition as if it were proposed in a spirit of ill-will against the ex-Provincial Fr. Fudzinski. He was asked and consulted before it was proposed to the Definitory. It is not that the American and Polish fathers do not live in peace and harmony that this separation is requested. Rather, it is believed to be to the advantage of both. Almost all the difficulties between the American bishops and the Poles occur because the bishops do not understand the language and the character of the Poles, and it would be the same among us.

The General Minister, however, replied, "We hold that it would not be good for the new Polish friaries, presently in their state of new foundation, to be separated from the rest of the friaries of the Mother Province."²³⁶

Whether or not the General Minister believed it was good, the friars of the Immaculate Conception Province moved toward separation based on language. The Intermediate Congregation of 1900 "left the fathers of the Polish friaries and houses at the disposition of Fr. Provincial, in order to avoid difficulties," while the Chapter of 1902 erected a separate Polish-language brothers' novitiate in Shamokin.²³⁷ A more sympathetic ear would arrive in Rome with the election of Dominic Reuter.

Reuter, who had been associated with Fudzinski in Europe, was favorable to the separation.²³⁸ When the request was again made by the Intermediate Chapter of 1904, it was granted, and everyone was given six months to decide upon his affiliation. Reuter requested permission from Propaganda, and Propaganda requested information from the Apostolic Delegate in America, Archbishop Diomedeo Falconio. He responded,

In your letter of November 25, 1904, Your Eminence deigned to request information from me, and that I express in some way my opinion concerning the request of the Father General of the Conventuals to form a Commissariate of Polish fathers in these states.

At the present, the Friars Minor Conventual have thirteen Polish priests, and they care for their fellow Poles in the dioceses of Buffalo, Trenton, Springfield, Harrisburg, and Brooklyn. Recently His Eminence Cardinal Gibbons, who was in difficulty with some Poles, invited into his diocese two of these fathers. He told me personally that he was very pleased with them, as pleased as are the other Ordinaries of the places in which they are found.

Your Eminence well knows how serious and difficult the Polish problem is in these states. If the Conventuals, in erecting a separate Commissariate, were to promise to send here other Polish priests and were eventually to establish a novitiate to educate and form young Poles, I would be of the opinion that the request made to the Congregation be viewed favorably. The hope of having capable and trustworthy Polish priests interested with love and zeal in the fate of their fellows seems to me a strong enough reason to grant what they ask. This takes priority over the difficulties that in my opinion could be raised, namely erecting commissariates or provinces of the same religious order, distinguishing them not by territory but by nationality.²³⁹

The request was granted at an audience on February 17, 1905, and Hyacinth Fudzinski was unsurprisingly nominated General Commissary of the Polish American Province of St. Anthony of Padua by General Minister Dominic Reuter.

The difficulties alluded to in Falconio's letter involved the complexities that gave rise to the

formation of a schismatic church, the Polish National Catholic Church.²⁴⁰ In the last third of the nineteenth century, Polish immigrants in Chicago, Buffalo, and Scranton, Pennsylvania, had split with local Catholic ordinaries, eventually banding together and seeking episcopal consecration from the Old Catholic Church in Europe. The underlying causes were a reoccurrence of a Polish brand of American Trusteeism coupled with an aggressive Polish nationalism, which had been denied in the Polish lands due to Russian, Prussian, and Austrian suzerainty after the partitions of Poland. This was complicated by American Bishops who seemed foreign to the Poles, and who frequently were unable to provide adequate clerical service for the hordes of new immigrants.

The situation looked promising for the new Commissariate. Polish friars continued to emigrate to help the needs of the immigrants, immigrant sons began to flock to the community, and the friars with Fudzinski most conspicuously grew in esteem with local bishops. By 1906, a request was made to erect the fledgling Commissariate into a regular Province. Requested information showed a community of nineteen priests and eleven brothers scattered in nine parishes, but most promisingly thirty-six seminarians being prepared in Rome, Cracow, Louvain, and Trenton. Propaganda Fide gave its permission, and the only Chapter of St. Anthony of Padua General Commissariate convened in Buffalo, New York, in September, 1906.²⁴¹

The Praeses of the Chapter, General Minister Dominic Reuter

...made known to the Father Delegates that he had been given the apostolic faculties to be able to nominate at this time, without recourse to the delegates, the first Provincial Minister. As to the person to be elected in the here and now, there was no one else worthier than the ex-Provincial Hyacinth Fudzinski. For many years he had worked strenuously to form this new province, and since the day that the Holy See decreed that all the Polish friaries of the American Province of the Immaculate Conception be gathered to form a separate Province, he had been elected by the General Minister as General Commissary, and had since rightly and prudently governed.

Fudzinski was acclaimed as Provincial Minister by all present. The Chapter then proceeded to form custodies and a definitory, and go on to regular business.²⁴²

Relations between the two Provinces remained cordial. The Novitiate and seminary structure of Immaculate Conception Province served the friars of the new St. Anthony of Padua Province, and Fudzinski himself remained active in the affairs of his mother province.²⁴³ If there was all this cordiality, which was repeatedly expressed in all the communications, why was there the need for a division?

There is some indirect evidence that Fudzinski simply gave up on the idea of multi-national aggregations of friars serving in the New World. At the end of his term as Immaculate Conception

Provincial Minister, Fudzinski formulated a plan with the General Commissary of the Belgian Province, Joseph Vitterhoeve, to establish a French-speaking custody in Canada. Interestingly, it separated friars from a multi-lingual environment (Belgium), placed them into another multi-lingual environment (Canada), but was stipulated as solely French-speaking. After four years of trying to guide a multi-ethnic Province, Fudzinski seemed resigned to religious life in the New World being segregated into national structures.²⁴⁴

Part Two: Financing the American Community

Without giving too much credence to Marxist analysis in which everything has an economic component, it must be admitted that many of the decisions and forms of living adapted by Conventual Franciscans in the United States were economically driven. The passage of the community from sparsely populated Texas to the more densely populated northeast United States was due in no small measure to the insufficiency of resources in Texas to support a growing and penniless community, as opposed to the promise of resources elsewhere. The General Minister himself acknowledged this fact: "It happens to be desirable to found good friaries in large cities, but you must not get sidetracked by money".²⁴⁵ The adaptation from large conventual friaries without *cura animarum* but with a multiplicity of spiritual ministries, to parishes whose whole *raison d'être* was the care of souls, was driven by the economic impossibility of implanting the former in American soil. The internal struggles over filiation and the *vita communis*, as well as the external struggles with Bishops over property rights and size of parishes, were all economic by nature. That we begin this chapter that will attempt to describe a community as both American and Conventual with a discussion on its economic viability, is almost a foregone conclusion.

I. The Important Role of Episcopal Benevolence

In the absence of other sources of Church authority that existed in Europe²⁴⁶—cathedral chapters, diocesan consultors, systems of deaneries, established Church courts—bishops in the United States had a disproportionate amount of ecclesiastical power. "Bishops as a result of their education and observation, held an exaggerated idea of their own importance in the Church.... They tended to be jealous of their authority, unwilling to listen to advice, and paternalistic rather than fatherly."²⁴⁷

Religious institutions, dependent as they were upon a local Bishop's benevolence and intertwined with diocesan *cura animarum*, were bereft of the economic security that undergirded their exempt status. Conventual General Minister Salvatore Cali early on cautioned: "...keep the bishops friendly, and work in accordance with their advice: acting as they wish is always a guarantee for us".²⁴⁸ Cali was probably also the one to draw up the first list of regulations for the Texas mission, which included the admonition, "Our friars are to hold the Bishop of Galveston in reverence, aid him in the care of souls, and grant him anything that is not against the Constitutions".²⁴⁹

Bishops could be capricious in their dealings with the friars. Threats from the episcopate loomed large over the heads of the friars, because with their control of diocesan *cura animarum* they also controlled the ultimate financial viability of the community. If their support was less than enthusiastic, or withdrawn

completely, regular and sufficient sources of income were not existent. For example, the Bishop of Brooklyn was supportive of Bonaventure Keller's ambition to open a German-language preparatory seminary, as long as he would not have to finance it; when it proved economically unfeasible, Keller drifted out of the diocese without any recriminations.²⁵⁰ The friars came to the Diocese of Philadelphia under an agreement with Bishop John Neumann, while Neumann's successor James Wood objected to their economic agreements *viz a viz* parochial rights and properties.²⁵¹ Perhaps the experience of this capriciousness caused the anxiety over the nomination of James Conroy as the second Bishop of Albany in July, 1865.²⁵²

Relations with Conroy were to prove to be rocky, and a cause of great anxiety to the friars. The largest and most developed of the Order's foundations were in the Albany Diocese; threatening those foundations threatened the Order's very viability in the United States. At least one American Conventual saw the seeds of some problems with too many principal foundations in one location, but other options were unavailable.²⁵³

Conroy probably was uncomfortable with the concentration of German-American Conventuals in his diocese; second-hand, Conroy was quoted as saying, "He could not tolerate the formation of a diocese within a diocese".²⁵⁴ He was quickly branded "anti-friar" to Roman authorities.²⁵⁵ Conroy's friar detractors were also not above portraying him in the least favorable light to Propaganda.²⁵⁶

While the friars were convinced that Conroy "will not rest until he kicks out all the Conventuals from the diocese",²⁵⁷ there was very little that he could directly do to the foundations of Syracuse and Utica. His predecessor had clearly granted canonical erections of friaries with full rights and privileges, and perpetual *cura animarum* in attached churches; this title had been legally ratified by the friars in regards to the State of New York.²⁵⁸ He could, and did, however, make life difficult for the friars in other areas.

First of all, in addition to these principal centers, the Order cared for some half-dozen smaller parishes in the Utica/Syracuse area. Some of these at times had resident clergy, depending upon the personnel dispositions of the friars. Others were weekend stations covered from one or another of the two hubs. Economically they provided a boon to the local communities, since they allowed for more salaries from more parochial communities. They had never been formally ceded by the Bishop of Albany to the Order, and James Conroy now threatened to remove the friars from the ones becoming more prosperous and settled.²⁵⁹ A sudden or disruptive cessation of the financial income of the smaller establishments, coupled with the building programs at both parishes, would have come close to bankrupting the American commissariate.²⁶⁰

Secondly, McCloskey had granted *cura animarum* of a new German congregation, Our Lady of the Angels, in his see city of Albany. While Conroy could not revoke that cession, he did put up numerous

obstacles to the canonical erection of a friary attached to the new church. Commissary General Fidelis Dehm stared him down, threatening to not only refuse to live in Albany in those conditions, but also to unilaterally "dump" all the mission stations into the Bishop's lap, an eventuality for which the Bishop had insufficient manpower.²⁶¹ Six years later,

Monsignor John Conroy, Bishop of Albany in the United States of America, after repeated verbal promises finally deigned to issue the decree with which he formally concedes to our Order the parochial church in Albany and permits the erection of the respective friary for the Order, which cost our friars considerable sacrifices.²⁶²

Third, Conroy moved indirectly against the friars by intervening directly against a community of religious sisters attached to them. A community of Franciscan sisters had been separated from the Franciscan Sisters of Philadelphia to come with the friars to central New York State, where they became known as the Franciscan Sisters of Syracuse, or the "Court Street Franciscans" after their Motherhouse's address. By 1869 some 45 sisters operated seven parochial schools and two hospitals in the Syracuse/Utica/Albany area.²⁶³ In canonical matters they were responsible to the Franciscan Commissary General.

On March 3, 1871, Theodore Noethen, Vicar General for Germans of the Diocese of Albany, wrote to Propaganda Fide requesting that the Franciscan sisters' community be made a diocesan congregation. He claimed that the sisters themselves had repeatedly requested this, since the Conventuals terrorized them. The Diocesan Synod had agreed, particularly since General Commissary Fidelis Dehm acted in an arbitrary and authoritarian manner towards the sisters.

In his defense, "the very fine and zealous Commissary General" noted that Albany had no diocesan synod, only two informal councilors of the Bishop. The accusations of arbitrary authoritarianism had to do with Dehm's handling of a morals scandal in Utica. If there were complaints, they should be brought to the next canonical line of authority, the Conventual General Minister. Dehm then accused Conroy of disrespecting canonical authority in trying to inject himself into the matter, and suggested that the motive was to gain control of the religious congregation for his own ends and cripple the Conventuals' parochial establishments.²⁶⁴

In addition to its conflicts with Bishop Conroy of Albany, the friars tangled with a local bishop in the 1870's in the bitter affair of St. Bonaventure's, the Italian national parish in St. Louis, Missouri.²⁶⁵ Conventual Franciscan Giovanni Battista Salvatelli had assumed pastoral care of the Italian immigrants in August, 1871. Financial affairs were precarious, the diocese had sunk money into the parish, Salvatelli himself borrowed against his salary, and the church was repeatedly closed and reopened. The dispute with

diocesan authorities involved three basic points: payment of church debts, title of ownership of church objects, and payment of back salaries.²⁶⁶ These financial difficulties were compounded by some factionalism and anticlericalism among the Italian immigrants, and found voice in another Conventual Franciscan, Nazareno Graziani, who sided with a faction against Salvatelli. The case was finally adjudicated at Propaganda Fide, in a manner highly favorable to the interests and reputation of the Coadjutor Archbishop of St. Louis, Patrick John Ryan, acting in the name of the infirm Archbishop, Peter Kenrick. Then Provincial Minister Giuseppe Lesen in fact went so far as to accuse the two Archbishops of perjury, but would not press the case, simply mentioning to Propaganda that "it would be desirable that this Sacred Congregation investigate not only the equity of the stated facts, but also the duplicity and inaccuracies of these two prelates."²⁶⁷

In 1886 a movement at Provincial Chapter to remove Pietro Jachetti as Guardian of Trenton, New Jersey, was thwarted when Bishop Michael O'Farrell of Trenton wrote to Provincial Minister Giuseppe Lesen, informing him that he was planning on a double course of action: to remove the friars from the mission stations of Riverside and Riverton, and to canonically split Immaculate Conception in Trenton. The former would have alienated two salaries from the friars, the latter significantly damaged the ability of Immaculate Conception Friary to sustain the formation house located there. O'Farrell's real motive came in a separate letter, dated the same day, which requested that the friars keep Jachetti as Guardian of Trenton.²⁶⁸

The threat to divide a parish and thereby diminish its revenues was used by Bishop Francis Chatard of Vincennes in regards to St. Joseph Parish, Terre Haute. Provincial Minister Giuseppe Lesen wrote to Propaganda Fide concerning the negative impact of such a move on St. Joseph Parish. But Lesen's real concern was the economic health of the friars: "it would be a serious wound to the growing western custody of our province."²⁶⁹

The same Bishop Chatard had given permission for the erection of a brothers' novitiate there. However, "It may be well to add, that for the present at least, there is no *cura animarum* given to this new foundation, whatever the interests of religion will require later"²⁷⁰. Francis Neubauer, the first Guardian, noted "Every Sunday and Holy Day of Obligation I had a short address in English, notwithstanding [SIC] how small the attendance".²⁷¹ On 1/XII/1896, Bishop Chatard complained to Propaganda that pastoral activity was going on in Floyd's Knob, since people frequented the place. He demanded that it cease.²⁷²

Neubauer made this detailed reply:

That I preach, to instruct my own;
My chapel door stands open, I call nobody to come and send nobody away
who comes;
The collection basket was stopped and people laid voluntarily their scanty
offerings on the communion rail;

That I gave instructions to some children of the neighboring parishes, but not without informing the respective pastors of these children and not without the declaration, that should they be sufficiently instructed, they would be turned over to them for Communion;

That I heard the Confessions of the Rev. Pastors of the neighborhood, of their domestics, and of others, whenever requested and mean to do so , as long as I enjoy the faculties of the Diocese. Here the matter rested....

Neubauer seemed perfectly within his limited rights, and the Bishop overly capricious and exacting.

Our Provincial joins the following advice to me and consequently to all successors on Mt. St. Francis. In practical way [SIC] we ignore all unjust demands of the Bishop, and continue quietly the management as heretofore, without giving provocation. Should however Rt. Rev. Bishop become again aggressive, then we would be bound to force a formal judgment. Until now I meant not and have not interfered in my neighbors' parochial rights and neither am I willing to relinquish our own rights and privileges.²⁷³

When Bishop William McCloskey of Louisville, Kentucky, balked at the friars' plans to build a larger church in the see city's St. Anthony, Giuseppe Lesen once again appealed to Propaganda Fide. He stated that the parish was growing, and that there truly was a need for a larger church. Tellingly, however, he noted that if the present booming nature of the parish were not capitalized upon in the immediate future, the congregation might diminish. If the congregation continued to diminish, there might never be a large enough congregation to support the foundation of a full friary there.²⁷⁴

II. Property Rights: Bishops vs. Religious

Throughout American Catholic history, the relations between bishops and religious have been frequently strained.²⁷⁵ Most often the issues of jurisdiction and ownership of property had been long-contested and battled in Europe, but they were to take a particular strain in the American Church. In an age when the American Church was rapidly and frantically building an infrastructure to serve its burgeoning immigrant population, and was co-opting religious men and women as a work force to staff its institutions, lack of clarity as to who owned what and what finances accrued to whom were crucial. They were crucial to the episcopacy, for most American dioceses were financially threatened regularly throughout the period.²⁷⁶ They were equally crucial to the religious, who had no other means of support for their formation and care of the elderly.

In the earliest period of Conventual Franciscan settlement in the United States, property rights of religious within a diocese were very vague. At their arrival in the Diocese of Galveston, Bishop Odin granted the friars four parishes "*in perpetuum cum omni jurisdictione parochiali*", with twelve others

*"filialia praedictarum in futurum in parochias proprias erigenda".*²⁷⁷ No mention was made of the title to the land upon which the parish buildings stood, or how they were to be administered.

Moczygemba, at least, assumed that with the cession the property reverted to the Order.

...everything remains in perpetuum with our Order. We in the missions will be greatly joyful knowing that everything that we have remains in the hands of our friars.²⁷⁸

It was also assumed that the friars had the right to whatever collections came to the parishes for the support of the church.²⁷⁹ The one place that property title was clear, however, was in the semi-abandoned mission of San Jose outside San Antonio. The Bishop was willing to grant the parochial rights to the Church, but did not own the surrounding land or the attached convent.²⁸⁰ Moczygemba did scrape up, from Odin, the Texas parishes, and the foreign mission societies, enough funds to buy half the convent building at San Jose, surrounding farmlands, as well as substantial land in the Polish settlement at Panna Maria.²⁸¹

When the friars abandoned the Texas missions in 1859, the parishes reverted back to the administration of Bishop Odin. The land purchases in San Jose and Panna Maria, however, were sold by the Order to finance newer ventures in the Northeast. Under the advice and patronage of Bishop John McCloskey of Albany, the San Jose property was sold, the money going to the friaries' start-up costs in Syracuse and Utica (McCloskey assured the friars this was not detrimental in any way to the rights and privileges of Odin).²⁸² The Panna Maria lands were sold after the Civil War, possibly to finance new church construction in Syracuse.²⁸³ The action of the friars was seen as unjust and unfair in many quarters, not least of which in the curia of the Bishop of Galveston, in whose diocese, from whose people, and in whose name the funds to buy the land were raised.²⁸⁴

The disagreement of the Conventual Franciscans with the Diocese of Philadelphia was based on the same issues of unclear title and finances. The Diocese of Philadelphia was in severe economic crisis due to rapid building expenditures caused by a sudden influx of immigrants, a crisis that occasioned the appointment of James Frederick Wood as Bishop John Neumann's Coadjutor with responsibility for economic administration.²⁸⁵ It was a task for which Wood was eminently suited, since in his youth he had trained as a banker and had high administrative ability.²⁸⁶ Although he was pleased with the day to day administration of the entrusted parish of St. Alphonsus on the part of the friars,²⁸⁷ he was unhappy with the arrangements made by his predecessor in contracting the friars.

The understanding of the Conventual Franciscans is contained in a letter from Leopold Moczygemba to Propaganda Fide, explaining his case.

In the year 1857 Monsignor Neumann, Bishop of Philadelphia in North America came to agreement with Fr. Bonaventure Keller Conventual Franciscan to cede to the Order the church and house under the title of St.

Alphonsus in the city of Philadelphia. A decree to this effect attached to another letter of the Bishop to Fr. Keller was sent on August 31. On a Sunday in February, 1858, the Bishop pontificated in the church and solemnly installed the Order there in the persons of Frs. B. Keller and Joseph Bruenemann. Verbally it was agreed between these fathers and the Bishop that since there were still debts in the church that were not due immediately, the fathers could take from the collection \$800 for their needs, and then handle the rest of the Church expenses. The rest of the Church income would revert to the Bishop to pay the debts on the building of the Church of St. Alphonsus. This has been done yearly. In the meantime the Sacred Congregation of Bishops and Regulars on October 1, 1858, erected in a regular Province the convents of the Order in America, namely the convent of Philadelphia, thereby ratifying the cession made by Monsignor Neumann. On October 15, 1858, the below-signed was nominated Commissary General of the regular province, and always lived in good faith concerning the possession of that convent in Philadelphia. After the death of this Bishop of Philadelphia, his successor Monsignor Wood, ignorant, I would suspect, of the agreement on the payment of debts born by that Church, made known to the undersigned that the cession was invalid. In the decree the debts were not specified and there was no way to distinguish them, and in any case his predecessors had no right to cede to an Order a Church paid in part with moneys lent from him. Surprised by this news, the undersigned has tried to convalidate the cession, adding to the burden of the Church the payment of the remaining debts according to what was agreed with Monsignor Neumann.²⁸⁸

Bishop Wood was indignant, "hoping to make clear that I violated no one's right in this affair, and that while I have learned to keep the Diocese free of the danger of enormous financial loss, I have not forgotten about other people's rights." He trusts in the vindication of his claims against "this secret and unexpected assault by Fr. Provincial Moczygamba."²⁸⁹ In an agreement between Wood and Moczygamba,²⁹⁰ an attempt was made to clarify the distinctions made between temporal administration of a diocesan parish and temporal administration of the religious corporation existing within it. Basically, St. Alphonsus was recognized as diocesan property, with a long-term debt of over \$13000 and a short-term loan of \$5000. All temporal affairs were assumed as the responsibility of the friars, but no major expenses could be undertaken without episcopal approval, and accounts were examined bi-monthly by the bishop. All moveable goods belonged to the parish, and the friars had no rights to any income from the parish faithful other than a stipulated salary. Only when all debts were paid would the parish and property revert fully to the Order. In effect, the diocese would sell the parish to the Order for the amount of the debt. The agreement froze the existing relationship at that point, and reiterated that "any persistent failure to fulfill these conditions will forfeit the right of the Order to the Church present or future, and annul this contract." In short order the friars returned St. Alphonsus into the hands of Bishop Wood.

Seeking to put some order into an inherently disordered situation, the Second Plenary Council of Baltimore in 1866 sought to resolve the issue of religious/parochial property. It stipulated that if a singular religious became a pastor or parochial administrator, the title of ownership remained in the hands of the local ordinary as if the religious priest were a secular priest. But if a religious congregation were canonically founded there, the churches could still be considered parochial and administered by the religious, who named pastors to be accepted by the ordinary. These remained in the hands of the religious unless the Bishop, with Propaganda's consent, decreed otherwise. Any goods accruing to religious from donations made to them for diocesan intentions, or from the Ordinary, or from the faithful, or from a mission society would belong to the diocese although in legal title to the religious; in case of defection or alienation from the diocese, these goods would remain the property of the Ordinary. In cases of mixed ownership, there was provision for a mediator. To avoid conflict, it was stipulated that at the moment of episcopal approval for canonical erection of a religious house,

...an instrument of contract ought to be exacted between the Bishop and the Superior of the same Congregation or Order, or, if it should be necessary, the Superior General, in which there should be contained clearly and without ambiguity everything which respects the foundation, the rights rising from it, and the duties to be done....²⁹¹

While American religious were unhappy with some of the restrictions of this decree,²⁹² at least some of the ambiguity was clarified.

The actions of Bishop John Conroy of Albany concerning both the establishment of Our Lady of Angels Parish in Albany and the disposition of the smaller parochial communities served by the Utica and Syracuse friaries needs to be seen in this light. The foundations had been begun prior to the legislation of the 1866 Second Plenary Council of Baltimore. In light of that legislation, Conroy judged the mission stations to be diocesan property at which religious pastors had been named, but recognized that the Albany parish was a canonically erected religious congregation pertaining to the Conventual Franciscans. As unpalatable as it was to the friars, Conroy was well within his rights: the cleaning up of a previously existing messy situation is never particularly pleasant or easy.

Seemingly, the legislation of Baltimore II would have been enough to regularize situations, but throughout the decades of the '70's and '80's bitter disputes arose between religious and local bishops over disposition of property. In 1880 then Conventual Franciscan Provincial Minister Giuseppe Lesen tangled with Francis Chatard, Bishop of Vincennes, Indiana, concerning pastoral division of the city of Terre Haute.²⁹³ The bottom line issue was once again finances. Earlier, the financial indebtedness of St. Joseph Parish, Terre Haute, was noted regarding nationalistic disagreements. Throughout this period there were intimations of unsavory conduct with clerical candidates, luxurious living, and accusations of

concubinage.²⁹⁴ On the occasion of granting his permission to suppress the canonical novitiate established earlier in Terre Haute, Chatard anticipated complaint by notifying Propaganda that he was about to canonically divide St. Joseph's and create other parishes, thereby decreasing the financial prospects of St. Joseph's. Chatard knew that the friars would be unhappy, but sarcastically noted that it was based on personal gain: "the Reverend Fathers could get something back from the interest on their pocket money."²⁹⁵

Lesen was unhappy, and did complain to Propaganda, stating that a division would doom St. Joseph's to insignificance.²⁹⁶ Propaganda thought that Lesen's concerns were valid, but would not take an official stand: "If what the religious say is true, the request seems reasonable to me, and I recommend it to the goodness of Your Grace for those provisions which you deem most opportune."²⁹⁷ Chatard deemed it most opportune to go on with the division, noting that the friars had failed in all their enterprises: "All the great hopes provoked by the coming of the Friars Minor Conventual came to nothing." In Chatard's view, the years of mismanagement and scandal and poor pastoral work led to this conclusion: "All things considered, Eminence, I am of the opinion that the Friars Minor Conventual would do better elsewhere than in this diocese.... However, I would not want Your Eminence to tell the friars to leave the diocese immediately, but I would want them to do it of their own choice. I do not wish even the appearance of casting aspersions on religious."²⁹⁸

Immediately on the heels of this controversy, however, Chatard withdrew administration of the Terre Haute cemetery from St. Joseph's Parish, and placed it under the administration of a committee of all city churches, with profits going to the Bishop. Lesen again complained, and a local tribunal sided once again with the Bishop, noting that the friars' lifestyle was not exemplary: "with great difficulty can the Rule of St. Francis be reconciled with the American way of living."²⁹⁹ Propaganda accepted Chatard's definition of a Catholic cemetery as a *res sacra* under his jurisdiction, and his action was upheld.³⁰⁰

That same year (1883), another disagreement arose with Bishop William McCloskey of Louisville, Kentucky. The Parish of St. Anthony in his see city desired to build a new church, and the Bishop refused. Lesen appealed to Propaganda Fide, stating that the parish was growing, the need was there, and if the booming nature of the parish were not capitalized upon in the immediate future, The parish might never flourish.³⁰¹ McCloskey responded, that as corporation sole in the state of Kentucky, he would ultimately be responsible for any parochial debts. He was particularly leery of the situation in St. Anthony's, since the friars had changed pastors five times in a period of less than twelve years. Since he could not vouch for the administrative acumen of any successor, he was unwilling to allow the building to proceed.³⁰² Lesen, together with the friars at Louisville, sent a detailed petition to Propaganda, expounding the economic solvency and need in the parish.³⁰³ The petition succeeded this time, since the cornerstone of the new

church was blessed in May, 1884, and Bishop McCloskey blessed the new church in May, 1887.³⁰⁴

Disagreements such as these, legion in this period, caused the matter to be taken up once again by the Bishops at the Third Plenary Council of Baltimore in 1884. The assembled bishops recommended that the Apostolic Constitution *Romanos Pontifices*,³⁰⁵ issued for the Church in England and Scotland, be extended to the American Church as well. This constitution safeguarded the exempt status of religious living in parochial residences, but commanded them to attend diocesan meetings and synods as if they were diocesan clergy. It strengthened episcopal control over religious missions, guaranteeing that a bishop could divide a religious mission, gave the bishop visitation rights over cemeteries and schools within a religious mission, and reaffirmed episcopal approbation for the opening of any new religious enterprise in the diocese. Financially, it stipulated that religious were not bound to a financial accounting to the bishop of their goods as religious, but were bound to a financial accounting to the Bishop of the temporal goods of the mission or for the good of the mission (*intuitu missionis*).

However, in an attempt to strengthen and require a uniform system for the incorporation of Church goods within a diocese, some bishops sought to declare the goods of missions within a diocese to be held under the same title as other diocesan goods: corporate sole or fee simple by the bishop. Attempts were made to declare the goods of a mission to be any institution built or maintained with funds collected from the faithful, which in turn would mean all religious property.³⁰⁶ The two decrees containing these provisions³⁰⁷ were rejected by Propaganda, while the extension of *Romanos Pontifices* was granted. Much lobbying was done on both sides of the issue by various American Bishops, a harbinger of the bitter divisions to come in the American episcopate in the 1890's over liberalism/conservatism and Americanism.³⁰⁸

With this new and clarified legislation in place, the only older foundation of the friars not in line with current legislation was the constellation of foundations in the Diocese of Trenton, New Jersey. Clarification in Trenton had to wait for the transfer of its long-time Guardian, Pietro Jachetti, after the Provincial Chapter of 1895. Then, newly-elected Provincial Minister Hyacinth Fudzinski worked out a contract with Diocese of Trenton, clarifying the property rights and ownership of goods of all the Conventual Franciscan foundations in the Trenton Diocese. It stipulated that the land at Immaculate Conception Parish, Trenton, and St. Peter's Parish, Point Pleasant, belonged to the Order, while the buildings belonged to the parishes. The only exception to this was the College in Trenton, which was recognized as such and held as property of the Order. All the other parishes--Sts. Peter and Paul, Camden; St. Peter, Riverside; St. Joseph, East Camden; St. Ann, Elmer; St. Stanislaus, Trenton--were to be incorporated as diocesan property. Of all these places, the Order possessed perpetual rights to Camden,

Point Pleasant, and Immaculate Conception, Trenton; all the others were at the Bishop's discretion. If the Order were to withdraw from Trenton or Point Pleasant, the option to buy the land went first to the local parish and then to the Diocese, the price being set by an impartial arbiter. All church funds of all parishes were accountable to the Bishop.³⁰⁹

This model of clarified relationship between religious and diocesan authorities over parochial rights and properties became the norm for all succeeding ventures of the Conventual Franciscan community. The friars saw that a clear title and contract, stipulating their permanence in a Diocese, was to their advantage. Noting an offer from the Bishop of Springfield, Massachusetts, Jacek Fudzinski wrote, "If the proposal were to accept *ad tempus* in order to be later sent packing, I would never have accepted. But a favorable offer like this [parish to the Order; rights to a friary; already existing church, school, and house; little debt] I could not, and indeed did not want, to refuse".³¹⁰ This contract model governed the relationship of the friars to the Bishop of Springfield, Massachusetts, in regard to St. Joseph Church in Webster, and later St. Stanislaus in Chicopee and Mater Dolorosa in Holyoke; to the Bishop of Brooklyn in regards to St. Adalbert Parish in Elmhurst; to the Bishop of Buffalo in regards to the newly-forming Corpus Christi Parish in the see city;³¹¹ to the Bishop of Harrisburg, Pennsylvania, for the parishes of St. Stanislaus Kostka and St. Stephen in Shamokin; to the Diocese of Trenton for St. Stanislaus Parish in the see city; to the Archdiocese of Boston for St. Stanislaus Parish in Chelsea; to the Baltimore Archdiocese for St. Stanislaus Kostka and St. Casimir Parishes in the see city; to the Diocese of Detroit for St. Hedwig Parish there; to the Diocese of Hartford, Connecticut, for St. Michael Parish in Bridgeport; and, most spectacularly, for the debt-ridden St. Josaphat Parish in Milwaukee, Wisconsin, with Archbishop Sebastian Messmer.³¹²

III. Local Finances

As we have seen, European friars were unaccustomed to distinguishing parochial finances from conventual finances. In Europe there were few parochial rights attached to friaries, and whatever money came into a friary was thought to belong to the friars to be used as seen fit, for either conventual church or Conventual friary. The earliest legislation promulgated for the Texas mission bears this out: "...pastors outside convents are held each year to an accounting of their finances and to incorporate the surplus into the convent", and "missionaries are held to render accounts of the alms and offerings accepted from the faithful to the Superior of the mission."³¹³ The distinguishing phrase "alms and offerings", direct from the *Constitutions*, holds that all monies entering into Church were considered the holdings of the Pastor, who disbursed them as he saw fit.

At the time of the erection of the Texas mission into the American Commissariate, General

Commissary Leopold Moczygamba promulgated a slightly different set of regulations on this point: "Missionaries should have an account book in which they note the income as well as the expenses, of which a copy is sent annually to the Provincial Superior. Fathers who are pastors in the missions, having first provided for the needs of the parish, are held in conscience to give a certain pro rated contribution to the convent".³¹⁴ By this point Moczygamba has realized that it is incumbent upon the friars to make use of the offerings of the faithful first for the parish itself, and then for the needs of the Order. As Bonaventure Keller noted, this funding was minimal enough to begin with,³¹⁵ but Moczygamba established the hierarchy of parish before friary.

This hierarchy established, it stood to reason that, having seen the collapse of independent profitable ventures and the drying up of foreign mission funds, larger and more stable parishes were in order. Since these were not to be found in Texas, and Bonaventure Keller had good contacts in the Northeast, it necessitated a goodbye, Texas, and hello, Philadelphia.

It appears as if the same tactic, however, occurred in Philadelphia. Evidence exists that clearly shows that parish resources were being alienated for the well-being of the Conventual community. A balance sheet dated December, 1858, has survived, giving income and expenses for the parish.³¹⁶ The ordinary parish expenses are not specified, but over half the expenses accrued to the parish in this month (some \$295.50 out of \$545.50) involve purely Conventual Franciscan expenses: the shipping of furnishings and books from the Texas foundations to St. Alphonsus; the travel expenses of the novices and their master from Texas; the travel expenses of Ladislaus Kortens and Francis Gerber;³¹⁷ and finally the furnishing of the new novitiate. What is more, the income and the expenses are exactly equal, with no balance or deficit, an accounting anomaly to say the least. The income, incidentally, comes from pledges paid to the church building fund. The mentality here seemed to be, "what is mine is mine, and what is yours is mine also".

The practice seemed to be widespread in the other houses as well. To affiliate new members to the Friary in Syracuse, the local House Chapter uses as its rationale that parish revenues are substantial.³¹⁸ Although in 1864, Bonaventure Keller was speaking of a salary (and lamenting that it was insubstantial) from the Bishop of Louisville, Kentucky, that same year Leopold Moczygamba could write the Minister General that parish money was indistinguishable from friary funds, and that all moneys are deposited in the friary account.³¹⁹

The situation was not clearly remedied until the Intermediate Congregation of 1874:

In all Friaries or houses of this Province the administration of the temporal goods of the Church should be separated from the administration of the temporal goods pertaining to the Friary or house. To that fund should come the annual salary of the pastor, Mass stipends, and all other miscellaneous income.³²⁰

This, however, caused many Pastors to help the precarious financial situations of their parishes at the cost of added revenues for the community.

The friars earn a salary from parish congregations, according to diocesan statutes. For years, however, the entire salary has not been drawn by some Superiors due to the debt of the parish. In this way the Order is missing many thousands of dollars owed to it.³²¹

The fund-raising needs of parochial communities can be gleaned from the *Souvenir Magazine of the Assumption Church Rebuilding Fund Bazaar* of 1911, which gives an intricate and precise instruction on the workings of the Pew Rent Committee, figures for Ushers' ticket sales for church attendance, proceeds of the parish movie theatre, booth receipts from the parish picnics of that year, and funds accruing from the parish cemetery. There are also listings of some twenty parish *Vereinen*, all of which were organs of fund-raising and benevolent care.³²²

IV. Provincial Finances

By the 1870's, then, local financial arrangements had been made for friaries and houses: they would receive salaries based on the friars' serving parochial needs. That begged the question: who would support those friars who were not attached to parochial establishments? Who would support an elderly or infirm friar unable to draw a parochial salary? In the early days, elderly or infirm friars were sent back to their native provinces, but the German Province at least was tiring of bearing the expenses of dying friars.³²³ In addition, who would bear the common expense of provincial administration as well as formation of students?

In Texas, the central costs of religious life were borne by begging to the European aid societies: little of the money received went directly into pastoral care. Leopold Moczygamba's pleadings to Munich, Vienna, and Lyons were for central administration: the buying of the Order's properties at San Jose and Panna Maria (a long-term investment, which hopefully would generate later income); the establishment of schools (to also eventually generate income); the establishment of houses of formation; the travel costs of new missionaries coming to America; and the maintenance of a non-income producing Commissary General, for his life and travel.³²⁴ Moczygamba realized that all of this fell on his head as Mission Superior, and could not be absorbed by the corporate body, since the corporate body was not legally constituted. Moczygamba once wrote frantically for money from *Propagation de la Foi*, because "I could easily be hauled into court for debt".³²⁵ There was some attempt to draw money from the local friaries for student expenses ("All the friaries ought to agree to a pro-rated support for professed students"),³²⁶ but such a vague sentiment did not generate much concrete income.

In the more settled friaries of the Northeast, central administrative costs were once again absorbed within the foundations of the local friaries. This was the situation that concerned Bishop Leonard Wood in regards to St. Alphonsus in Philadelphia,³²⁷ and angered the Irish parishioners in Terre Haute.³²⁸ It was also a situation born with great equanimity in the parishes of Syracuse³²⁹ and Utica.³³⁰ But with growing numbers of students and more complex administrative costs, it proved to be insufficient.

On the occasion of the Visitation of Vicar General Antonio Adragna in 1876, the following decree was issued:

Since this Province of the Immaculate Conception possesses no income coming from rents of lands; and since Mass stipends for the support of priests are most necessary: we declare that Masses which cannot be celebrated within the legal time limit (and which are free from obligation to a Church or altar), should be sent by respective local superiors to the Provincial Minister. The Provincial is given the ministry to distribute them to be satisfied in those convents or houses in which there are insufficient intentions for the number of priests.

We also firmly command that all Fathers and Brothers who receive Mass offerings in the course of their pastoral duties to faithfully give them all to the local Superior.³³¹

This admonition had to be repeated by the Provincial Chapter of 1886, while the Intermediate Congregation of 1888 allowed each priest one stipend per month for his or his relatives' intentions.³³²

Mass stipends distributed to non-wage-earning staff of Provincial offices and formation masters was still not enough to make central administrative ends meet. The Provincial Chapter of 1880 had to decree,

In his canonical visitation the Provincial Minister is to accurately inspect the income and expenses of each house or friary, and based on this to establish with his definitory a tax, which is to be paid yearly to the provincial treasury.³³³

If, however, not enough income was coming into the friary because insufficient salaries were being drawn from parish funds, then another way to draw on parish funds needed to be established. The Province Definitory in November, 1881, decreed (confirmed by the following Provincial Chapter) that "in each church staffed by the Order is to be instituted a yearly collection for the expenses of the clerics of the Order, which must be sent to the Provincial Minister before the Feast of St. Francis."³³⁴

There was occasionally an extraordinary shortfall, which needed to be remedied. Provincial Minister Francis Neubauer faced a financial crunch soon after assuming office in 1889. The one-time settlement of debts to European Provinces after the death of friars in America and the building of a house in Point Pleasant, New Jersey, together with the on-going cost of educating students, contributed to provincial expenses in 1890 being over \$11000; direct provincial income was only slightly above \$5000. To respond to

the crunch, the Definitory on March 3, 1890 decreed an additional tax increase of 15% on local houses. Those houses with extreme debt were asked to pay 15% on whatever was left after paying their interest on local debt.³³⁵

A protest was made from a house with a certain amount of financial uniqueness, Immaculate Conception in Trenton, New Jersey. There, the local chapter (minus Dominic Reuter, the Regent of Studies) complained that their books had been too frequently inspected by the Provincial Minister. In their view the taxation figures were inflated, would bankrupt the friary, and did not include the indirect expenses that their house already subsidized for the seminary conducted there. Furthermore, the Regent of Studies was accused of being lax with the students, spending money too freely, and refusing to help in the parish and thereby defray expenses.

Neubauer responded that the inspection of Trenton's books had been made to resolve earlier controversy and avoid further abuse. As for Trenton's complaints about taxation, no one else objected to their onerousness, and if Trenton needed a special exception, all they needed to do was ask for one, which they did not. Furthermore, Neubauer responded that complaints about Reuter and the clericate were unfounded, and Reuter was willing to swear under oath that Pietro Jachetti, the Guardian, is a liar. In return, Neubauer asked the General Definitory to censure Jachetti for this abuse of the friary chapter.³³⁶

V. Provincial Control of Parish Finance

One of the long-term tools adopted by American central provincial administration was to exercise a certain amount of control over parish money. Ultimately, it was the life-blood of the friars. If parochial finances were poor, the friars would receive insufficient or no salaries. If there was no income, there could be no funds for central administration, formation costs, general support, or care of those friars incapable of drawing a salary.

Already in the temporary 1858 legislation, Franciscan superiors established a double set of permissions so that pastors under their jurisdiction could not overextend the resources of the parishes entrusted to them. "It is not permitted that a friar missionary undertake any kind of construction program in the parish without having consulted the Superior of the Province. In such cases the Superior of the Province will consult with the Bishop."³³⁷

In more settled situations, when thoughts could turn not only to new constructions but to remodeling, refurbishing, or expanding existing ones, legislation got more pointed.

From now on no one is given permission to construct anything without having first consulted the Provincial Minister on the matter. With the consent of the Definitory, he may ratify or reject the proposal, or modify

the proposal due to its size, plan, or additional building.³³⁸

The control was extended to any disbursement of parish funds, not simply construction costs, by the Chapter of 1886. "It is forbidden for Rectors of Churches to incur any extraordinary expenses, for which they normally would require the consent of the Bishop, without having first obtained in writing the consent of the Provincial Minister."³³⁹

During the 1880's, as building and expansion continued unabated, individual pastors sought to evade provincial control by one means or another; appropriate legislation was enacted to maintain central control.

Every single Superior has funds for the expenses of the house that are drawn by diocesan statutes from the churches. No other funds are to be used for these purposes in the future except those of the Church. In the future it is permitted to no Superior to lend the money of the Friary or rectory without accepting a note or pass book, as is the secular custom, in favor of the Convent or rectory. This is forbidden to Superiors in virtue of Holy Obedience.³⁴⁰

Eventually recognizing that in virtue of canon law the canonical pastor was accountable to no one other than the Bishop for his economic administration, the legislation of the friars began to build in other fraternal safeguards to pastors' power. By 1886 extraordinary parochial expenses had to be approved by the local Conventual House Chapter, and above and beyond ordinary expenses, everything above \$20 was accountable to Chapter. Soon after pastors were required to make a monthly report to all the friars of the house on the financial status of the parish, requiring all friars to study and sign the ledgers monthly. These records were also placed under the jurisdiction of inspection of the local Custos.³⁴¹

All of these systems of financial checks and controls -- the distinction of parochial from Conventual funds; the creation of sources of provincial funds; the control of the Provincial Minister over certain aspects of parochial funds; the submission of pastors to fraternal safeguards -- all of these were completely new inventions of the American Conventual experience. The *Constitutions* (Chapter IV, Title II), based as it was on a unified system without any *cura animarum* and its implied canonical rights and privileges, was completely and wholly inadequate for the American experience. The new legislation, however, remained faithful to the Spirit of the *Constitutions* in its desire to see economic administration as a communal affair. It differed from the older model in its assignation of responsibility for this fraternal administration to the local Chapter and the Provincial Minister, thereby by-passing the economic officials (exactor and economus) stipulated by the *Constitutions*.

Part Three: Community Life in the American Foundation

I. The Problem of Geography

The wide-open and somewhat unrestricted nature of American society contributed to a problem for the Conventual Franciscans: vagabondage. In Europe, the problem had presented itself under the guise of friars, armed with some rescript or permission, to travel about as they saw fit doing whatever they wanted to do. That aspect of the problem could be seen in the case of several friars wishing to go off to America to find their fortunes.

Take, for example, the case of Antoine Heimo of the friary in Fribourg, Switzerland. He petitioned to go to America in aid of some of his friends who had no priest for their parish, and appended a letter from a certain Paul Duranz of Croghan, New York, near Albany.³⁴² Investigation into his character and capabilities was not positive:

Fr. Antoine is miserable: though not a nasty character, he has never been properly formed. He made a poor novitiate strongly lacking in studies, the kind that does not instill a religious spirit or the knowledge demanded of a priest, especially in these times. I doubt whether he is capable of a passable sermon. Even though he has already been approved by our Bishop, he is still not capable of hearing confessions of the faithful.³⁴³

The Guardian of Fribourg begged the Minister General to let him go, since Heimo had brought his family to camp out in the friary, and they were refusing to leave unless they could all go to America.³⁴⁴ He was given permission to go, and appears on a c.1858 list of friars in America as the pastor in Constableville, New York; he secularized in 1860.³⁴⁵

Another case in point is Giovanni Caroli of Ferrara.³⁴⁶ Caroli was a theologian in need of money to care for his sister's family. Offered a choice between Philadelphia and Constantinople, he chose the former due to the easy access to parish money there. He spends much of his correspondence giving his economic preconditions to both the Minister General in Rome and Moczygamba in the United States. When he was presented to Propaganda, they found him philosophically a Rosminian, theologically sound, but doubtful as a missionary: "he is better seen at a podium than at the apostolate".³⁴⁷ Predictably, he squabbled with Moczygamba about money, and soon returned to Italy.

The vagabondage issue was more regular and more problematic for American friars as an escape valve: the country was so large, and ecclesiastical appointments so open, that friars in some imperfect situation always had a tremendous amount of room to go somewhere else. "Neither laws nor customs retain any person in his place."³⁴⁸ Take, for example, the peregrinations of Bonaventure Keller. After a scandal involving sexual indiscretions in the Diocese of Galveston, Keller was forced to leave Texas, for unknown

whereabouts. He wound up in Brooklyn, New York, after a stop-off in Cincinnati, Ohio. Armed with a letter of good standing from Odin, he presented himself for pastoral work in Brooklyn, where he desperately tried to regain the good graces of the Minister General. With the collapse of his efforts in Brooklyn, Keller soon found another patron, Bishop John Neumann of Philadelphia.³⁴⁹

Keller, however, kept up a certain level of vagabond ways seemingly in order to keep far distant from his nemesis in the community, Leopold Moczygemba. After Moczygemba arrived on the East Coast with authority as Commissary General, Keller found it convenient to skip away to the West with his old partner from Texas days, Anthony Mueller. They received permission to go to California, and in February, 1859, presented themselves to Archbishop Joseph Alemany of San Francisco, only then requesting permission and notifying Moczygemba. Alemany gently refused their offer, but provided them with a letter of presentation and directed them towards Oregon. Instead, the two served as military chaplains in Utah, from Spring, 1859, until October of that year.³⁵⁰

Upon returning to the friars, Keller had a brief and unhappy stint in Utica, New York, near Moczygemba's residence in Syracuse. Soon both Keller and Mueller were assigned as far away from Moczygemba as was possible, to a new foundation of the Order in Louisville, Kentucky. From there, the duo later requested to travel to Mexico to found the Order there, a request harshly rejected by Moczygemba, "knowing him incapable of such a mission, I have always opposed his schemes."³⁵¹

Some of the same games of geographical separation were played by Leopold Moczygemba after resigning as Commissary General in 1866. By the Fall of the next year, Moczygemba had arranged to go to Rome as Papal Confessor in St. Peter's Basilica. There, he continued to advise Propaganda Fide on American affairs, and published a German-Latin manual of pastoral practice.³⁵² He came in contact with Bishop Peter Joseph Baltes of Alton, Illinois, during the First Vatican Council. He received an exlaustration to serve as the Bishop's secretary, and returned to America in late 1870. After serving as a successful pastor in Litchfield, Illinois, Bishop Baltes vetoed a proposed nomination of Moczygemba as Vicar Apostolic of Montana. Moczygemba thereby returned shamefacedly to the American friars. There he labored in the Midwest (an internal exile from the centers of activity in the East), until his canonical release from the community and passage to the Resurrectionist community, and later to the Diocese of Detroit.³⁵³

II. Formation

Much concern was shown in Europe about the quality of men professing religious life, and their real capacity for and understanding of religious vocation. Prior to the recruitment of indigenous vocations, importation from Europe meant trying to find capable men, solid in their vocations, who were willing to

migrate. Noting the difficulty of recruiting missionaries from his friary, ex-Moldavian missionary (and soon to be Texas one) John Baptist Dornseiffer notes

I only know of one of the friars in this friary capable of mission work. The religious of the Halle [Germany] friary do not have a solid foundation, and they cannot have one. The novices profess without a novitiate and without knowing the principal dogmas of the constitutions. Consequently, they profess without having tried or examined their vocations. Religious like these rarely do well in mission lands, and frequently cause more trouble for the mission than help it. Reverend Father, I speak from experience. An unbridled horse rarely runs straight.³⁵⁴

The General Minister was forced to concede the same points in official legislation.

The Very Reverend General Minister has his hands full to send good and worthy religious to the Texas missions. Those who in European friaries did not labor well, or who were unhappy, or who because of their ignorance cannot labor in the vineyard of the Lord, should not be sent.³⁵⁵

An indication of the same level of lack of religious vocation is seen in the rather high number of transfers to dioceses (eight in the first generation), commented upon by many of the contemporary friars.³⁵⁶

After the establishment of the Order in central New York State, formation was regularized at the Syracuse friary. There further thought went into solidifying vocational commitment. The first regular Master, Anthony Rossadowski, died in office in 1865, and Leopold Moczygemba began to campaign to the General Minister for his replacement, a "spiritual" master.³⁵⁷

Moczygemba was doing anything possible to get vocation promotion and formation into full swing.

Promoting religious life all the more in our parishes, I hope that in the future vocations will be sufficient. We have taken six young boys from our parish schools and vested them with the habit. This method is laborious, but more secure for the Order. Be certain, Reverend Father, that I will never fail to promote that our holy laws are observed. I know well that otherwise God will not bless and aid us.³⁵⁸

In the same breath, however, Moczygemba requests dispensations from "the holy laws" that would insure the formation of adequately vocational candidates. Noting that the war has caused economic difficulties compounded by church construction in Syracuse, and noting that there exists a priest shortage, Moczygemba has three novices

...who have the necessary schooling (acquired in the world) to receive sacred orders. Furthermore, they show good religious spirit and good character. In short, they are young men with a holy fear of God, as their master Fr. Anthony Rossadowski reports to me. Therefore I petition in the name of all the friars who wish to obtain fellow workers in the vineyard of the Lord, that these three young men immediately profess solemn vows to be able to be ordained immediately.

In America I don't like to ordain young men in simple vows, because there

are too many occasions for temptation on the part of nature, the world, and even the Bishops. When someone is bound by solemn vows, however, all the occasions are removed.

As further proof, he notes that the Redemptorists and Passionists in America have large numbers of priests in this way, and hopes that if this petition is refused, at least they might be ordained in simple vows.³⁵⁹ This tactic of abbreviating and mitigating formation, so common in Europe in earlier decades, admittedly happened rarely in the American setting, and only in moments of dire need.³⁶⁰

III. Friary Size

Small friaries had plagued the minds of European reformers of religious life since at least the seventeenth century. In the nineteenth century, under the reforming zeal of Pius IX, attention was once again drawn to the issue of small and frequently rural religious communities. The legislation of the Conventual Franciscans allowed for such small friary living, although its preferred and stated model was the large, urban, multi-apostolate dwelling.

We have seen above that the issue of small mission stations had a powerful economic incidence upon the nascent community. The threats of Bishop Conroy of Albany or Bishop O'Farrell of Trenton to withdraw administration of these places from the friars were potent ones, and drew the friars' attention to those dioceses. The importance of these small places is seen in the simple fact that all the early foundations - the Syracuse/Utica/Albany triangle, Trenton, and the smaller Midwestern foundations -- had them. They were considered part and parcel of religious life in general, and religious life in the American parochial setting.

Because these small American establishments were not endowed but depended upon a parochial setting for sustenance, they rarely grew into full-fledged convents. As residences, they were always considered dependent upon the larger friary in the area. Thus, American legislation looked not as much to regulate the life within these smaller friaries, but to safeguard the dependence and ties to the larger friary.

Already in the 1854(?) Regulations, the institution of the *vita communis* in the residences was instituted "as much as it will be possible", while economic accountability and reports were mandated without exception. Frequent returns to the friary were considered vital: "Each missionary must return to the friary each year for spiritual exercises", for a period of at least eight days, and twice yearly if the Superior deemed it necessary. Without regular coming together in the friary setting, "religious spirit is easily lost. Texas is a great country in which to expand our Order, but in prudence and religious spirit you must give less to the apostolate".³⁶¹

By 1858, the ties were strengthened even more. The economic accountability was confirmed, and

clear lines of authority were stabilized: "Each friary is clearly assigned the missions or parishes dependent upon them". At the same time, however, a certain stability was called for in the stations.

Before a friar is nominated pastor of a place, the Provincial Superior should examine his talents to see if they correspond to the place, so that frequent changes, very damaging to a parish, might be avoided. If a Provincial Superior wishes to recall a friar from one parish to send him to another, he should first consult with the Bishop, in order to keep peace and harmony.

Each friar in an outlying station was required to return to the friary twice yearly for theological conferences, and to write yearly theses on dogmatic and moral cases. In addition to the yearly retreat, each friar was required to visit the friary monthly, and each Saturday evening was to form a "spiritual communion" to pray for the success of the mission and for its benefactors.³⁶²

As in Europe, the smaller friaries served as a way to place a friar who was maladjusted to community, although safeguards needed to be kept in place. A case in point is a surviving obedience issued by Leopold Moczygamba to Clement Mutsaers to live in a mission station in Troy, outside of Albany. He is enjoined to deposit all salaries, stipends, and gifts into a bank account in the name of the community. A monthly accounting is required, permission is required for any extraordinary expenses, and every expense over \$1 to be noted. Any talk of secularization is forbidden, as well as any slanderous talk about the friars.³⁶³ Yet these small stations could serve as a refuge from the friars and away from troublesome issues: as Provincial Minister Giuseppe Lesen resided at the mission station of Manlius (Minoa), New York, outside of Syracuse, from 1883-1892.³⁶⁴

The greatest American opponent of small friaries proved to be Fidelis Dehm. He lamented the poor order of the New York foundations, which he recognized as beneficial to the welfare of the German immigrants, but injurious to religious discipline. The friars simply could not handle large central parishes, with small dependent residences up to 25 miles distant.³⁶⁵ At this stage Pietro Jachetti got on the bandwagon against small residences, although later at Trenton he was instrumental in the formation of many.³⁶⁶

Those outstations in Trenton, under the tight control of Jachetti, had that tight control re-emphasized by Jachetti's patron, Provincial Minister Giuseppe Lesen:

In regard to the missions to be attended, each one of them are [SIC] under the care of the Superior, who also is responsible to me and to the Bishop. Any Father who is appointed by the Superior to attend to any mission has to work under the superior's direction and obedience. Also he should not make of the mission a pretext for loosing [SIC] time and paying unnecessary visits, but according [to] orders, return to the convent as soon as reasonable.³⁶⁷

Nonetheless, smaller and more isolated places were never considered the optimal solution for American religious life. "We wish to establish districts, and from now on let there not be accepted houses or parishes where at least four priests can comfortably work and dwell. Those which have already been received should be returned as soon as possible."³⁶⁸ Regularly throughout the first half century, the hope was repeated that perhaps this time we can form a regular foundation of a large, multi-apostolate European-style friary. Events and economics, however, stepped in the way.

In addition, the particular charism of the Conventual community in Europe was higher theology and intellectual pursuits. This, too, would remain as a constant theme in the early foundations. In some way the two wishes are identical: a larger foundation to support a school, which in turn would help to support the larger foundation, seemed to be the only possible way to achieve this goal.

In the Texas years, Moczygemba's attempts to buy and refurbish the abandoned Texas mission of San Jose outside of San Antonio must be seen in this light.³⁶⁹ With the shell of a structure already in place (and the structure which basically conformed to the European architectural model of a friary), Moczygemba envisioned a settled friary, living off the land nearby. The parochial establishment, the plantation, and the school to eventually be erected fit the composite picture of a typical, landed, small city friary in Europe.

The foundation in Panna Maria, aside from its purpose as a land of opportunity for Moczygemba's fellow Silesian Poles (and a place for Moczygemba's family), also was to serve in Moczygemba's vision of a typical European friary. Here he had in mind a rural small friary,³⁷⁰ where a corps of religious brothers would cultivate olives, fruits, and vines imported from Europe. This agricultural enterprise would serve to feed the local friars (both at Panna Maria and in San Jose), and the proceeds of surplus sales would support the whole foundation.

The friary in Galveston (the only one of the Texas establishments to be canonically erected as a friary) was, in Moczygemba's vision, to be a strictly educational foundation.³⁷¹ The friars here were to be responsible for public education, as well as secondary and university education. Here the Conventual charism of intellectual development in service to the Church was to be fulfilled.

The ephemeral Brooklyn foundation of Bonaventure Keller was modeled to be the typical European convent.³⁷² In addition to the *cura animarum* that would take place in the church, the friars would be principally occupied in running a boys' boarding school. Eventually, it was hoped to be developed as well into a German-language major seminary.

All of these establishments came to naught, because they were not economically feasible at that time in the American context. The only economic feasibility for religious foundations was immigrant parishes, and a lot of them. European authorities, however, saw the distinct danger in such an extension of

manpower in fluctuating, often solo establishments. A rider attached to the canonical erection of the American mission as a Commissariate stated, "To provide well for the two friaries [Galveston and Philadelphia] for now it is forbidden to receive other parishes other than the ones already received".³⁷³ Soon after General Minister Salvatore Cali was warning Moczygemba, "Limit your zeal in assuming new obligations...."³⁷⁴ The constant change and jumping of parochial commitments was jarring to Cali:

I urge greater caution and circumspection in your establishments. To tell you the truth, all the changes that happened in such a short time do not sit well with me. We are no longer in Galveston; we are no longer in Texas; that which we have now is all recent. From what I can gather from your letters it seems that all our houses are reduced to three: Philadelphia, Utica, and Syracuse. What happened to that which we had, for which last year was requested the erection of a province? I make this observation to let you know how I feel and to commit you to greater zeal in stable foundations.³⁷⁵

The three foundations that Cali mentioned were all able to establish parishes that closely resembled the foundation model of a European friary. Although Philadelphia was later abandoned due to financial lack of clarity, both Utica and Syracuse (later to be joined by Trenton) assumed much of the flavor of a European friary, particularly on an architectural level. The only peculiarly American addition was the diocesan *cura animarum* that paid all the bills. These three friaries became and remained the mainstay of the American Province throughout this period. While the dream of establishing such centers never died,³⁷⁶ it was successfully created in only this triad.

IV. Spiritual Life

In the American context, with crushing parochial responsibilities and money-raising always over the horizon, there was a certain tendency towards what might be called a "crypto-Americanism", in which spiritual work took the place of spiritual life. An American over-emphasis on action as opposed to contemplation took its toll on the internal religious observance of a house. Issues of spiritual practice, which in Europe had taken the form of laxity, in America more took the form of over-involvement in parochial affairs.

The earliest regulations, those of 1854(?), in addition to a yearly retreat, specify that "the Divine Office, meditation, and examination of conscience, according to the Constitutions of the Order, is to be done daily among the missionaries, whenever possible in common".³⁷⁷ The 1858(?) regulations add to those observances a Saturday evening Rosary and sung litany for the success of the mission and for benefactors; permission was also granted to commute the saying of the Divine Office due to missionary travel to the recitation of fifteen decades of the Rosary.³⁷⁸

Continuing references as to the level of spiritual practice in individual friaries remains scanty. In 1868, the Syracuse friary had this spiritual horarium: prime and meditation in the morning until 6:00AM; little hours at 11:30AM; afternoons, Vespers, Compline, Matins, with meditation and examen. Visits to the Blessed Sacrament were made after every meal.³⁷⁹ There can be little doubt that the horarium was followed exactly and meticulously, particularly under the watchful and disciplined Teutonic eye of the Guardian and Pastor of the time, Commissary Provincial Fidelis Dehm. The horarium for the Trenton Seminary has also come down to us. It included prime and meditation at 5:30AM, Mass at 8:00AM, little hours at 11:30AM, Vespers at 2:00PM, and meditation and rosary at 8:30PM.³⁸⁰ This, however, may not be identical with the horarium observed in the friary.

Official reports to Rome stipulate that the spiritual practice of the American friars remained constant into the early 1880's.

As for the interior state of the Order, religious exercises like Choir and meditation are held regularly and in common, with the exception of the Albany friary. Their excuse is increasing workload and the lack of a place adapted to spiritual exercises.³⁸¹

Roman visitation of American friaries, however, does not paint such a cheery picture.

Let all the friars beware, lest the spirit of holy prayer be extinguished. Whether you are in a proper friary or in a house attached to a mission, there should be twice daily, morning and evening, for one half hour each, meditation in choir or chapel, according to the Constitutions. They should take care that the Divine Office is recited with full attention of body and soul, and that the words of the Holy Spirit are uttered with due care, especially taking note of punctuation. Beware that one side of the chorus not begin the verses of the psalms before the other finishes its section, and that Vespers and Matins be recited daily at the correct hour, as much as possible....³⁸²

By 1888, the Intermediate Congregation was warning that friaries that did not practice choir would be stripped of the rights of friaries.³⁸³

The frequency of common spiritual exercises can be tracked through the *Acta Provincialia* of this period.³⁸⁴ It was an assuredly downward spiral. In 1874 it was enough to note that Syracuse did not pray well. By 1882, Albany and Hoboken stopped praying together. By 1883, Utica joined the list. By 1885, Camden joined the non-praying friaries. By 1888, the only houses that were praying together were the houses with formation centers attached, namely Syracuse and Trenton. By 1891, the generic excuse in the houses was "due to the insufficient numbers of Fathers". By 1899, even in those houses, the official rationale was that the Fathers "come to Choir and do their meditation when parochial duties permit". By 1893, Provincial Minister Francis Neubauer was reduced to hoping that "the good God will help, so that shortly it can be instituted, in some houses and places where two friars dwell, whenever possible in common

the little hours be said in the morning with a half hour of meditation, and in the evening Vespers with examination of conscience".³⁸⁵

By 1906, the opinion was common among the friars that common daily spiritual exercises and prayers were a matter of formational discipline and not an essential part of Conventual Franciscan religious life.

In the larger friaries, certainly none of the Fathers or brothers should be excused from daily common spiritual exercises without serious cause. Those Fathers assigned to friaries where there are novitiates and clericates should especially be mindful of the scandal that their absence gives to the young. This might lead them to the belief that choir is for clerics but not for priests. There is nothing more false nor worthy of every damnation than this scandal.³⁸⁶

Nonetheless, in 1905 a separate Novices' Chapel in Syracuse was canonically established, on the grounds that the common church was unsuitable, and only the novices prayed anyway.³⁸⁷ General Minister Dominic Reuter (reared in the American Province) was forced to write:

I stress once more the daily obligation of choir and meditation. Even if in some places there is no obligation to choir due to the small number of friars, there is still always a strict obligation to daily meditation. Choir is directed to the place, meditation to the person. This obligation is stricter yet where there are lay brothers, the reason for which is obvious to all. Superiors should not dispense themselves or others from this obligation without just cause. No one is excused from the act even if they are detained because of ministerial obligations, and neither is it valid to schedule another activity of office, or to transfer obligations in order to excuse oneself from choir or meditation. Let the hours for such exercises be displayed where all interested parties may know them.³⁸⁸

By the end of our period of study, therefore, it appears that a common spiritual life encompassing the Liturgy of the Hours and common periods of meditation as described by the *Constitutions* was extinct among the majority of American houses. It survived only in those houses where there were formation candidates, and perceived for the most part as their duty and business, not the common obligation of the entire community.

V. Clericalization and Parochialization

The Friars Minor Conventual in the nineteenth century were what was at one time called a "mixed community", a community in which both ordained and non-ordained were admitted to profession. Non-ordained friars had very little voice in community affairs, and were a distinct minority within the community.³⁸⁹ Their acceptance to community was actively discouraged, unless they could bring useful

domestic arts to community service (*Constitutions*, II, t.X).

The original band coming to Texas included one non-ordained friar, Giles Augustin. Documentation suggests that he was accredited as a domestic servant to the Mission Superior, Bonaventure Keller.³⁹⁰ Returning to Germany within a year of his arrival in Texas, his departure left the American community as a completely clerical assembly.

The American community, basing itself as it was on parochial administration, did not lend itself easily to accepting non-ordained friars. There were no endowed communities to accept brother candidates, and only the ordained could draw parochial salaries. By their profession, religious brothers were forbidden as well to draw secular salaries. Unless they could teach in parish parochial schools, there was little option for non-ordained friars in early American Conventual community.

The earliest American legislation continued to echo the European safeguards about the acceptance of non-ordained friars to community. "The Commissary for the time being cannot receive into the Order a lay oblate without both his consent and the consent of the Chapter."³⁹¹ The distinction of an oblate becomes clearer soon after: "Lay brothers or *conversi* always remain in the state of oblates; only at the point of death may they make solemn profession in order to gain indulgences."³⁹² The point is clear: brothers are not to be encouraged, and if they do seek admittance, they are to be kept at a point of dependence upon the friars, with no security or privilege attached. The European experience of useless or maladapted candidates being dumped on religious community seems to be operative here.

With the parochial clergy active from morning to night on parish business, but with the obligation of living together domestically, that left the option, in the absence of brother domestics, of male and female lay domestics. Rome, however, was uncomfortable with that prospect.

I see that I am obligated to write a warning in order to correct errors and put you on the right path. First of all, I absolutely forbid keeping women for the kitchen. There are in Utica two women: Mary Ann Collins *et est attractio Conventus*, and another, either her daughter or the housekeeper. I know that this abuse exists in Germany in some friaries, and I do not want it introduced in America. There we have to make sure that we are founded according to the spirit of the Rule as a good example.... [The friar] who stays in a kitchen with a woman is a thief who never progresses: you cannot grow in the spirit of religion with a woman.³⁹³

Moczygemba did not reply to Cali's letter, but some years later returns to the topic of non-ordained friars. He notes that he has accepted two into the community: Anthony Schmitt, a 30-year-old who cooks at Syracuse, and Joseph Lanczyk, a 29-year-old who serves as sacristan in Utica. He is cautious about accepting others: "In America it's not good to have many lay brothers; much of the work is done by seculars".³⁹⁴ It appears that Moczygemba was not adverse to brothers' vocations in themselves: a few days

prior, he presented to Rome the constitutions for a brothers' community aggregated to the American Commissariate. They were to be in lay clothes, and act as teachers, and "in time these brothers will be a good support for our Order".³⁹⁵ Moczygemba's reluctance, however, seems to be directed at non-ordained within the Conventual Franciscan priestly community.

Rome, however, remained most interested in the flavor of domestic life in American friaries. It worried that the concept of cloister, of religious house, would be lost in the bustle of American parochial establishments. But it also worried that American establishments would have the feel more of rectories than of friaries. The new General Minister Ludovico Marangoni wrote to Moczygemba, "They tell me that in some of our friaries cloister is not observed. I really do not believe it. In any case, I trust your noted religiosity to make sure that cloister is observed, especially in the friary of the novitiate".³⁹⁶

In his reply, Moczygemba recognized that the problem was brothers' vocations.

As for cloister, we keep it where we can. At the novitiate it has been introduced as it is in Italy and as the Constitutions call for. It is an excessively difficult thing to recruit lay brothers in America. With all my work only two have been admitted into profession. It cannot be otherwise where almost everybody wants to make money. Promoting religious life more and more in our schools, hopefully vocations will come.³⁹⁷

Brothers' vocations, however, evidently did not come. Fifteen years later, it was decreed, "As much as possible, lay staff are to be introduced into the houses and friaries of the province".³⁹⁸ But ten years after that, new Provincial Minister Francis Neubauer began a campaign to eliminate women domestics from religious houses. Since brothers' vocations were scarce among American youth, Neubauer solicited in Europe. He circulated among the friaries of the German Province, offering to pay German guardians to find, form, and send to America domestic brothers.³⁹⁹ The General Minister approved the German recruitment plan, but cautioned that brothers should spend at least three years as postulants prior to novitiate, in order to weed out any opportunists.⁴⁰⁰

Little permanent help, however, came from German circles. In the meantime, another solution was at hand. Back in 1873, while he was serving in Louisville, Kentucky, Anton Mueller, Bonaventure Keller's old comrade in adventures, purchased a plot of land in Floyd's Knob, Indiana. For a time the land passed out of the friars' hands, but after Mueller's death and the settlement of payment to his home Province, the land returned to the friars' administration. The 1895 Provincial Chapter decided to begin development of this land as a future seminary for a possible western province. The intention was to use this as a house for forming brother candidates, and after its foundation it came to be called Mt. St. Francis.⁴⁰¹

Outgoing Provincial Minister Francis Neubauer, who had spent considerable energy in the previous

five years to inculcate brothers' vocations, was named first superior of the isolated rural establishment. As he was leaving for another assignment three years later, he wrote his successor:

From the beginning and always after I strongly hoped that in this place a school for lay brothers might flourish because of its solitude: how right I was! Many were called, few were chosen. Those moved by the breath of the Holy Spirit to embrace the religious life came here to rid themselves of corrupt ways. Others, burdened in the world by hunger and poverty, here had their hunger satiated and their nakedness covered, but soon they returned to the misery of the world. Many were those who, having learned enough to respond *Et cum spiritu tuo* to the sacrificing priest, no longer had the desire to be humble servants of the Seraphic Father, but wanted to take up studies and obtain degrees. Others were fattened up here by bread eaten without their care or work, and stupidly were unable to bear not seeing women, and had to marry. The American spirit is everywhere a spirit of the world, a spirit of independence, of money, and of the flesh.... Here let it finish!⁴⁰²

Neubauer's life was a hard one, as he confided to his successor:

Make up your mind, that you are sent to a prison or into exile for a certain time and try to make yourself familiar with this self-sacrificing idea: it has not killed me, neither will it you; my life and your life need a purgatory somewhere and sometimes.⁴⁰³

Neubauer's work, as difficult as it seems, appears to have borne fruit. Whereas prior to 1890, only six religious brothers were part of the American Province, four more were recruited in the German recruitment phase, and six more had professed by the turn of the century, after their Mt. St. Francis experience.⁴⁰⁴ The experiment proved ultimately so successful that in 1902 the same program was instituted for the gestating Polish American Province in Shamokin, Pennsylvania.⁴⁰⁵

While the numbers of religious brothers never seemed to have approached the levels of Europe, and while numbers were still insufficient to replace women domestics in all friaries,⁴⁰⁶ still an attempt was made to establish a difference between American rectory life and American friary life. While the distinction may still have been blurry (brothers were forbidden to wear Roman collars, so as not to confuse them with priests on the streets, where the religious habit was not worn),⁴⁰⁷ domestic parochial life had something to differentiate it from secular clergy.

In the European context, according to the *Constitutions* (Cap. V), the elite, the leadership corps, the most effective and best-trained prize group in the Conventual community was formed by the *Magistri Ordinis*. This body of friars, armed with advanced degrees and specialized experience, had ministerial faculties not open to other friars, and from their closed ranks were drawn all the local leadership and positions of authority within Conventual community. To their prestigious position went rank, honor, and dispensations from much of the mundane duties of religious living.

The original band of American missionaries contained none of these *Magistri*, which left roles of leadership open to any of the ordained friars. The earliest guidelines for the American community had to stipulate *modi operandi* for American Superiors that took into account this lack of what would ordinarily be expected. The American Commissary could nominate local superiors, but this had to be consulted with an *ad hoc* body of "no less than ten other religious priests who will act in the stead of Assistants", a role which would have been played by the *Corpus Patrum Provinciae* elsewhere. On his visitations, he is to be accompanied by a friar acting as Secretary (a *Magister* would have had one), but is forbidden to accept the offerings customarily due to a *Magister*.⁴⁰⁸

Some *Magistri* emigrated to America in the early years, but did not remain permanently, such as John Baptist Dornseiffer in 1854 and Giovanni Caroli and Francesco Gatti in 1858.⁴⁰⁹ One of the few who did was recruited by the General Minister: newly-nominated Commissary General Fidelis Dehm. By the time of the first Provincial Chapter in 1872, there were nine *Magistri* present: the *Praeses*, Vicar General Antonio Grasselli; outgoing Commissary General Dehm; ex-Commissary General Moczygemba (presumably named *Magister* in the wake of his service as Papal Confessor at St. Peter's, and voting by proxy); Italians Giuseppe Lesen and Pietro Jachetti, recruited for formation work by the General Minister in 1869; a young German-American, John Kroeger; and three newly-arrived Italian immigrants,⁴¹⁰ Giovanni Battista Salvatelli, Domenico Marzetti, and Nazareno Graziani.⁴¹¹ Noting the national basis of what was the pool for active and passive voice, the requirement of *magisterium* was dropped, "since the majority of the missions and places are German, so as not to offend German sensibility".⁴¹² Democratic America had nothing to do with it; the lack of electable Germans did.

The next step was to see to the expansion of the magisterial pool of Germans. In a letter to Leopold Moczygemba in Rome from John Kroeger, serving as personal secretary to the Bishop of Albany, we find, "It would please me if you would join me to have Keller declared *Magister*--in the first place this would be an act of justice, as well as a slap in the face for people like Alphonse, Pius, etc".⁴¹³ Bonaventure Keller was named *Magister*, together with Alphonse Zoeller (probably much to the chagrin of John Kroeger) in 1872.⁴¹⁴

Keller then took a giant step in expanding the magisterial pool. He requested the conferral of *Magisterium* on his old crony, Anton Mueller,⁴¹⁵ reasoning

Since the Constitutions of the Order in the Decrees of the General Definitory of 1659, and confirmed by the Holy See, grant an honorary doctorate to missionaries after twelve years of praiseworthy service, I think that this clause can be applied to missionaries in America, and even more so, considering that their labors are certainly greater than those of

missionaries in the East.⁴¹⁶

Propaganda had no objections, saw the reasonableness of the request, and the precedent was set.⁴¹⁷

That precedent was that any ordained friar who lived long enough would be nominated *Magister* simply by the fact of his breathing American air for twelve years. On second thought, given the increasing numbers of indigenous vocations, Roman authorities realized that a "mission land" that was producing more indigenous vocations than the Old World was not the same as supporting oppressed Catholic remnant communities in Moldavia or Turkey. Quietly, the precedent was amended to afford more control over the advancement process: rigorous examinations in moral theology and dogmatic theology were decreed for any American wishing to be nominated *Magister*.⁴¹⁸ Provincial Chapters, however, could and did make use of the permission to nominate to *Paternitatis Provinciae* someone for meritorious service.⁴¹⁹

The system, however, was merely a shell of what had been described in the *Constitutions*. There, a uniform, regular, and stable infrastructure of study, apostolate, and tracks existed to allow to float to the top those who were the most talented and zealous. In Europe, however, with the various suppressions, those conditions were non-existent. In the United States, those conditions never existed, and the internal development after a generation was not heading in that direction. In fact, noting that regular requests for dispensations in this regard would be the American norm, the American Province requested that elections for Provincial Minister in this Province not be tied to *Magistri*, but opened to any *Patres Provinciae*.

Responding to the changed situations, the General Chapter of 1891 retained the designation of *Magister*, but vested all power and authority in the *Paternitas Provinciae*. To this body *Magistri* were automatic, but any priest over forty years of age, "prudent, hard-working, and meritorious", could be promoted. All that was required was nomination by Provincial Definitory and confirmation by the General Minister.⁴²⁰

With such a stroke, the Conventual friars eliminated *Magistri* as a privileged class to which power and influence devolved, a created a new one based not on academic or scholastic prowess, but on meritorious work. In the United States, meritorious work meant being a pastor, and being an archetypal "brick-and-mortar" pastor with financial and administrative acumen. It is not surprising that steps were taken to insure these friars as the new privileged class.

When the American Commissariate was established in 1858, it had to be stipulated that friars could even assume the title of pastor.⁴²¹ By the provincial administration of Louis Miller in 1899, a gradual process was underway to protect merited pastors as opposed to academic achievers. Replying to an inquiry by Miller on composition of a Definitory, the General Minister signaled that seniority was the guiding point, as opposed to injecting fresh blood. Furthermore, no practical distinction existed in the rights of *Magistri ex*

merito or *ex gratia*; in fact, promotion was preferred for those *ex gratia*, who had proved themselves in rigorous apostolic activity.⁴²²

The next year, Miller identified guardians of convents as equal to pastors of faithful, and pointed out that this was not merely customary and efficacious for community tranquility, but absolutely necessary due to the shortage of priests. He did recognize that this was an exception to the *Constitutions*, and requested a *sanatio* and an indefinite dispensation to continue to nominate as such, both of which were granted.⁴²³

With that definition in hand, Miller requested to stretch terms of office from three years to four, on the grounds that since guardians are pastors, frequent changes would be disruptive to the people, the Bishops, and injurious to the heavy building programs going on all around the Province.⁴²⁴ Appended to this decree was the letter of indiction of the Chapter of 1902, which also ratified formally the notion that being Guardian was not incompatible with being Pastor.⁴²⁵

Noting that the *Constitutions* called for a turnover of local superiors every triennium, a dispensation was requested for the United States, "where a total change of each and every superior and provincial and local office could not but cause disturbance and unrest in the friaries, in the parishes, and among the faithful".⁴²⁶ Therefore, these appointments were made permanent, unless changed by the Provincial Chapter. Miller, however, proposed that *Superiores Domuum ad instar Conventuum*, in effect pastors of parishes without attached, canonically-erected friaries, should come to Provincial Chapter since they function as Guardians. This was accepted by the General Curia, as long as these superiors were in office at least six months prior to Chapter and were named to these places by the Definitory.⁴²⁷

To sum up this peculiarly American phenomenon: formerly power and authority was exercised by a small group of *Magistri* who controlled all leadership positions and decision-making apparatus, and who attained their position by means of scholastic prowess or extraordinary service. Finally, power and authority were exercised by a closed group of local superiors (pastors), who controlled access to their ranks and were able to perpetuate their own control by longevity and unlimited terms. In nineteenth-century Europe, the goal of every friar was to become a *Magister*; in twentieth-century America, the goal of every friar was to become a pastor.⁴²⁸

VI. Nationalism

The thorniest and the most intractable of all the community issues in 19th Century Conventual America was nationalism. Nineteenth century Europe was awash in nationalism. Geographical terms like Italy and Germany began to coalesce into nations, and pan-German and pan-Italian movements sought to

unify the various states into a cultural whole. Within multi-national states like Austria-Hungary and the Ottoman Empire, nationalism took an opposite stance, as each national grouping strove for independent status on its own. A certain cultural nationalism manifested itself in Russia and the Balkans, exalting all things Slav and denigrating all things Teutonic and Latin.

The Germanic leanings of the Conventual Franciscan community were not so absolutely homogeneous as to avoid the dangers of nationalism: after all, the original German settlement included a Silesian and a Belgian. Since the Conventual community in Europe was not robust in any nation, perforce the community always maintained an international character in the United States, recruiting extensively from Europe as it did. The ministerial foundation from the 1860's onward, however, was predominantly German until the influx of Polish immigrants in the 1890's. This set the stage for national rumblings all throughout American Conventual history.

In the earliest days, the nationalistic rumblings came not from within the community, but from outside it, in the form of pressure from the European foreign mission societies. The American foundation was almost totally dependent upon the European dole in the early years. The European benefactors sought to promote their own cultures and sphere of influence via the mission aid societies. The Bavarian *Ludwigsverein*, which had warmly supported the American missions as long as the German Bonaventure Keller was superior, was standoffish as long as the Silesian Leopold Moczygamba was in charge. The General Minister demurred, "I agree that the mission ought to be German and its superior a Bavarian German religious," but no one suitable was available.⁴²⁹ *La Société de la Propagation de la Foi* of Lyons was willing to provide some help, but "that foundation is directed to missions in the East staffed for the most part by French missionaries."⁴³⁰ Since the Order's foundation was independent and not directly subject to Propaganda Fide, it could not depend upon that supra-national organization either.

Nationalistic labeling within the Conventual community began to be noticeable in the 1860's. Much of the animosity, however, was not leveled within the community, but at the predominantly Irish secular clergy and episcopacy.⁴³¹ Leopold Moczygamba wrote, "The Catholic Church in America under the direction of Irish or English bishops is not in such a favorable state as you hear about or read about," echoing the great consternation in the New York State foundations about the diocese of Albany being given to an Irishman after the transfer of John McCloskey to the Archdiocese of New York in May, 1864.⁴³² Fidelis Dehm promoted the Order's expansion in the Midwest in part to avoid the Anglo-Irish episcopacy of the East.⁴³³ By 1868, Moczygamba was writing to Propaganda, complaining that Irish clergy terrorize their flocks, refuse to confess on Sundays, never preach, badger their flocks for money, live splendidly themselves while their churches are a shambles, refuse to spend money on Catholic schools or support of

religious sisters, do not prepare sacramentally or teach the catechism, and are usually drunk and profane to begin with. "This reporter, who is neither German nor Irish, has to tell the truth, that German clergy are men of organization and economy" (not like the Irish).⁴³⁴

Soon enough, however, the fires of nationalism began to be stoked within the community of the friars. It had already quietly been the case of nationalistic problems when not all the friars in the same American house had a common language.⁴³⁵ When an isolated friar of Irish ancestry proved difficult, he was called "quarrelsome, like all Irishmen".⁴³⁶ Now it became unusually heated. "Long has it been battled among the friars to keep from emulating that evil which selfishness bears, the bitter fruits usually produced by diversity of nationality."⁴³⁷ That bitter fruit ripened quickly in the Midwest.

Leopold Moczygemba, newly-appointed Guardian and Pastor of the recent foundation of Terre Haute, Indiana, upon arriving at his new post found a considerable debt and an unsettled congregation. At the friary, to which there were a school and novitiate attached

...were placed six young German laymen, whose vocation to the Order is very doubtful, and whom we must provide with books, education, room and board without their paying a cent. This happened only because they are German by origin. Such a happening previously caused bad feelings and murmuring among all the Irish parishioners. They fretted terribly that although it was they who support the church and friary, none of their sons or any Irish were placed on scholarship in the school, but only Germans whom the Irish had to support. For this reason Sunday collections in church dropped, and day by day we are seeing a tremendous drop in collections outside of church.

Moczygemba and the chapter in Terre Haute decided to send the young men "to Syracuse, a German congregation"⁴³⁸ ...together with a bill of the expenses incurred for their journey from here to Syracuse...." Moczygemba reasoned that

if Fr. Kroeger [his German predecessor] could as a local superior unreasonably receive these young men into the school without consultation, I believe all the more that the entire Conventual chapter, in view of the above-mentioned reasons and after repeated warnings to the Provincial Minister, can send these young men to those German friars who took responsibility for them before their parents.

From this nationalistic bickering over students, Moczygemba makes a giant leap.

All things considered, that is, the Superior's way of acting based on principle of nationality which excludes every non-German element; the lack of concern of these three houses (St. Bonaventure in St. Louis, Missouri, and St. Joseph and St. Benedict in Terre Haute); and the distance, since we are 1800 miles away from the German houses which causes great expense to visit or attend Chapters--from all this it would be the best thing that these three houses of Italians and English are separated

from the Germans to become their own Commissariate or Province.

The friars "no longer want to be restrained by German coldness.... It is a great obstacle to our progress to be united with Germans".⁴³⁹ The response on the part of provincial leadership was to ignore the issues of nationality, and blame Moczygamba's ambition.⁴⁴⁰

Issues of nationalism tended to color every disagreement that occurred among and with the friars. Defending himself in the process of the tangled affairs of St. Bonaventure Parish in St. Louis, Missouri, Nazareno Graziani could completely fabricate a rationale and boldly state to the Holy Father: "The principal motive for our coming to America, after the suppression of our provinces in Italy, was...for the spiritual profit of poor and abandoned Italians."⁴⁴¹ A disagreement between the Minister Provincial and Louis Miller over the rights and prerogatives of a Cleric Master *viz a viz* the Guardian and Pastor of Trenton brought forth this comment: "Miller tries in many and varied ways to incite national passions and form a party against Lesen and the Italians".⁴⁴²

Nationalism entered into disciplinary or patronage aspects as well, leaving open the cry for discrimination based on national origin. In appealing for a Papal award for a Louisville journalist, it was pointed out: "If with his Bishop, Msgr. MacCloskey, the award did not happen, it is because Georg Denser is German, his newspaper is German, and the Bishop (I say this in the court of charity) is all English-American".⁴⁴³ Cesare Cucchiarini was removed from ministry in Louisville, Kentucky, at the request of the Bishop on moral grounds; yet a petition was circulated against the German Provincial and the Irish Bishop by the Italians of Louisville to allow him to remain in Louisville. Responding to the situation, Commissary General Fidelis Dehm branded all Italians troublemakers and revolutionaries.⁴⁴⁴ Frederick Doyle, apparently not a high achiever nor a workaholic, complained of being worked to death by over-zealous German taskmasters: "there is nothing left for me but the death of a dirty Irishman, which among the Germans counts for little more than a dirty rag. The Germans want everything as in Germany, and never realize that a priest there with 500 souls has less to do in a year than two or three priests do here in a month in a parish of 3-4000 souls".⁴⁴⁵

Nationalistic tensions in far-off Europe could have repercussions in Conventual America as well. Fidelis Dehm, the very German General Commissary and pastor in Syracuse, was named Vicar Apostolic for Moldavia, where he encountered tremendous opposition and soon resigned.⁴⁴⁶ Dehm was popular in German America, and the local German press began to insinuate that Dehm was sabotaged by Italian priests and French nuns. Pietro Jachetti in Trenton, New Jersey tried to have Roman authorities respond to the accusations, but the General Minister imposed silence concerning the Dehm affair in Moldavia, a stricture to which Jachetti reluctantly acceded.⁴⁴⁷

Perhaps the most interesting of the victims and proponents of nationality among the Conventual Franciscans in this period was Leopold Moczygamba. He was like a man without a country, seeking eternally like the legendary Flying Dutchman to find an appropriate place to land where he felt he belonged. He was born in Upper Silesia, a border area between Polish and German lands that was never really either. He was culturally highly Germanized: he and his father wrote excellent German, and early in his career he petitioned to return to Silesia to keep his Polish fluent.⁴⁴⁸ He entered the Franciscan community in the Province of the Marches in Italy, and always considered himself a faithful son of the convent of Santa Vittoria della Fratte there.⁴⁴⁹ After initial formation he ministered not in his native Silesia nor his adopted Italy, but in Bavaria.⁴⁵⁰ Coming to the United States to labor in German America, he was never fully trusted as being really German, as seen above in his relationship with the *Ludwigsverein*. As the situation in Conventual America grew increasingly German, Moczygamba the American citizen returned to Italy to labor in the Vatican as the American and English-language confessor at St. Peter's Basilica. From there, he attached himself to an American Bishop, hoping to become accepted into the American episcopacy. These hopes dashed, Moczygamba returned to the community and labored in the Midwest, where, as we have seen, he classified himself as one of the "Italians and English".⁴⁵¹ He returned to Rome as the American confessor at St. Peter's, and from there began an intense lobbying effort to draw the attention of the Holy See to the plight of Polish immigrants in the United States. His identification with Polonia in exile eventually led him to petition to transfer to the Congregation of the Resurrection, a community dedicated to work among Polish immigrants. His lobbying for Polish clergy led him to become one of the founders of Sts. Cyril and Methodius Seminary in Orchard Lake, Michigan, a seminary dedicated to training of Polish-American clergy. His dedication to being both Polish and American led him to seek incardination into the Diocese of Detroit, where he died 2/23/1891. In 1974, his body was reinterred in Panna Maria, Texas, the site of the first Polish-American colony that he founded over a century earlier. A granite marker at his grave contains a quote from one of his letters. Written in Silesian dialect, it proudly proclaims: "As a Silesian I have more Polish feelings than I can express".⁴⁵²

VI. Factionalism in the American Community

Factionalism and party identification is perhaps endemic in any grouping of people, and religious are not immune to the call of implicit or explicit party formation. In the European context party frequently took the shape of partisans of "revolutionary" and "conservative" politics, or "liberal" and "integralist" ecclesiology, each inhabiting the same friary or province, and battling out the political and ecclesiastical wars over the supper table. In the American context, in the absence of such political and ecclesiological

wars, factions sided around personality and the internal politics of the community.

The earliest open faction evolved around the two persons of Bonaventure Keller, first Superior of the American mission who was removed from office due to scandal, and his successor as American Superior Leopold Moczygamba. After leaving Texas and finally settling in Brooklyn, Keller began a lengthy campaign of returning to the good graces of the General Minister. He promised foundations in Brooklyn that would arrive only if Keller were superior, and assuring the General Minister that he was a font of vocational prospects for the community.⁴⁵³

At the same time, however, he began another campaign to discredit the work of Leopold Moczygamba in Texas by trying to lure the Texas missionaries to the Northeast.

I have to say that Fr. Keller, who finds himself in the Diocese of Brooklyn near New York, is continually in correspondence with the missionaries in Texas to persuade them to leave Texas and to come to him. He wrote to me three times about it. It would do well to admonish him in a stronger way than I was able to do.⁴⁵⁴

In another tactic to break the manpower situation in Texas, Keller waylaid Clement Mutsaers, a Conventual friar with an obedience for Texas from the General Minister. Keller presented Mutsaers for ordination to Bishop McCloskey of Albany, promising that Mutsaers would serve in Albany. The problem was that Mutsaers was not of canonical age, and that Keller did not have the faculties to issue dismissorial letters to have Mutsaers ordained. Mutsaers had qualms of conscience after ordination, and returned to Rome to report the matter. Keller claimed that Mutsaers was too sick to serve in Texas, and took the broad mental reservation that Moczygamba would have had him ordained anyway, and what difference did it make if Mutsaers labored in the Lord's vineyard in Texas or Albany? "Having read and examined the explanation in Congress at Propaganda, it was known that Keller did not tell the truth", and Propaganda ordered the General Minister to "inflict a penance on Fr. Keller at his discretion, one that is proportionate to the irregularity of his conduct".⁴⁵⁵

When the two of them were located in the same area, we noted that Keller took the opportunity to wander off to California, Oregon, and Utah. With his return to community, Keller was unhappily sent into a form of internal exile in Louisville, Kentucky, where Moczygamba wrote him, "Beloved friar, if only I could send you to some place even warmer!"⁴⁵⁶

In the turn of events that marked the first Provincial Chapter in 1872, Keller was elected Provincial Minister.⁴⁵⁷ As noted above, Moczygamba wound up in a form of internal exile in Terre Haute, Indiana. There we noted his factional enterprise in trying to form a new custody of "Irish and Italians" against the Keller-led "German" East. Part of this factional enterprise was the displacement of six "German" vocation prospects with the arrival of six who were loyal to Moczygamba and the friars of the West.⁴⁵⁸ Moczygamba

soon resigned his position in Terre Haute, and reported that Keller sent him warmly to his next assignment with the words, "You can go to St. Louis and there you and Fr. Salvatelli can live as independently as rays of the sun. As long as I am Provincial I will not bother with you."⁴⁵⁹

Another friar from the West, Cesare Cucchiari, an Italian not associated with Moczygemba's proposal, introduced the extension of faction and party past merely Moczygemba vs. Keller. In a letter deriding Moczygemba as a drunken womanizer and a Dollinger,⁴⁶⁰ Cucchiari throws in his lot not with Keller, but with Keller's right hand men and Perpetual Definitors, Giuseppe Lesen and Pietro Jachetti. As for Keller, Cucchiari paid him the somewhat backhanded compliment of saying that he was "not unable". In any case, no one need fear for the welfare of the new American province, since Lesen is "the Praeceptor of everything".⁴⁶¹

The "Praeceptor" came to center stage the following year, when the Midwestern faction of Leopold Moczygemba, joined by Giovanni Battista Salvatelli, Nazareno Graziani, and Pius Kotterer took up cudgels once again. In a blistering letter to the Sacra Congregatio Episcoporum et Regularium⁴⁶² they complained that redress had not been granted them after repeated recourse to the General Minister. Their complaints had to do with the conduct and person of their Provincial Minister, Bonaventure Keller, whom they claimed had no talent to govern and whose reputation (they claimed he had been suspended *a divinis* a total of three times) was damaging to the corporate body. Their specific points of bad governance included: acceptance of unworthy candidates for novitiate; permitting a lax novitiate in Terre Haute; and permitting problematic situations to continue in both Syracuse and Louisville. They painted a picture of a cabal with Giuseppe Lesen in the lead, which maneuvered Keller's first election and now sought to illegitimately keep him in power against the wishes of the majority of the friars.

The spirited defense against these accusations was drawn up by the Provincial Secretary, Giuseppe Lesen, and the reputed leader of the cabal. He included seventeen transcribed documents, in both English and Italian, totaling a sum of thirty nine pages. In the lengthy letter accompanying the documents, Lesen noted that the recourse of the four friars was illegal, and proceeded to comment upon the accusations. He reminded his readers that to cast aspersions upon Keller's first election was tantamount to casting aspersions upon the General Visitor and Presider of the Chapter, Antonio Grasselli, currently Titular Archbishop of Colosse and Apostolic Vicar of Constantinople. He also reminded readers that although four friars signed the petition, the testimony was really that of Moczygemba, who rehashed the earlier Texas and Philadelphia misadventures, which in any case had no juridical bearing on a later election. (Whereas the accusations are generic, Lesen's rebuttal is juridical, introducing documentation and information, point by point, to refute the accusations.) Lesen had done his homework, and the accusations seemed petty and embroidered to suit

the purposes of the accusers.

Lesen also responded to the personal nature of the accusations, which, given the imprecision of the legal accusations, was probably the principal motivating factor. Speaking of the political machinations of which he was named as *éminence grise*, he stated,

I reject with disdain the sixth accusation, which characterizes me as the intriguing leader for the election of Father Provincial. The Archbishop Apostolic Vicar of Constantinople, Mons. Grasselli, was the President of the Chapter, and he, I hope, will testify how much I was removed from even the shadow of intrigue. The seventh accusation, that I am the chief of a faction that is trying by hook or by crook to reconfirm the Provincial, is pure calumny. It is pure calumny as well that I have already requested from Your Reverence to obtain a rescript from the Sacred Congregation to exclude from the next Chapter many fathers who had a right to attend. I protest before God that such an idea never entered my mind. In any case I sincerely pardon my confreres; the sin lies principally in an overactive imagination. They believe in and desire to serve a good cause; they erred through preconceived ideas, through unrepressed ardor, and through inexperience. Your Reverence can also pardon them, and accept in recompense the certainty offered you, that our real problems in America are, bottom line, not too many. If there were more problems presented to their diligent research, no doubt they too would have been exposed.⁴⁶³

The entire correspondence, the earlier complaint and Lesen's defense, were read by the General Curia in a manner consistent with the upholding of legitimate authority. After consulting with several friars both in America and in Rome, the General Curia believed that, "All things taken together, the dispatch of the recourse was due only to the mean-spiritedness and covetousness to dominate in some of the writers, and in others only ignorance and poor disposition."⁴⁶⁴ The legal reasoning of Keller's valid election was the sole criterion mentioned; nothing was intimated about factionalism and party in the American Province. Keller's triennium was up in early 1875, and in late 1874 Propaganda Fide was petitioned,

This friar has conducted himself with great zeal, and in any case there are not enough Conventual religious of that province to elect a successor according to the Constitutions. We therefore ask Your Holiness, in order to avoid great expense in convoking a Chapter for that election, to deign to confirm in office by apostolic authority for a five year period the same Fr. Master Keller, with the faculties to exercise all those acts incumbent upon a Father Provincial.⁴⁶⁵

That petition was granted, with the provision to allow incumbents in positions of authority to remain there for as long as the Provincial Minister. Roman officials were uncomfortable with the wholesale continuance in office, so as not to irritate the whole body of friars. The Vicar General saw, however, that the important thing was to "keep the Definitory in peace," notwithstanding the feelings of the friars.⁴⁶⁶ The Perpetual Definitors, once again, were Giuseppe Lesen and Pietro Jachetti.

Although Giuseppe Lesen could state "we live in peace, with the exception of one or another case of dissension among us,"⁴⁶⁷ the sense of faction would increase in subsequent years. Instead of focusing on Lesen, attention focused on the other *eminence grise* of Trenton, Pietro Jachetti. In 1880, while Jachetti remained as Pastor of Trenton, Anselm Auling had been nominated as Guardian and Giovanni Battista Salvatelli, of Midwestern faction fame, was nominated as Cleric Master in Trenton. The latter's nomination Jachetti characterized as "*initium mali*".

It soon became evident that financial records in Trenton were not exact, and that monies collected for the building of the church did not add up to expenses; in other words, money was unaccounted for. It appears that there was no separation in Jachetti's accounting between church and friary monies, despite repeated provincial statutes to the contrary. Auling reported to the Minister General his suspicion that Jachetti had embezzled \$2000 from church funds, gave it to his family, and, with the collusion of the Provincial Minister Giuseppe Lesen, touched up the books, including interpolating and forging the friary chapter records. The litigious Salvatelli (not having learned from Terre Haute or St. Louis or the attempt against Bonaventure Keller) formally denounced Jachetti in 1882. A province juridical process convoked by the Provincial Minister in September, 1883, found Jachetti completely innocent, the parties (Salvatelli *in absentia*) agreeing to Giuseppe Lesen as binding private arbiter.⁴⁶⁸

Salvatelli, for his part, gathered new documentation and appealed to the General Definitory, citing the partiality of the Provincial Minister and the continued existence of the Jachetti/Lesen cabal after the death of Bonaventure Keller. Lesen defended himself by impugning Salvatelli's witnesses as perjurious anti-clericals out to discredit the Church. The General Definitory supported Lesen, and imposed silence on Salvatelli.⁴⁶⁹ Authority was sacred and needed to be upheld, even though Jachetti had requested and received in 1880 a *sanatio* for monies illegally funneled to his family. Later anecdotal evidence suggests that Jachetti's family was eventually forced by the General Definitory to return monies, and that Jachetti was known for doctoring the books.⁴⁷⁰

A certain collusion must be noted between Jachetti and Lesen. Despite the seriousness of accusations, Lesen renominated him as Guardian of Trenton in 1883, and in 1886 nominated him as Novice Master. Accusations against Lesen's character in dealing with Jachetti were raised in the Intermediate Chapter of 1885 as well as the Provincial Chapter of 1886, when that body tried unsuccessfully to remove Jachetti from power in Trenton. Jachetti (and perhaps Lesen) campaigned for support from Bishop Michael O'Farrell of Trenton, who threatened the dismemberment of Immaculate Conception Parish and the sequestering of all other establishments in the diocese if Jachetti were removed. A flurry of fearful letters of support for Jachetti went to Rome, together with a mutual sworn statement of Jachetti and Lesen that no

collusion had taken place. The result was that Jachetti remained in Trenton as Guardian, Pastor, and Cleric Master, "notwithstanding every prejudice hurled at Fr. Jachetti and in no way caused or instigated by the words or actions of Fr. Provincial."⁴⁷¹

The whole affair between Jachetti and Lesen irritated the General Minister. He seems to have requested Lesen to depose Jachetti, and seems to have castigated Lesen for being disobedient to his wishes by pleading a case of conscience (this letter has been lost). However, Lesen responds indignantly to the General,

Your letter wounded me to the depths of my being. Before God I am a miserable [sinner]; but before men I have never prostituted my honor as a man, as a gentleman, as a religious, and as a Superior. What is more important, never before God and man have I professed errors of this sort, and furthermore I detest these errors [that conscience is beyond obedience and can free one from obeying a direct order] of Protestantism and Jansenism.⁴⁷²

General Minister Bonaventura Soldatitch replied in tone:

...Regarding Fr. Jachetti, before taking sides openly contrary to my wishes, you did not even so much as warn me. In any case I see that with you desertion is useless: my reasoning does not convince you; my authority, instead of directing you, serves as a ruinous stumbling block and a blazing disturbance of the peace of your province. Nothing else is left to me than to recall the precept given you in the past, and repeated in the present: you repute yourself the only competent judge in the governance of your Province, and therefore you are left to operate as it best pleases you.⁴⁷³

The high sense of factionalism and party is evidenced as well in the examination of Provincial elections in the Chapters of 1880, 1883, 1886, and 1889. In 1880, Giuseppe Lesen was elected in his own right on the first ballot, with a bare majority of eight out of fifteen. In 1883, in the midst of internal and external dissension, a total of twenty-five ballots were required before Lesen was reelected, again by a majority of one, outpacing Louis Miller initially, and finally the candidacy of Francis Neubauer. In 1886, Lesen was reelected on the first ballot, again with a bare majority of eleven out of twenty. At that Chapter, however, an unsuccessful motion was made to censure Lesen.⁴⁷⁴ In 1889, the first ballot was a dead heat between Lesen and Neubauer, but in the second ballot Neubauer was elected. One must read these elections without generalizing, as Smith cautions, but there is little doubt that the 1880's in the American Province of the Friars Minor Conventual was a period of great strife and faction.⁴⁷⁵

Factional party was not ended with the election of Francis Neubauer. After six years in office (marked by continuing economic quarrels with Pietro Jachetti), the "Praeceptor" Giuseppe Lesen (who in 1889 had been appointed Novice Master in Syracuse, New York, and from 1891 Guardian of the Generalate in Rome), was named Praeses of the 1895 Provincial Chapter by the General Minister. Pietro Jachetti was

eager to circulate the rumor that this heralded the General Minister's desire to see Lesen returned as Provincial Minister. On Jachetti's campaigning, Neubauer wrote,

Why didn't the poor man keep his mouth shut, when he knows that he is suspected for everything that is crooked? There is already a great deal of bitter feeling about the rumor that the Praeses Capitularis should come with the privilege [SIC] to be elected and that my name was struck from the list of eligibles. If it is so, it would give the affair quite a reasonable taint of somebody's scheming and of unjust partiality. I have been already stormed with petitions to ask the General to grant eligibility for every voter. I will not do such a thing, for I am indifferent. I can afford to recede from the office with honor and respect. This much I will assure you: my vote will not contribute to reestablish the old regime. This much I owe to my conscience and to the welfare of our dear Province."⁴⁷⁶

The old regime was not reestablished; instead, dark-horse Hyacinth Fudzinski was brought back from Europe. Fudzinski in turn was plagued throughout his term of office by Jachetti's sniping. Jachetti was alienated early on by Fudzinski's insistence on the common life. On Jachetti's obstinance on the *vita particularis*, Fudzinski complained to the General Minister,

For four months Fr. Master Pietro Jachetti has not handed over a cent to the house of St. Francis in Hoboken. I will issue a warning with full charity and prudence, but the good Fr. Jachetti needs to keep himself in line concerning his elementary duties. There is absolutely no reason to make an exception with him."⁴⁷⁷

Whenever Fudzinski visited Hoboken, there were arguments, leading eventually to Jachetti uttering, "May God have mercy on Fr. Fudzinski."⁴⁷⁸

Jachetti accused Fudzinski of leading the Province into debt with the erection of a palatial 100-room mansion at Mt. St. Francis, Indiana, (Neubauer and the brother candidates actually lived in a ten-room wooden house built mostly by Neubauer), and of not promoting the spiritual life of the Province. At the 1899 Provincial Chapter, Jachetti faulted Fudzinski's management, the election procedures adopted, as well as the discussion of finances in Hoboken.⁴⁷⁹ Jachetti's carping probably contributed to Fudzinski's rejection as Provincial Minister in 1899, but nonetheless the faction was broken. Fudzinski's successor was Louis Miller, who had earned Jachetti's undying enmity in the period 1878-1880 as Cleric Master in Trenton, where Miller joined the opposition.⁴⁸⁰ At this Chapter, Jachetti announced that he intended to return to Italy, and already had the permission of the General Minister to do so.⁴⁸¹

VIII. The *Vita Communis* and the *Vita Particularis*

Community life among Conventual Franciscans in Europe was riddled with abuses of individual self-interest, due to the widespread existence of the *vita particularis*. The *vita particularis* was an optional

(though prevalent) form of observance of the vow of poverty that allowed an individual friar to retain ownership of worldly goods, though access to such goods was restricted through religious obedience. This form of life tended to foster a certain economic self-interest in individual friars, leading to frequent personal recourse to the Holy See for dispensations, scurrying for optimal convent affiliations, and unbridled individual capitalism. A system that minimized individual involvement with community concerns but maximalized individual protection of self-interest was not an auspicious base for the common adventure of community foundation in the New World.

The American norm was officially to be the opposite: "The *vita communis* is to be instituted equally for friaries and as much as possible for pastors living outside of friaries. Each year, since they dwell outside friaries, pastors are required to render an account of their finances, and their surplus is to be incorporated into the friary."⁴⁸² Leopold Moczygamba realized the enormity of that request:

I come finally to respond to the propositions regarding rules for the mission. All the legislation proposed to me will be easy to implement. However, introducing the *vita communis*...at present is impossible to implement. When it does become possible later on, I will not hesitate to inform you.⁴⁸³

The General Curia remained obstinate on this point. "In friaries the *vita communis* is to be observed, and in mission stations as much as circumstances permit."⁴⁸⁴ It also recognized that for the friars the *vita communis* was a process to be educated. "Promote to all the friars without distinction the observance of exact *vita communis* in whatever place they are, in friaries or in mission stations. According to law visit them to check on discipline as well as administration...."⁴⁸⁵

Moczygamba at least tried to enforce this in the Motherhouse friary of Syracuse. The very first house chapter, on August 17, 1860, established the common life with a monthly *vestiario* or allowance, elected its financial officers, and ordered that outlying mission stations comply with living the common life. Already, however, due to the fluid capitalist nature of parochial life, nine months later the allowance was doubled and severe warnings were issued about private sources of income, as well as the taking out of personal loans and checks.⁴⁸⁶ Due to inflation caused by the Civil War, in 1864 the allowance was tripled "temporarily and subject to retraction by the General Minister".⁴⁸⁷

It seemed, however, that the battle for the common life was being lost. In 1870, the Commissary General was ordered to

immediately question the General Minister about which friars have special dispensations in this mission, and send this information. Such friars ought to show their dispensations to local superiors as well as to the Commissary, both for the observance of religious life and to calm the conscience of the local superior.⁴⁸⁸

Subsequent legislation seemed to recognize that *de facto* the friars were living the *vita particularis*.

In 1874, friars living alone were reminded about sending their surplus funds to the house fund to which they were obligated.⁴⁸⁹ But in 1876, the full apparatus of the *vita particularis* was set in place.

The administration of temporal goods of each friary or house is to be established according to the *Constitutions* IV, t.II.... Each friary should have a triple-locked strong box, in which are kept the finances of the friary as well as the finances of the nearby houses where one or two friars dwell. If judgment or opportunity serves, money may be deposited in banks, as long as the bank book is kept in the strong box. In each strong box, the prescriptions of the *Constitutions* IV, t.II regarding the private deposits of the friars living in the friary or in nearby mission houses are to be observed. In the strong box there should also be a catalogue of all those goods that are conceded to the simple use of the friars, as well as a catalogue of what is owed by each friar yearly.⁴⁹⁰

By the mid-1880's, the tide was turning back to instituting the *vita communis*. In a sharply divided vote, the 1886 Provincial Chapter decreed that from now on all students were to profess according to the *vita communis*.⁴⁹¹ The institution of the *vita communis* severely rocked the foundations of the seminary system.

Believe me, such [an introduction of the *vita communis*] will always be seen to be intolerable and inopportune, not only among you, but among people everywhere. Two conditions are absolutely necessary. First, there must be great and real paternal charity on the part of superiors who provide for the just necessities of their subjects as parents are in the habit of doing for their children; may they know and want to anticipate these necessities opportunely. Second, in the subjects there must be in the heart a true spirit of evangelical poverty, and the sincere absence of ambition for worldly goods.⁴⁹²

The imposition of the common life was aided by friars coming from Poland to serve the burgeoning immigrant Polish community, most notably the Polish friar who arrived in Trenton for ethnic ministry, Stanislaus Czelusniak.⁴⁹³

In 1893, Provincial Minister Francis Neubauer continued to turn the tide against the *vita particularis*. He decreed that "interest accruing in any way from the deposits of the alms of particular friars belongs not to the good of the Church, but to the Province". Recognizing that "house strong boxes properly speaking do not exist in this Province," the friars had habitually been depositing their particular funds in church accounts. Some pastors accrued the interest to their churches, which Neubauer found an abuse. He decreed that 4% should be paid yearly to province accounts from the deposits of single friars. Neubauer further encouraged the friars to give all their funds to the Province and adopt the common life. Just in case the hint was not strong enough, he restricted the friars' use of particular funds to \$15 monthly allowance, made everyone accountable for each single expense over \$2, and forbade the giving of any gift to family

member or friend of over \$5.

I fear that our younger confreres, newly associated with us in the care of souls, may be led into error in their way of life, from the rule of exact and perfect common life to the example of the particular life of older friars. Perhaps they will not even understand the spirit of that life. Every beginning is difficult.... The expenses of the friars living the perfect common life are to be written clearly and distinctly in the account book and diligently examined at each house chapter. The rule compels Superiors and friars to explain and give account of the expenses and small pocket monies of those professing the common life. The law is not changed either lightly nor through shrewdness, and neither is it excused by sin. The perfect common life has been introduced in our province to obtain a better condition of religious life. Until the effects of this form of life are observed everywhere, comparisons are going to be made ...because as experience will teach, the common life demands a higher level of expenses than the particular life.⁴⁹⁴

In September, 1894, the decrees of the General Chapter of 1891 were published.⁴⁹⁵ It mandated the common life from now on, and mandated the General Minister to introduce it in any province where at least five members were prepared to live it. The Provincial Minister was to implement it as he saw fit in his province, while any guardian who resisted it was to be deposed. No one professing under the former system was to be penalized, but those who might be a minority in a convent where most professed the particular life were to be protected.

The Provincial Chapter of 1895 empowered new Provincial Minister Jacek Fudzinski to "make rules and dispositions for those who profess the common life, in order that they receive all that is necessary, and to proceed with great rigor against superiors who do not observe these rules."⁴⁹⁶ When the Intermediate Congregation met in May, 1897, Fudzinski proposed that the common life be mandated in the friaries of Utica, Albany, and Camden. This request was rejected by the assembly, but seems to have been issued *motu proprio* by the Provincial Minister.⁴⁹⁷ This caused great dissension in the Province, leading Pietro Jachetti to request the Custos Custodum, Michael McEvoy, to bring the matter up at General Chapter to censure the Provincial Minister.⁴⁹⁸

As a countermeasure, Fudzinski solicited a protective rescript.

During my triennial office that is drawing to a close, with God's help and without the approval of the Definitorial Fathers who thought it inopportune, I reserved five friaries for the perfect common life. In fact I introduced it, and it met with great success, in these friaries: St. Francis in Syracuse, N.Y.; St. Joseph in Utica, N.Y.; Our Lady of the Angels in Albany, N.Y.; St. Peter the Apostle in Camden, N.J.; St. Adalbert in Newtown, N.Y. In the coming Provincial Chapter, there is the danger that something will be introduced that will not follow religious observance and the Pontifical decrees, which will not be to the evident good of this

Province. Almost all the fathers who have the right to appear at Chapter, the Provincial Definitory included, profess the particular life. Since the majority of them opposed the introduction of the common life, and not a few of them have already threatened to introduce its abolition, it is not improbable that they will try to prohibit it by law. I therefore humbly request Your Holiness to deign to approve the action of introducing the common life in said friaries, and to declare that the common life cannot be abolished there without special recourse to the Apostolic See.⁴⁹⁹

American native son and General Minister Dominic Reuter, recognizing that eight years later things were still confused and friars were still perturbed, sought to resolve any lingering doubts. He reminded the community that Syracuse by virtue of being a novitiate, and Utica, Albany, and Camden by virtue of Papal rescript (Newtown already formed part of the new Polish Commissariate) were houses of the common life. This was unchanging, no new houses that accepted the particular life were going to be founded, and friars had better get used to the new state of affairs. Friars who "neither professed the common life nor accepted it" were reminded that by virtue of poverty they could accept nothing without superiors' permission and could dispose of nothing without superiors' permission. Superiors' permissions were strictly limited to \$10 extraordinarily, and never indefinitely. Monthly allowances from the friary were never to be deposited in the name of the friar in any bank, but must be deposited in the house account. If monthly allowances are accepted by individuals, they must pay a monthly stipend for living expenses to the friary: superfluous purchases were to be billed to the individual's account. Accounts were to be made to the friary *de familia*, even if that friary were a house of perfect common life. In the case of the common life, caring for the friars was not an act of charity by Superiors, but an act of justice. Any superior not living justly in this regard was subject to deposition. Subjects were reminded to be simple in their needs, and superiors were reminded to guard against sin by guarding that no superfluous monies be distributed.⁵⁰⁰

The *vita communis* did not mean that all the friars were living as poorly and simply as did St. Francis and the early friars. The 1886 Provincial Chapter had to decree that "gold objects can never be received as gifts under any pretext; those already in possession are to be sold".⁵⁰¹ Everyone was properly scandalized when a particular friar stipulated in his will to have an \$8000 funeral monument built in his memory out of his accumulated funds.⁵⁰² Francis Neubauer could grouse about friars smoking big fat cigars day and night, and carousing with the finest liquor available, and in abundance.⁵⁰³

What the institution of the *vita communis* did mean was that the American friars were economically and financially tied and interdependent with their communities. A community of shared economic interests was created, which of course did not automatically lead to a shared community of mind and heart. But the basis for perduring and mutually dependent religious community was secured.

NOTES

1 The classic panorama of American culture in this period is the commentary by Alexis de Tocqueville, the fruit of an extended visit to the United States in 1831-1832, and published in installments in the following years: *Democracy in America*. I have used the Vintage Classics edition, with introduction by Daniel Boorstin, 2 volumes, (New York, 1990).

2 The edition in force for much of the 19th Century is a revised version of the 17th Century Urban Constitutions: *Constitutiones Urbanae Ordinis Minorum Conventualium S.P. Francisci editae*, (Romae, 1823).

3 See Jeremiah Smith, *History of the Conventual Franciscans in the United States, 1852-1906*, (Union City, New Jersey, 1988), p. 2-3.

4 ARCHIVES OF THE PROVINCE OF THE IMMACULATE CONCEPTION (henceforward APIC), collocation 3.9H, Othmar Hellmann, *Notes for a History of the Province*, p. 378.

5 ARCHIVIO DELLA CONGREGAZIONE PER L'EVANGELIZZAZIONE DEI POPOLO O "DE PROPAGANDA FIDE" (henceforward APF), "Lettere e Decreti della Sacra Congregazione e Biglietti di Monsignor Segretario" (henceforward "Lettere"), Volume 276, 65rv-74rv; Volume 277, 217rv-226rv, 410rv-416rv; Volume 283, 269rv-272rv; "Scritture riferite nei Congressi", America Centrale dal Canada all'Istmo di Panama (henceforward "Scritture"), Volume 3, 90rv-177rv, passim. All of this early speculative material is summarized well in an unpublished manuscript by Giovanni Odoardi, *Brevi osservazioni e documenti intorno ad alcuni Francescani Conventuali missionari in America*, 1952, found in ARCHIVIVM GENERALE FRATRUM MINORUM CONVENTUALIUM (henceforward AGOFMCONV), S/IX.D, packet 1.

6 See Smith, p. 2.

7 APF, "Lettere", Vol. 332, 34v-35r.

8 Ibid., "Udienze di Nostro Signore" (henceforward "Udienze"), Vol. 108, 195r, 26/II/1848. "Il mio Ordine non ha ancora Missioni proprie in America, ma vi stanno già tre miei religiosi delle province austriache speditivi come Missionarii della Congregazione Leopoldina di Vienna, se non erro."

9 See Smith, p. 49-57 and 118.

10 See Remigius Ritzler and Pirminus Sefrin, *Hierarchia Catholica Medii et Recentioris Aevi*, Volume VII, (Padua, 1968), p. 153.

11 Quoted in Charles Nolan, *Modest and Humble Crosses: A History of Catholic Parishes in the South Central Region (1850-1984)*, in *The American Catholic Parish: A History from 1850 to the Present*, ed. Jay P. Dolan, (New York, 1987), I, p. 246.

12 Ibid., p. 246-7.

13 APIC, Hellmann, p. V, from Munich, 17/II/1852. "Cum Missio Texensis mihi credita operariis apostolicis valde indigeret, Europam petere debui ut sacerdotes mihi adiungerem."

14 For a discussion on Keller and his character, see Smith, p. 9-14.

15 All the earliest correspondence, even before the nomination of Keller as first mission superior, is addressed to him; see APIC, Hellmann, p. I-XIII.

16 Ibid., collocation 3.24, "Immaculate C(onception) Province Cor(respondence" (henceforward "IC Prov. Corr.) first packet, 20/II/1852. "...habe ich bereits sechs vollen Jahre in meinem Herzen...."

17 Ibid., letter of 2/VIII/1851; summaries of letters of 29/XII/1851 and 31/XII/1851 in Ibid., Hellmann, p. 351-2.

18 One copy is found in Ibid., "IC Prov. Corr.", first packet; another copy is found in AGOFMCONV, S/IX.D, packet 2.

19 APIC, "IC Prov. Corr.", first packet.

20 See the examples in Smith, p. 9-11.

21 AGOFMCONV, S/IX.D, packet 2, Keller to Minister General, 8/IV/1852. "Me in Bavaria absolute necessarium esse, nullo modo dici potest.... Pro certo habeo, quod in missione non pejora, quam tempore revolutionis in regione rhenana evenire possint. Quibuscum hominibus impiis et scelestis talibus temporibus agendum sit.... Praxis pro missione etiam habere puto, quia per quattuor annos fere semper cum cura animarum me occupare debui....qui solummodo desiderat, ad gloriam Dei, ad salutem animarum, et in honorem Ordinis laborare posse...."

22 This surname, of Polish Silesian origins, occurs in various spellings and forms throughout the archival holdings. In this work the generally accepted English orthographic rendition of Moczygomba will be used throughout, even corrected in original citations.

23 Noted in APIC, Hellmann, p. 346.

24 Ibid., "IC Prov. Corr.", 29/II/1852. "...indem er schon von Seite Pohnischer Priester ihrer revolutionaeren Gesinnung wegen zu viel Verdruss aushalten...."

25 Smith, p. 10.

26 See, for example, Keller's letter to the Minister General of 8/IV/1852, AGOFMCONV, S/IX.D, packet 2.

27 APIC, Hellmann, p. 334-5, 346-7, 354.

28 Ibid., "IC Prov. Corr.", first packet, 29/II/1852. "...auch nicht ein einziger in der ganzen Provinz Lust hat Missionaer zu werden."

29 Ibid., letter of 2/VIII/1851.

30 AGOFMCONV, S/IX.D, packet 2, letter of 2/VII/1852. "Cum praedictum P. Dominicum per duos annos cognosco, et ad missiones aptissimum esse puto...."

31 APIC, Hellmann, p. 339-40 for Schonau conflict, p. 403 for desire to leave Germany.

32 Ibid., "IC Prov. Corr.", first packet, letters of 3/III/1852 and 29/IV/1852, and contract and obedience of 29/IV/1852.

33 The phrase is Keller's, from his letter to the Minister General of 8/IV/1852: AGOFMCONV, S/IX.D, packet 1.

34 Ibid., letter of 2/VII/1852.

35 The material in this section is a reworking and amplification of the section in Smith, p. 15-43.

36 AGOFMCONV, S/IX.D, packet 2, letter of 2/VII/1852.

37 It must be remembered that the designation of "parish" in this period in the South-Central area of the United States is at best an arbitrary one, due to the skeleton ecclesiastical structure of the area; furthermore, the concept of a national parish was not as rigid as it would later become in American history. In point of fact, Dhanis was Alsatian, and not German. See Nolan, p. 240-241, Note 3, for concept of parish; p. 241, Note 4, for concept of ethnic parish; p. 264 for Dhanis. For the prehistory of these Texas communities, see Emmet Rothan, *The German Catholic Immigrant in the United States, 1830-1860*, (Washington, 1946), p. 70-74.

38 AGOFMCONV, S/IX.D, packet 2, letter of 14/IX/1852. "Nos igitur pastorali sollicitudine pariter et nationem Germanicam prosequentes, exoptamus Ordinem Minorum S. Francisci Conventualium in Diocesi nostra jugiter permansurum et eum saluti animarum praecipue gentis a Germania emigrata provisurum. In hunc finem assignamus eidem Ordini sequentes parochias germanicas, et in perpetuum cum omni jurisdictione parochiali concedimus, nempe parochiam Castroville, parochiam Dhanis, parochiam New Braunfels, et parochiam Fredericksburg. Loca autem filialia praedictarum in futurum in parochias proprias erigenda: Bend, Haly, Quihi, Vandenburg, Seco, Cornal, St. Thomas, St. Clara, Cibolo, Llano, Nivesale, et Pedrinales, volumus nos pari animo concedere, si praedicti Ordinis presbyteri aderunt. Denique per praesentes attestamus Ordinem Minorum S. Francisci Conventualium in nostra diocesi privilegio exemptionis juxta statuta pontificia gavisurum, ut ejus Regula et Constitutiones incolumes serventur."

39 Ibid., letter of 4/V/1853.

40 Ibid., letter of 5/V/1854. These conditions are typical of the times, corroborated in *Diamond Jubilee 1847-1922 of the Diocese of Galveston and St. Mary's Cathedral*, (LaPorte, Texas, 1922), p. 33-105, and P.F. Parisot, *The Reminiscences of a Texas Missionary* (San Antonio, 1899), p. 1-42, and E. Domenech, *Journal d'un Missionnaire au Texas et au Mexique, 1846-1852* (Paris, 1857). Parisot was associated with the friars, in that his name appears with theirs in various requests for faculties from Propaganda Fide: see APF, "Udienze", Volume 128, 570r, 571r, 572r, 573r; Volume 129, 930v, 936rv. There is, however, no mention of the Conventual Franciscans in Parisot's published volume.

41 APIC, Hellmann, p. 345-346.

42 APF, "Scritture", Volume 17, 197r.

43 AGOFMCONV, S/IX.D, packet 2, letter of 5/V/1854 for Wisconsin or Pennsylvania; letter of 4/VII/1855 for health; and APIC, Hellmann, p. 334-335 for previous health.

44 AGOFMCONV, S/IX.D, packet 2, letter of 24/VII/1853, from Odin to an unnamed person, presumably the Minister General.
"...je le croyais un homme de bien digne enfant de St. Francois il se montre un loup ravissant plutot pasteur zélé... il me faisait employer contre lui les censures ecclesiastiques...un frère laiue très bon et très pieux...un homme qui m'inspirait beaucoup de confiance....il a employé plus de 300 dollars pour cette creature...."

45 Ibid., letter of Moczygamba to Minister General, 20/IX/1853.

46 APIC, "IC Prov. Corr.", first packet, letter of Vicar General Dubois to Dear Sir, dated 27/II/1854.

47 AGOFMCONV, S/IX.D, packet 2, letter of 5/V/1854. "...monache future per istruire la gioventù....avendosi dichiarato un cive di Castroville inanzi al giudice di essere lui isstesso padre alla fanciulla.... Negli anni passati ho conosciuto Pre. Keller come buon sacerdote e divoto religioso."

48 Op. cit., p. 17-23.

49 APIC, "IC Prov. Corr.", first packet, letter of 1/III/1853.

50 AGOFMCONV, S/IX.D, packet 2, letter of 24/III/1854 for temporary nomination, confirmation on a notation dated 15/VII/1854, on the envelope containing a letter of Moczygamba to Minister General, dated 5/V/1854.

51 Ibid., letter of 9/III/1854. "...et iterato interrogatus affirmavit, se nullibi et coram nemine in itinere aliquid protulisse, quod missionariis nostris Texensibus dedecus parare posset."

52 APIC, Hellmann, p. 202. "...frater laicus Valentinus Schmitt (in Bavaria notus garulus audacissimus)...."

53 Op. cit., p. 18.

54 AGOFMCONV, S/IX.D, packet 2, Keller to General Minister, 4/V/1853. This is a good summation of Keller's pastoral program, where he speaks of his charge as the mission "pro Germanicis qui in Texas habitant", admits to not speaking English and gives no sign of a desire to learn it, and asks for missionaries only from Germany, with the exception of the Irishman Bonaventure Corney from the convent at Hal, who would be useful for school.

55 Moczygamba would return to this idea in a report to Propaganda Fide: see APF, "Scritture", Volume 22, 4r-42r, 2/X/1868.

56 AGOFMCONV, S/IX.D, packet 2, letter of 20/IX/1853. "...gli (sic) padri che stano (sic) nelle missioni si possano ritirare qualche volta nell'anno, onde potersi rinnovare nello spirito religioso...altrimenti, facilmente si perde lo spirito religioso. Texas è un grande paese e in questo potrà distendersi l'Ordine nostro."

57 Drawn from Ibid., letter of 13/XII/1854. "il convento è molto necessario, imperocché senza questo è molto difficile e quasi impossibile di conservare la disciplina e lo spirito dell'Ordine e l'unità fra gli padri missionari."

58 See Ibid., letters of 16/VII/1855 and 28/VIII/1855, as well as packet 3, letter of 7/VII/1857.

59 APF, "Scritture", Volume 17, 869r, letter of 13/III/1857. "In questo tempo il più grande bisogno per la missione dell'Ordine qui in Texas è la erezione di un convento tanto per il bene spirituale dei padri missionari quanto per ricevere e moltiplicare il numer dei religiosi in questo vasto stato di Texas. Senza un tale stabilimento le nostre speranze per il Ordine periranno."

60 AGOFMCONV, S/IX.D, packet 2, letter of 24/III/1854. "La missione di Texas è assai fatigosa--gli cattolici sono in questo paese dispersi--gli viaggi bisogna fare in cavallo per gli deserti ed occorre spesso volte di dovere pernottare nei deserti campi. Poche comodità si trovano in questo paese...." Moczygemba frequently sounds harried and on the point of exhaustion in many of his letters.

61 The settlement work of Leopold Moczygemba regarding Silesians in Texas is the best documented area of Conventual Franciscan studies in the United States, thanks to the work of T. Lindsay Baker; see *The Early History of Panna Maria, Texas* (Lubbock, 1975); *The Reverend Leopold Moczygemba, Patriarch of Polonia*, in *Polish American Studies* (1984), 66-109; *The First Polish Americans: Silesian Settlements in Texas*, (London, 1979), p. 21-63; for a geneology of the Moczygemba family, see *The Moczygemba Family of Texas and Poland-Initiators of Polish Colonization in America*, in *Stirpes: Texas State Genealogical Society Quarterly*, 15(1975), p. 125-138; for a flavor of Texas settlement life, see *Notes and Documents: Four Letters from Texas to Poland in 1855*, in *Southwestern Historical Quarterly*, 77(1974), p. 381-389, as well as Andrzej Brozek and Henryk Borek, *Pierwsi Slazacy w Ameryce: Listy z Teksasu do Pluznicy z roku 1855*, (Opole, Poland, 1967).

62 AGOFMCONV, S/IX.D, packet 2, letter of 16/VII/1855. It seems as if this was done with Odin's permission, however: see Fitzmorris, p. 79.

63 See Nolan, p. 265-267. Odin recognized these points as well in a memorandum to Propaganda Fide: APF, "Scritture", Volume 17, 197v, February or March, 1855.

64 AGOFMCONV, S/IX.D, packet 2, letter of 4/V/1853. It is known that Alphonse Zoeller functioned in this capacity from 1857-1859: see P.F. Parisot and C.J. Smith, *History of the Catholic Church in the Diocese of San Antonio, Texas*, (San Antonio, 1897), p. 109.

65 Explicitly noted by Moczygemba, Ibid., letter of 25/I/1856.

66 See Smith, p. 30-34.

67 AGOFMCONV, S/IX.D, packet 4, an official internal report, dated from internal evidence 23/XI/1858.

68 See the documentation in Ibid., packet 2.

69 Ibid., packet 3, letter of 6/III/1857. "...inferma salute e vecchiaia...."

70 Smith, p. 25-26, note 52.

71 AGOFMCONV, S/IX.D, packet 3, letter of Moczygamba to Minister General, 1/IV/1857.

72 See the documentation in Ibid., packet 3, which will be discussed below.

73 See Smith, p. 17.

74 AGOFMCONV, S/IX.D, packet 2, letter of 24/III/1854. "...essendo questo paese molto sano, ha un dolce clima, onde potrà diventare bello come l'Italia....In America è una cosa pericolosa di avere denaro a censo. La ottima cosa è di avere di terre; così dice la gente."

75 Ibid., packet 4, internal report of Giacinto Gualerni.

76 The Diocese of Galveston alone received almost a quarter of a million dollars from these agencies in the period 1846 to 1901; see Nolan, p. 263.

77 AGOFMCONV, S/IX.D, packet 2, letter of 24/III/1854.

78 APIC, "IC Prov. Corr.", first packet, transcribed copy of letter from Odin to anonymous, 12/VII/1858.

79 Ibid., letter of 9/XII/1859.

80 APF, "Scritture", 665rv, letter of 1/VIII/1856; 748v, letter of 14/XI/1856.

81 To the tune of 2000 florins for travelling expenses, followed in 1861 by another 2000 florins dispensed directly to Moczygamba; see Gertrude Kummer, *Die Leopoldinen Stiftung, 1829-1914; der aelteste Oesterreichische Missionsverein*, (Wien, 1966), p. 165.

82 Ibid., letter of 19/VII/1858.

83 See Smith, p. 39-43, for the ending years of the Texas venture.

84 AGOFMCONV, S/IX.D, packet 4, archival note of 1/XII/1858.

85 There is a comment by the researcher Othmar Hellmann in his transcriptions, APIC, Hellmann, p. 163, to the effect that Moczygamba abandoned the Texas mission into the hands of an inexperienced confrere. This interpretation does not square with the facts, and is evidence of a continuing bias on the part of Hellmann against Leopold Moczygamba, which has continued to color Conventual Franciscan historiography until this day. More discussion of this point will follow below.

86 As in *Ibid.*, second packet, letter of 14/V/1860.

87 On Dornseiffer, see Smith, p. 25, 29-30; on overextension, see AGOFMCONV, S/IX.D, packet 3, letter of 15/IX/1856, and packet 4, letter of 16/II/1858. Dornseiffer also questions the use of the *Ludwigsverein's* money at Panna Maria, an observation seconded by Baker, *First Polish Americans*, p. 60.

88 See Smith, p. 49. The exact chronology is still somewhat unclear, but this reasonable reconstruction is made by researcher Peter Damian Fehlner in a letter of 7/IX/1982, to T. Lindsay Baker, APIC, "Persons", Fehlner.

89 This is inferred by the absence of contract with the Diocese of Brooklyn as noted in John Sharp, *Priests and Parishes of the Diocese of Brooklyn 1820-1944*, (Brooklyn, 1944), where the later St. Anthony of Padua Province is listed on p. 157-159. For Keller's activities in Brooklyn, see p. 63; for Bruenemann's, see p. 24; also APIC, "Persons", Bruenemann, for archival notes made by Sebastian Weber.

90 This material is drawn from a newspaper article of December, 1859, preserved in APIC, "Parishes and residences", St. Andrew, and summarized in Smith, p. 49-57.

91 In the opinion of some contemporaries: see APIC, Hellmann, 395. Bruenemann seemed most resistant to return to convent living, and in 1861 was petitioning the Holy Father to remain in parochial work due to personal and parish financial difficulties; see AGOFMCONV, S/IX.D, packet 5, letter of 12/IX/1861.

92 AGOFMCONV, S/IX.D, packet 2, letter of Keller to Minister General, 4/X/1856. "...i sacerdoti forestieri non sapendo niente de America facciano nelli primi tempi più male che bene, senza saperlo." "...per averla essendo lui istruito dai Conventuali nella Sapienza di Roma." "Io sono certissimo, che il nostro monsignore evescovo non darà la licenza fundare un convento, si io non posso dimostrare che io sono il Direttore del convento." Keller was accurate in at least one respect in this letter, though. The frontispiece of the letter shows a lithograph of Holy Trinity Church, Williamsburg, with the inscription "Questa è la chiesa quale vuolia dare al nostro Ordine il Generale Vicario col tempo [1856]." The friars of St. Anthony of Padua Province assumed administration of this church in 1981.

93 *Ibid.*, packet 3, letter of 14/VIII/1857.

94 See Smith, p. 59-63, as well as John Sharp, *History of the Diocese of Brooklyn, 1853-1953*, I, (New York, 1954), p. 247-249. Published documentation is found in John Sharp, *Brooklyn's First Preparatory Seminary, in Historical Records and Studies*, 36(1947), p. 102-110.

95 See the letter of 1/IV/1857, found in Sharp, *Brooklyn's First*, p. 104-106.

96 See the Prospectus of 1/I/1857, found in *Ibid.*, p. 106-107.

97 Letter of Friedrich August Franz O'Byrne, found in *Ibid.*, p. 107-108. O'Byrne was a somewhat shadowy character from the Brooklyn period, a man whose obvious learning and noble heritage (he is introduced as a Baron in some documents) seems to have made him an effective spokesman for Keller and the repositioning of the Order in the Northeast. See his defense of the foundation in the Northeast in a flowery and eloquent memorandum in AGOFMCONV, S/IX.D, packet 3, letter of 25/VIII/1857, from Wurzburg, O'Byrne to Minister General.

98 See Sharp, *Brooklyn's First*, p. 109. The building was later bought as a retreat center by the Sister Adorers of the Most Precious Blood, and finally razed in 1910.

99 Possibly the go-between was Johann Raffener, Vicar General of the Diocese of Brooklyn and promoter of the German apostolate in the eastern United States: see Peter Damian Fehlner, *St. John Neumann, C.S.S.R and the Friars Minor Conventual in the U.S.A.: A Critical Edition of Eight Letters*, in *Miscellanea Franciscana*, 84(1984), p. 332, note #10.

100 See letter 2 in Fehlner, p. 323-324. That Neumann was desperate for priests in general and not desirous of the Conventual Franciscans in particular is evident in the fact that the first letter of Neumann's refers to Keller as a Tyrolean Observant, which is only corrected in the second letter: compare letter 1, p. 322-323.

101 See Smith, p. 68-69.

102 *Ibid.*, p. 326-327.

103 Nicola was another of the Conventual free-lancer types, accurately described by Fehlner as "highly talented and hard working, but eccentric", (p. 327, note #22). Fehlner bases himself on APIC, Hellmann, p. 125, 132, 458. Nicola died as an exclaustated pastor in Manayunk, Pennsylvania, in 1862. The isolation and poor communications of the times is evident in that his family had not received word of his death in 1865: see APF, "Scritture riferite nei Congressi", Germania e Missioni settentrionali, volume 23, 206rv, 535r, 823rv.

104 APIC, "Parishes and residences", St. Alphonsus, *Diamond Jubilee Memoir of St. Alphonsus' Church 1853-1928*, p. 90.

105 As judged by the considerable attention paid to the life of the Franciscans in the *Diamond Jubilee Memoir*, p. 57-93.

106 AGOFMCONV, S/IX.D, packet 4, letter of General Minister to Giacinto Gualerni, 30/V/1858, on reverse, added note in Gualerni's hand. "Temo che s'incontreranno delle difficoltà, volendo tenere il metodo con cui si ottenne quello per la rinnova provincia di Argentina, poiché in Baviera, in Belgio e Svizzero sempre vi furono i conventi. In America è un impronto tutto nuovo, né vi sono Conventi se non in spe."

107 The minutes of this petition are found *Ibid.*, dated June, 1858, and have the archival note of Petition #26938 to the Congregation.

108 Probably after securing a list specifying the friars and their dates of arrival in America, to which is attached an archival note dated 1/XII/1858, with the results of the decree; see *Ibid.*

109 APIC, "Min. Gen. Corr.", second packet, letter of 13/XI/1861. "Non avete quella [facoltà] di licenziare e mandare in Europa i Religiosi che sono in America e che furono da me collocati....Se si conducano male potete punirli a noma delle

nostre Costituzioni e darmene rapporto aspettando le mie risoluzioni."

110 Ibid., letter of 11/III/1862.

111 Ibid., letter of 31/III/1863. "Sapete che la nostra istituzione in America non è soggetta alla Propaganda, non è una missione propriamente detta, sono conventi stabiliti regolarmente che dipendono esclusivamente dall'Ordine. Voi siete mio Commissario Genle e non Superiore istituito dalla Propaganda. Dunque perché indirizzarci per un affare disciplinare dell'Ordine alla Propaganda, e non alla Congregazione dei Vescovi e Regolari. Si operò tanto bene per ottenere il noviziato, ed ora volere mandare per aria ogni cosa deviando le attribuzioni? Non ci diamo da noi stessi sulla falce ai piedi."

112 Drawn from AGOFMCONV, S/IX.D, packet 5, letter of 26/IX/1864.

113 APIC, "Min. Gen. Corr.", second packet, letter of 31/III/1863. "Con tutta la buona disposizione dell'anima non posso darvi gli aiuti che desiderate, avete bisogno dei sacerdoti ed io non posso crearli e darveli belli e freschi in America....Non abbiamo alcun patto con alcuno di fornire un numero determinato d'individui.... da Europe in America non si viaggia in un giorno....Italiani non se ne vogliono, i tedeschi hanno da fare in casa propria."

114 Ibid., letter of 16/VIII/1864. "Sino a quando non sarò assicurato delle condizioni della nuova istituzione, che siano tali da farmi sperare un buon esito al meno probabile e che la vita religiosa si possa conciliare coll'attività della cura dell'anima non mi indurrò mai a creare nuove superiorità....Non voglio sapere di più di quello che è necessario di sapere."

115 AGOFMCONV, S/IX.D, packet 5, letter of 26/IX/1864 for first indications, letter of 13/XII/1864 for quotes. "Io mi sottometterò a tutto ciò che il nuovo Com. Generale commanderà e sarò più felice vedendo la fondazione più consolidata."

116 See APIC, Hellmann, p. 379b, as well as Smith, p. 110.

117 See AGOFMCONV, S/IX.D, packet 3, letter of 3/VIII/1857, together with an undated secretarial note in the same packet.

118 The document is reproduced in APIC, Hellmann, p. 265-266. "...in illis praesertim locis in quibus Catholici germanae gallicaeque nationis reperiuntur....illis omnibus privilegiis juribusque...."

119 The agreement is preserved in *Acta Capitularium Conventus Syracusae 1860-1906*, found in APIC, 3.22. It is fairly well summarized in Smith, p. 79-80.

120 See Smith, p. 80-81.

121 APIC, "Min. Gen. Corr.", first packet. This is a transcription in Leopold Moczygemba's hand of a letter from Minister General Salvatore Cali, to which is added a post-script, "Questa lettera fu da me ricevuta nell 1858--sul fine del Dicembre ed è un Documento ufficiale." There is a severe discrepancy in the dates, since the friars did not take possession of Syracuse until 1859. I surmise that Moczygemba backdated this letter, so as not to appear to place the control of the Order into the hands of lay parish trustees. There is no minute of this letter in the Conventual General archives. "Il Convento di Siracusa ove sono stabiliti il Noviziato e lo studio sarà considerato come Capo e Centro degli altri Conventi e Casa [SIC] religiosa [SIC] esistente [SIC] negli Stati Uniti di America. Continuerà ad essere tale sino

a che non sarà altrimenti disposto dal Ministro Generale dell'Ordine. Avverto che questa mia dichiarazione non dà al Convento di Siracusa niuna giurisdizione e diritto sopra gli altri Conventi, che godono i proprii diritti secondo le nostre Costituzioni."

122 In these matters, however Assumption might have been noted among the friars, Assumption's achievements were typical of Germanic congregations in both the American East and Midwest: see Thomas Spalding, *German Parishes East and West*, in *U.S. Catholic Historian* 14 (Spring, 1996), 37-52.

123 See Smith, p. 82-83.

124 This is lovingly and lavishly described in a *Souvenir Magazine of the Assumption Church Rebuilding Fund*, found in APC, "Parishes and residences", Assumption.

125 See Historical Sketch of the Parish of the Assumption BVM Syracuse, N.Y.: Its Origin and Its Development during the First Century 1845-1945, found in *Ibid.*

126 See Martin Joseph Becker, *A History of Catholic Life in the Diocese of Albany, 1609-1864*, (New York, 1975), p. 169-202, and Smith, p. 96-99.

127 Letters of McCloskey to Moczygamba of 16/VII/1861 and 11/VIII/1861, quoted in Smith, p. 97-98. Moczygamba immediately proceeded to obtain corporate recognition of the friars in New York State, acknowledged by the Minister General in APC, "Min. Gen. Corr.", second packet, letter of 11/III/1862.

128 Becker, p. 193.

129 Drawn from an exemplar of a printed flyer dated 20/IV/1859, found in AGOFMCONV, S/IX.D, packet 5.

130 This is anecdotal information gleaned from +Fr. Andrew Ehlinger, OFM Conv, former archivist of the Immaculate Conception Province, USA, whose understanding of the early years is second-hand but basically reliable.

131 Moczygamba never seems to have been settled in one place; Dehm was firmly entrenched in Syracuse; Keller resided in Utica, where he died and was buried: see Smith, *passim*.

132 See the somewhat rambling account in Jeremiah Smith, p. 103-109.

133 Obediences of 25/VIII/1860 and 10/XII/1860, in APC, "IC Prov. Corr.", third packet.

134 AGOFMCONV, S/IX.D, packet 5, letter of Keller to General Minister, 5/IX/1864. "Affinché l'Ordine nostro non habia più l'incomodo con questa piccola e poco importante stazione...possiamo fare più bene...che qui in questa situazione desolata."

135 Ibid., letter of 9/III/1865. "Per carità di Gesù Cristo non dia permissione al Pre. Keller e Mueller, perché non abbiamo religiosi rinpiazzarli in Louisville e poi di più questi sono persone di cattiva condotta per il passato, e per il presente non meritano la confidenza per una tale missione, gli manca la scienza e la pietà. Questi frati stanno bene dove stanno e sono guardati, se poi andranno altrove rinoveranno solamente i vecchi scandali e noi poi dovremo soavire [SIC]." The underlining occurs in the manuscript. The scandal following Keller has already been treated, but against Mueller things are murkier. There is a certification by Moczygamba, issued at Philadelphia on 25/II/1860, stating that "Fr. Mueller has been founded [SIC] not guilty of the charges stated against him," (APIC, "IC Prov. Corr.", third packet). There is, however, no charge mentioned, nor any record of a proceeding. It is equally unclear as to whether the charge took place in Philadelphia or elsewhere. In addition, one speculates about how much accountability there was for Keller and Mueller, hundreds of miles distant from the other friars.

136 APIC, "IC Prov. Corr.", third packet, letters of 21/X/1863 and 30/VIII/1864.

137 For a brief examination of Dehm's earlier career, see Jeremiah Smith, p. 110-112.

138 Information is drawn primarily from Ibid., p. 99-102, basing himself on *One Hundred Anniversary Celebration 1867-1967 Our Lady of the Angels Parish, Albany, New York*, found in APIC, "Parishes and residences", Our Lady of the Angels.

139 Statistic found in yearly report of Dehm to Minister General, Pentecost, 1869, found in AGOFMCONV, S/IX.D, packet 6.

140 See Jeremiah Smith, p. 106-109.

141 AGOFMCONV, S/IX.D, packet 6, report of Pentecost, 1869.

142 See the letters of 7/III/1865, 22/III/1865, and 17/IV/1865, in APIC, "IC Prov. Corr.", third packet.

143 See Ibid., Hellmann, letter of 28/IV/1868, p. 395c, and AGOFMCONV, S/IX.D, packet 6, report of Pentecost, 1869.

144 A copy of the decree appears in APIC, Hellmann, p. 17.

145 See the comments in *Centennial of the Parish of St. Joseph, Terre Haute, Indiana 1838-1938*, in Ibid., "Parishes and residences", St. Joseph.

146 Information drawn from report of Pentecost, 1869, in AGOFMCONV, S/IX.D, packet 6.

147 Jeremiah Smith, p. 109-110. Smith's treatment of Dehm is found on p. 109-131. It is drawn heavily from APIC, Hellmann, p. 395a-401, a series of transcribed, translated letters of Dehm to Ehrenburg.

148 Ibid., Hellmann, p. 395a-401, *passim*, especially letters of 10/IX/1867, 9/VII/1868, and 4/III/1869.

149 Ibid., especially letter of 9/VII/1868.

150 *Ibid.*, especially letters of 10/IX/1867, 6/IV/1868, and 28/IV/1868.

151 *Ibid.*

152 *Ibid.*, especially letters of 10/IX/1867, 2/X/1867, 28/X/1868, 4/III/1869, and 29/XII/1869.

153 Dehm was also extremely deferential to higher authority. Jeremiah Smith notes this in regards to his regular correspondence with Ehrenburg (p. 119), but that may perhaps be seen less as regular reports than fraternal correspondence. It is intimated in the reply of Ludovico Marangoni to Dehm (APIC, "Min. Gen. Corr.", second packet, letter of 20/V/1867), which praises Dehm's zeal and loyalty. In addition, Dehm offered a donation of 2150 francs to the Holy Father (notwithstanding the regular severe financial crises which the American congregations were experiencing), "voir le triomphe de la sainte Eglise sur tous les ennemis;" APIC, "IC Prov. Corr.", third packet, communication of 20/V/1869.

154 Dehm's later career mirrored many of the personality traits he exhibited in the period 1866-1872. From 1872 to 1877, Dehm remained in America as pastor of Assumption Church, Syracuse, (which may have partially explained Keller's decision to locate the provincial curia in Utica). In 1877 he was named Vicar Apostolic of the Conventual Franciscan mission station in Moldavia. His episcopal tenure in Moldavia of some two years was marked with ethnic strife, unhappiness of the missionaries, and governmental unhappiness with increased Germanization. After a forced resignation, he lived in obscurity in Conventual friaries in Germany, until his death in 1883. For his Rumanian period, see Jeremiah Smith, p. 119-131, and Pietro Tocanel, *Storia della Chiesa Cattolica in Romania*, (Padua, 1965), p. 621-658; both are dependent upon APIC, Hellmann, p. 434-442.

155 The section of Jeremiah Smith (p. 145-150) on the first Provincial Chapter contains several factual errors and little analysis.

156 AGOFMCONV, S/IX.D, packet 7, Grasselli's opening allocution to Provincial Chapter, 7/II/1872. "ejus indefatigabilem zelum, ejus amorem pro regulari disciplinam instauranda, ejus sedulitatem (nonnullis certe aliquando importunum) in evellendis abusibus, ejus navitatem in rebus oeconomicis administrandis, ejus ardorem in promovenda pietate...."

157 The list of voters is found in *Ibid.* The minutes of the Chapter are found in *Ibid.*, *Acta Provincialis*, Volume I, lrv-5rv.

158 *Ibid.*, packet 6, General Minister to Propaganda Fide, letter of 9/XII/1871.

159 *Ibid.*, *Acta Provincialis*, Chapter of 1872, 5rv.

160 See the letters, *passim*, in *Ibid.*, packet 5, especially that of 16/II/1865, to Lesen. "...tenermi informato dello stato dei nostri conventi".

161 *Litterae Circulares*, 15/VIII/1872, published at Syracuse by Joseph Hoffmann and Sons, found AGOFMCONV, S/IX.D, packet 7. "...sive diversitate nationalitatis aut educationis, sive ex studio partium, sive ex studio exaltandi semitipsum, sive ex alio aliquo perverso motivo...." (p. 2) "...negotiis multis aliquando implicati simus. Negotium sanctificationis propriae per regularem observantiam primum est et maximum...." (p. 3) "Tempora in quae incidimus vere mala sunt. Ecclesia undique angustiis premitur...." (*Ibid.*).

162 Closing allocution of Antonio Grasselli to Provincial Chapter, 29/II/1872, in *Ibid.* "Sed pax ibi viget, ubi ordo regnat, pax ibi crescit, ubi auctoritas firmiter et soaviter exercetur; pax ibi insuperat, ubi auctoritatis principium, quasi a Deo manans, non propter timorem, sed propter conscientiam omnes subjecti...reverentur."

163 Rescript found in *APF*, "Udienze", Volume 175, 7/XII/1873, 1128A rv.

164 *AGOFMCONV*, S/IX.D, packet 7, 10/XI/1873.

165 *Ibid.*, Keller to General Minister, from Trenton, 24/XI/1873. "...perché le case religiose in West sono poche e povere, e i religiosi tutt'altro che maturi a reggersi da loro."

166 See Jeremiah Smith, p. 183-184.

167 *Ibid.*, p. 247.

168 Found in *AGOFMCONV*, S/IX.D, packet 8, printed in Syracuse by Courier Printing. "Certe nullum aliud praeter illud ipsum in Capitulo Provinciali intentum, inchoatumque, scilicet consolidatio et incrementum hujus Provinciae in regulari observantia." (p. 2) "Omne igitur studium nostrum circa nos ipsos principaliter versari debet, ut per fidelem et constantem nostrarum legum custodiam viva membra in vivo corpore simus. Hoc maximum officium nostrum, id Deo, id nobis, id Ordini et Societati debemus." (p. 3) "Cum autem propria nobis sanctitas in nullo alio nisi in fidei et constanti observantia eorum consistat, quae professione suscepimus, ...ut vitam ad Regulae et Constitutionum formam exacte ducamus. Abjiciamus falsas excusationes...." (p. 7)

169 In discussing this letter, Jeremiah Smith indicates that it is close in spirit to the indications of Fidelis Dehm (see p. 199-200). Dehm's tone seemed, however, more based on a personally authoritarian manner, while Lesen relies more on the authority of structure.

170 *AGOFMCONV*, S/IX.D, packet 8, letter of 9/IV/1880. "...essendo però impossibile che in Terre Haute possono i giovani educarsi secondo tutte le leggi del noviziato...." "Dico 'finché le circostanze non cambiano', perché può ben avvenire che Trenton debba usarsi invece di Syracuse, come luogo ordinario di Noviziato. Le cose d'America non sono così stabili come altrove."

171 *AGOFMCONV*, S/IX.D, packet 5, letter of 13/XII/1864. "...tante volte questi frati d'Europa quando la loro volontà non si fa, subito minacciano al Superiore di ritornare in patria o di levarsi l'abito e così impediscono il bene da farsi."

172 See *Ibid.*, *Acta Provincialia*, I, and packet 5, minutes of Grasselli's opening allocution to Chapter.

173 *Ibid.*, Packet 8, undated letter from Terre Haute, but from internal evidence in 1877, after May.

174 *Ibid.*, letter of 6/VI/1877. Torno a pregarla che insista presso il P. Rmo. Vic. Generale perchè nomini definitivamente un Commissario. Allo stesso tempo acceleri l'ottenimento dal decreto per la voce attiva e passiva, e

stabilisca poi il tempo per l'elezione del nuovo Provinciale. Amerei veder questa Provincia rimessa presto nel corso regolare, quantunque posso accertarla che grazie a Dio abbiamo quieta dapertutto." The inquietude referred to was probably the accusations against Bonaventure Keller and the alleged cabal led by Lesen himself. The regular course desired by Lesen was long in coming: in 1877, Fidelis Dehm was nominated Commissary General. Some months later, he was nominated Vicar Apostolic in Moldavia, and Giuseppe Lesen was nominated Commissary General without a Chapter. The regular course of Provincial Chapters did not resume until 1880. The rescripts of the nominations of both Dehm and Lesen have not survived.

175 Ibid., letter of 22/VI/1880, and *Acta Provincialia*, I.

176 Ibid., letter of 6/VIII/1883. Il P. Rmo. Generale domandò dalla S. Congregazione sulla disciplina Regolari, che i Padri stanziati in America e appartenenti a Provincie Europee, avessero diritto alla voce attiva e passiva in tutti i Capitoli e atti della Provincia Americana. La S. Congregazione nel suo rescritto del 10 Luglio 1878 rispose dicendo *ad triennium*... Il rescritto sembra dar luogo ai dubbi. Si dubita cioè se quelle parole *ad triennium* riguardassero detti padri, cosicchè spirato il triennio essi non abbiano più diritto a voce attiva e passiva in questa provincia. Ovvero se... la S. Congregazione intendesse, che detti padri estranei fossero aggregati a questa provincia in quanto al diritto di voce attiva e passiva, e godessero di tal diritto anche dopo spirato il triennio. Se il rescritto deve spiegarsi nel primo senso, credo giustizia che si ottenga altro rescritto che conceda *in perpetuum* almeno ai Padri estranei ora residenti in questa provincia, il diritto di voce attiva e passiva in tutti i Capitoli e atti della stessa provincia 1) Perchè i padri sono tuttora necessari al bene, e al regime della provincia. 2) Perchè ad essi la provincia è debitrice della sua esistenza, e regime sinora, e i padri nativi di tutto ciò che avessero. 3) Perchè sembra affatto incongruo che quei padri che hanno logorato i migliori anni di lor vita per la fondazione e regime della provincia, e probabilissimamente resteranno e lavoreranno per essa sino alla morte siano ora esclusi dal regime della stessa, per una legge fatta per provincie dell'Ordine esistenti in tutt'altre condizioni." It is only fair to say that Joseph Lesen himself would benefit from such a perpetual rescript.

177 Rescript of the Sacred Congregation, dated 28/VIII/1883, in Ibid.

178 See Ibid., packet 9, letter of 16/VII/1886.

179 See the correspondence in APIC, Hellmann, p. 373-374, letters of 23/XI/1889, 14/I/1890, 29/I/1890, 31/X/1889, and p. 401-402, letters of 23/VII/1886, 26/VIII/1886, and 6/III/1888.

180 AGOFMCONV, S/IX.D, *Acta Provincialia*, I, Intermediate Congregation of 1891. "Pro patribus non nativis, qui in hac provincia fideliter adlaboraverunt, eadem suffragia persolvantur, quae pro patribus nativis a Constit. Urbanis praescribuntur."

181 APIC, *Acta Capitularius*[SIC] *Conventi Syracusae*, 17/VIII/1860.

182 Ibid., "IC Prov. Corr.", packet 3, decree of 24/VIII/1860.

183 Ibid., "Min. Gen. Corr.", packet 2, letter of 17/II/1860. "Se non ho in mano lo stato economico del convento non posso darvi istruzioni precise come dovete regolarvi per fare le aggregazioni e concedere figliulanze."

184 AGOFMCONV, S/IX.D, packet 6, request of 9/XII/1871.

185 A situation foreseen in the visitation of Antonio Adragna in 1876: see APIC, *Liber ordinationum superiorum*, p. 3.

186 AGOFMCONV, S/IX.D, packet 8, letter of 20/IV/1877. "Esponemmo al P. Rmo. Vic. Gen.le, quando era in America, le gravi difficoltà che s'incontrano in questa provincia, nel voler seguire le leggi delle Costituzioni Urbane riguardo le figliulanze. Proponemmo allo stesso P. Rmo. di ottenere un decreto della S. Sede, per il quale le figliulanze de' conventi vengono abolite in questa provincia, e si stabilissero figliulanze della provincia in genere all'uso degli Ordini non possidenti, e che il Capitolo o Congregazione Provinciale, e fuori del Capitolo o Congregazione Provinciale, il Provinciale col suo Definitorio avesse diritto di fare i figli della provincia. Il P. Rmo. conobbe la ragionevolezza della cosa, e disse che si esponessero in iscritto i motivi di cambiare tal legge che sembra sì fondamentale. Il P. Mtro. Jachetti ha scritto alcune osservazioni...."

187 Ibid., "Appunti sulle figliulanze in America". "In Italia i religiosi si affliggiano ai conventi, perchè questi avendo rendite stabili e sicure, potea conoscersi il numero dei religiosi che ciascun convento potea alimentare. In America la cosa è ben diversa, cioè si può congetturare quanti religiosi può alimentare la provincia, e non già ciascuna casa. 1) Infatti, qui in America le case sono missioni e le rendite che sono di due specie cioè fissate e casuali, sono incerte le rendite fissate, che consistono nel salario del parroco e degli assistenti possono mutare, per parte del vescovo, tutte le volte che questi crede giusto mutare nella sua diocesi il salario dei parroci ed assistenti, e per parte del popolo nel caso, che non possa,, o non voglia sostenere le spese di chiesa, nel quale caso manca il fondo d'onde estrarre l'assegnato salario. 2) Le altre rendite che provengono dai diritti di stola, casuali, doni, collette, etc. sono ancora più incerte: 1. perchè il vescovo può e talvolta deve smembrare la congregazione; qui il vero parroco è il solo vescovo. 2. perchè spesso insorgono divergenze fra membri e membri, e fra membri e sacerdoti della congregazione, nel qualcaso la parte non soddisfatta non offre, non è più generosa, come l'esperienza nostra, che nei tempi di discordie le offerte sono assai meschine. 3. perchè qui il popolo è un popolo ambulante, cessa il lavoro in un luogo emigra in altri, ove sorgono nuovi stabilimenti, infatti molte congregazioni floride una volta, ora in decadenza, e altre invece povere prima e ora prospere e alcune addivenute cattedrali. 3) Col sistema adottato dal vescovato americano, di non dare più ai regolari il deed, ossia l'istrumento di proprietà della congregazione (cioè chiesa, casa, e scuola), accade che in faccia della legge i proprietari sono i soli vescovi, e in un conflitto, la legge li sosterebbe contro chiunque. In questa posizione è chiaro, che i padri, che devono dipendere dal vescovo e dal popolo, corrono pericolo di dover esser rimossi, e che una volta resi inabili al lavoro non vengono a percepire più nulla, e devesi rimuoverli e sostituirli con altri capaci ed abili. 4) Si possono erigere, colle debite licenze, conventi indipendenti, comprando il terreno, formando i religiosi una corporazione riconosciuta dallo stato, come è il nostro convento di Trenton, ove tutto è proprietà dell'Ordine; e sarebbe desiderabile, averne più d'uno, per educare la gioventù, a raccogliere i religiosi resi inabili, ma anche questi conventi non possono avere figliulanze, perchè la loro esistenza dipende dai sopravanzi dell'altre case, dalle elemosine, dalle missioni o assistenze che presterebbero i religiosi alle chiese e fedeli; cose tutte incerte. 5) Ciò che ho detto dei singoli conventi, cioè come è incerta in ciascun convento la rendita, non si deve applicare a tutte le case o conventi insieme presi, perchè una quotidiana esperienza è accerta, che si nascono difficoltà in un luogo, si trovano favorevoli circostanze in altri; che va male il lavoro in un posto, va bene in un altro se e così la provincia è sicura d'avere i mezzi necessari per i bisogni dei giovani, dei padri impotenti, sebbene non li possa avere sempre dalle stesse cose. 6) E poi non è questo il sistema della chiesa cattolica in queste terre? Tutti i sacerdoti secolari vengono ordinati col titolo di Missione."

188 Ibid., letter of 20/IV/1877. "La nostra legge di affiggere ai conventi sembra che ben si possa raffrontare alla legge di non ordinare alcun chierico secolare senza beneficio. Ora l'episcopato americano, che non ha benefici di sorte, ha ottenuto, per tutte le diocesi degli Stati Uniti, la facoltà di ordinare *titulo missionis*, ciascun vescovo ordinando quel numero di sacerdoti che egli crede espediente per i bisogni della diocesi. La nostra provincia sta precisamente sul piede delle diocesi americane, le quali sono vere diocesi, canonicamente erette, quantunque non abbiano alcuna parrocchia, ma solo congregazioni di fedeli, amministrate non da parroci, ma da missionari. E ciò per la mancanza di benefici nel senso canonico. Anche la nostra provincia non possiede alcun bene stabile, eccetto tre case. Il nostro mantenimento, come quello del clero secolare, procede dalle volontarie offerte dei fedeli pel mantenimento della chiesa e dei ministri. 'E difficile determinare canonicamente e stabilmente quanti figli possono mantenersi in un convento, e il numero dei padri stanziati in un determinato luogo deve dipendere principalmente dalle circostanze attuali, e da altre cause passeggerie. La cosa più naturale adunque, facile e ragionevole sarebbe imitare le diocesi americane, abolendo cioè in questa provincia le figliulanze dei conventi, anche quelle già fatte."

189 See APIC, "Documents", dated 15/IX/1878.

190 Ibid., "Min. Gen. Corr.", packet 4, letter of 1/IV/1890.

191 Ibid., packet 5, circular letter of 16/IX/1894.

192 AGOFMCONV, S/IX.D, *Acta Provincialia*, I, Chapter of 1892.

193 See Smith, p. 163-164, 220-221.

194 See Ernst Reiter, *Schematismus der Katholischen Deutschen Geistlichkeit...Staaten*, (New York, 1869), p. 120-121.

195 Jachetti is treated abundantly in Jeremiah Smith, p. 162-174. There also exists a somewhat self-serving diary kept by Jachetti, *Memorie del P. Pietro Jachetti di Monteleone di Spoleto*, the original of which is found in the Archivio della Provincia Umbra dei Frati Minori Conventuali in Perugia, Italy. A typed transcript is available in APIC, "Persons", Jachetti.

196 See Walter Leahy, *The Catholic Church of the Diocese of Trenton, New Jersey*, (Princeton, c.1906), p. 226.

197 Smith, p. 162.

198 "Unus, conventus Trentonii, nomine Ordinis aedificatum est, illique, ut sua proprietas pertinet"; see AGOFMCONV, S/IX.D, packet 8, letter of 3/VII/1882.

199 Although Minister Provincial Lesen insisted that these missions not become excuses for the friars absenting themselves from the Trenton convent unnecessarily; see APIC, "Documenta", letter of 11/IV/1882.

200 See Souvenir of Golden Jubilee: St. Peter's Church, Point Pleasant, N.J., in APIC, "Parishes and residences", St. Peter's; see also Carmita de Solms Jones, St. Peter's, Point Pleasant, New Jersey, in *Records of the American Catholic Historical Society of Philadelphia*, 37(1926), 230-241.

201 There is a dearth of documentary evidence on the early years of the Hoboken foundations; see Jeremiah Smith, p. 175-178.

202 See Jeremiah Smith, p. 255-261.

203 AGOFMCONV, S/IX.D, packet 14, *Litterae Circulares*, 1889.

204 A series of correspondence exists in APIC, "Persons", Moczygemba, drawn from photostats of correspondence found in the Archives of the Seminary of Sts. Cyril and Methodius in Orchard Lake, Michigan, a Polish seminary founded in part by Moczygemba in his later years. Included as well is an undated, unsigned twelve-page manuscript of his life. The issue of ownership of the plots was still unresolved in 1942, the probable date of acquisition of these copies for the Immaculate Conception Province Archives.

205 See *Ibid.*, "Documenta", Jachetti to Eccellenza Reverendissima, letter of 13/VIII/1891; for early history of Trenton's Polish foundation, see Roger Haas, *A History of the American Province of St. Anthony of Padua of the Order of Friars Minor Conventual, 1906-1982*, (Baltimore, 1984), p. 73-74. Jachetti's imprecisions in financial arrangements seem to have been epidemic.

206 The Provincial Chapter of 1886 had already noted the growing Polish need within the American Province, and had arranged for scholarships for candidates who could speak both German and Polish: see AGOFMCONV, S/IX.D, *Acta Provincialis*. By the Intermediate Chapter of 1891 the need for Polish was evident in Utica (see *Ibid.*), and eventually the German parish of St. Joseph gave birth to a Polish filial, Holy Trinity: see APIC, "Parishes and residences", St. Joseph, St. Joseph's Parish Centennial, 1941, p. 10. Neubauer notes the growing need for Polish speakers to German Commissary General Alexius Rossmann on 8/IV/1891; see *Ibid.*, Hellmann, p. 371-372.

207 See *Ibid.*, "Min. Gen. Corr.", fourth packet, letters of 26/X/1890 (Fudzinski's involvement), 22/XI/1890, 18/II/1891, 3/III/1891, 14/III/1891.

208 Neubauer was elected with a simple majority of fourteen out of twenty-four on the first ballot: see AGOFMCONV, S/IX.D, *Acta Provincialis*, 1892. For second term priorities, see *Ibid.*, packet 14, *Litterae Circulares*, 9/II/1893. "Inter Provincias Ordinis ista Immaculae Conceptionis B.M.V. Americae Septentrionalis pauperrima designari dignetur...." (p. ix).

209 *Ibid.*, "Min. Gen. Corr.", sixth packet, letter of 21/IV/1895. "Doleo de critica adversaque istius provincialatus positione et ob nonmultorum fratrum vel aegritudinem vel malam voluntatem, et ob recentem episcoporum animi aversionem."

210 AGOFMCONV, S/IX.D, packet 14, Neubauer to Fr. Guardian[?], letter of 1/IX/1895.

211 *Ibid.*, packet 15, Min. Prov. to Fr. Guardian [of Chapter?], letter of 5/X/1895.

212 See Jeremiah Smith, p. 265-267, for analysis drawing on Fudzinski's obvious talents and Roman contacts; see Haas, p. 1-5, for analysis drawing on Roman reforming trends as well as the growing Polish question.

213 See AGOFMCONV, S/IX.D, packet 14, letter of 21/I/1894, for Fudzinski's bequest; packet 15, Minister General to Lesen, letter of 11/IX/1895, for request of action at upcoming Chapter; *Acta Capitularis* of 1895 for mention of bequests; packet 15, decree of 8/III/1896, for third endowment.

214 See Giovanni Odoardi, *Conventuali, Frati Minori Conventuali*, in *Dizionario degli Istituti di Perfezione*, III, 56-57, and *Rinascita Serafica: I Frati Minori Conventuali nell'ultimo cinquantennio*, (Roma, 1952), p. 47-62.

215 This was explained in a circular letter by Minister General Lorenzo Caratelli on 16/IX/1894, found in APIC, "Min. Gen. Corr.", sixth packet.

216 Decree dated 25/VI/1898, received by Propaganda Fide on 28/XI/1898, found in AGOFMCONV, S/IX.D, packet 15, and in APF, NS, #31323. Bishop MacDonnell of Brooklyn had wanted to cede the parish of Our Lady of Czestochowa in South Brooklyn to the friars as well, but Propaganda counselled, "Per non dare troppe missioni al clero regolare a scapito del clero secolare, che per ora è scarso, potrebbe che in seguito essere sufficienza al bisogno della diocesi, la S. Congregazione vorrebbe che la nuova missione di Nostra Signora di Czestochowa nel distretto di South Brooklyn non fosse data ai Minori Conventuali, ma ad un prete secolare, e se questo non conoscesse la lingua polacca, allora i Conventuali ai quali verrà

affidata la missione polacca in Newtown avessero l'obbligo di mandare là come assistente un religioso che conoscesse quella lingua"; see AFF, NS, #23393.

217 For recall of Czelusniak, see AFF, NS, #30585; for his placement in Buffalo, see Fudzinski to General Minister, AGOFMCONV, packet 15, letter of 2/V/1898; for decrees, see AFF, NS, #31323, #33192, #45099. There was some confusion about canonical and territorial limits to a national parish. For an exhaustive study of this foundation, see the unpublished Master's Thesis by Richard Deptula, *Polish Immigrants, Conventual Franciscans, and Franciscan Sisters of St. Joseph: Corpus Christi Roman Catholic Church, Buffalo, New York, 1898-1939*, Catholic University of America School of Religious Studies, 1989.

218 AGOFMCONV, S/IX.D, packet 15, letter of 2/V/1898. "Ho voluto coltivare il vento favorevole che spirava per noi nella diocesi di Springfield. Da due anni ho preparato il terreno nell'intenzione di ottenere una parrocchia per l'Ordine coi diritti canonici di erigere ed avere il convento. Dopo Pascha ho passato 17 giorni nella d. di Springfield lavorando per miei compatrioti. E' un lavoro che abbate ed estendeva, perché comincia il mane alle 4:30 per finire a mezza notte. Senza predicare denaro ho ricevuto dai buoni Polacchi quasi \$400 dollari pel sudetto lavoro. Trovandomi dunque ultimamente nel Massachusetts, il vescovo mi ha rintracciato e siamo venuti alla decisione che ci darà una parrocchia polacca già formata, col diritto al convento, sotto la condizione però di prendere cura dei polacchi sparsi in 7-8 luoghi nella sua diocesi. Vi è chiesa, commoda casa e scuola con soli \$13000 di debito. A giorni la proposta sarà fatta ai diocesani consultori, e sono persuaso del risultato favorevole, perché il Vescovo ed i preti smaniano di disfarsi di 3-4 preti polacchi, i quali fanno confusione e mettono sotto sopra i poveri polacchi, così che con tutto lo stento sono riuscito d'impedire la fondazione di due chiese eretiche, così dette indipendenti. Come in tutta la Nuova Inghilterra così nella diocesi di Springfield il clero non è affatto in favore dei frati. Se ci vogliono, si è che il proprio interesse lo impone."

219 See the decree (with provision for later possible exchange) in *Ibid.*, dated 22/III/1899, as well as AFF, NS, #33426.

220 See *Ibid.*, packet 15, letter of 2/V/1898. "Non voglio che il presente chaos delle mie faccende procrastini il Capitolo Provinciale, che dovrà celebrarsi nel prossimo venturo Ottobre." For McEvoy's dispensation, see *Ibid.*, letter of 2/IX/1898; for his praise of Fudzinski, see *Ibid.*, report of 8/IX/1898.

221 See *Ibid.*, *Acta Provincialis*, Chapter of 1899. Historian Othmar Hellmann believed that it was the issue of common life that cost Fudzinski the election: see *Album Fratrum Minorum S. Francisci Conventualium in Statibus Foederatis Americae pro anno 1917*, (Syracuse, privately published), p. 111.

222 The observations are drawn from Jeremiah Smith, p. 293-294.

223 See letters of 13/X/1902 and 22/XI/1906, in AGOFMCONV, S/IX.D, packet 16.

224 See Jeremiah Smith, p. 271-272. All available documentation suggests that Fudzinski had been serving as pastor of Corpus Christi in Buffalo since 1898, with the exception of the Chapter records of 1899. It is conceivable that Fudzinski held multiple offices. In his research, Deptula (passim) proved that Fudzinski in his travels often accepted the office as local pastor in his own name in several different and widely scattered places, leaving another friar there to act as his vicar with full spiritual authority and limited temporal authority. Fudzinski suffered a marked inability to delegate authority, and this may have been an early example of a tendency that would increase as the years went on. Without a doubt in this period the increased care of Polish parishes was due to his personal contacts and travel.

225 See the decree in AGOFMCONV, S/IX.D, packet 16, and AFF, NS, #46707, both dated 2/IX/1901.

226 See the decree in AGOFMCONV, S/IX.D, packet 16, and APF, NS, #53200, both dated 11/VII/1902.

227 See the decree in AGOFMCONV, S/IX.D, packet 16, dated 21/XI/1903, and APF, NS, #57833, dated 5/XI/1903.

228 See the decree in AGOFMCONV, S/IX.D, packet 16, dated 27/VI/1905, and APF, NS, #67384, dated 15/VII/1905.

229 See the decree in AGOFMCONV, S/IX.D, packet 16, and APF, NS, #65181, both dated 26/I/1905.

230 See the decree in AGOFMCONV, S/IX.A, packet 2, dated 12/VII/1906.

231 See the decree in *Ibid.*, dated 16/VII/1908.

232 See the decree in *Ibid.*, dated 24/IX/1913.

233 See the archival holding in *Ibid.*, Decretum Milwaukiensis of 27/I/1909. The situation is well described in Deptula, p. 193-198, and in Anthony Kuzniewski, *Faith and Fatherland: The Polish Church War in Wisconsin, 1896-1918*, (Notre Dame, 1980), *passim*.

234 It has never been adequately ascertained in what manner the debt was paid. No records of loans exist, nor do the resources of the parish seem to have sufficed. Oral tradition among the friars indicates that Fudzinski used his multiple parochial appointments to shuffle funds from one parish to another, and ultimately to liquidate the debt in Milwaukee.

235 Haas notes nine such emigrants, p. 6. Further confirmation of the effect of such letters is found in a manuscript memoir of one of them, Francis Pyznar: *Pamiętniki 100 Lat Pracy Oo. Franciszkanów Konwentualnych w Ameryce*, ARCHIVES OF THE PROVINCE OF ST. ANTHONY (henceforward APSA), "Inactives", Pyznar, p. 1-2.

236 Request of Chapter and reply of General in AGOFMCONV, S/IX.D, *Acta Provincialis* of 1899; cover letter in *Ibid.*, S/IX.A, packet 1, letter of 15/IV/1899. "Propter nimium difficultatem, imo quasi-impossibilitatem, quae cuilibet Provinciali vel Superioris linguam Polonicam haud callenti advenit, quoties cum congregationis Polonicis ipsi agendum est; necnon ad stimulandum progressum inter illos Patres qui jam in tribus Conventibus Polonicis commorantur, Ven. Definitorium quasi unanimiter (uno dumtaxat nec pro nec contra dicente) petit a Revmo. P. Ministro Generali ut isti conventus Polonici in Commissariatum Generalem erigantur." "La prego di non considerare questa petizione come se fosse proposta in ispirito di mala volontà contro il P. Ex-Provinciale Fudzinski, perché egli fu interrogato e consultato prima che fu proposta al Definitorio. Non è che i Padri Americani e Polacchi non vivino in pace e armonia che si vuole questa separazione, ma perché si crede che sarà a vantaggio di tutte e due. Quasi tutte le difficoltà tra i vescovi Americani ed i Polacchi vengono perché i Vescovi non capiscono la lingua ed il carattere dei polacchi, e sarebbe lo stesso con noi." "Diximus non esse bonum ut novi Conventus Polonii, egentiores in praesenti eorum foundationis novae, separatus est a ceteris Matris Provinciae Conventibus."

237 See *Ibid.*, S/IX.D, *Acta Provincialis*.

238 Smith makes this assertion without any real proof; see p. 273. However, it is substantiated in Reuter's reply to a move to restrict Fudzinski's affiliation, where he wrote that any such move "est sine fundamento et Curiae Generalitiae offensiva;" see *Ibid.*

239 APF, NS, #65159. "Con venerato foglio del 25 Novembre 1904 V.E. si degnava richiedermi informazioni e di esprimere in qualche modo il mio parere intorno alla domanda fatta dal Rmo. P. Generale dei Minori Conventuali di costituire cioè un Commissariato di Padri Polacchi in questi stati. Al presente i Pp. Minori Conventuali hanno qui 13 sacerdoti polacchi; essi hanno cura dei loro connazionali nelle diocesi di Buffalo, Trenton, Springfield, Harrisburg, Brooklyn. Recentemente l'Emo. Cardinale Gibbons, il quale si trovava in serie difficoltà con alcuni Polacchi, invitò nella sua diocesi due dei detti Padri: a voce mi ha detto che è molto contento di loro, come ugualmente contenti sono i Rr. Ordinarii dei luoghi in cui si trovano. V.E. ben sa quanto serio e difficile sia il problema dei Polacchi in questi stati. Se i Pp. Conventuali erigendo un separato Commissariato promettessero di inviare qui altri sacerdoti polacchi, i quali a suo tempo stabilissero un noviziato per educare e formare giovani parimenti polacchi, io sarei di subordinato parere che la domanda presentata a codesta S. Congregazione fosse presa in benevola considerazione. La speranza di aver sacerdoti polacchi abili e capaci, i quali si interessino con amore e zelo dei loro connazionali mi sembra esser un forte motivo per concedere quanto essi chiedono, ponendo anche in seconda linea le difficoltà che secondo me si oppongono, nell'erigere commissariati o provincie dello stesso ordine religioso, distinguendole non per territorio ma per nazionalità."

240 For an analysis of this schismatic church (still in existence and in serious dialogue with Polish-born John Paul II), see Theodore Andrews, *The Polish National Catholic Church in America and Poland*, (London, 1953); William Galush, *The Polish National Catholic Church: A Survey of its Origins, Development and Missions*, in *Records of the American Catholic Historical Society Philadelphia*, 83: 131-149; Warren Platt, *The Polish National Catholic Church: An Inquiry into its Origins*, in *Church History*, 46: 74-89.

241 APF, NS, #72140 for request, #73655 for statistical information and permission. Names of some of these friars can be gleaned from *Album Jubileuszowy Prowincji Polskiej Oo. Franciszkanow w Ameryce*, (Buffalo, 1930), p. 29.

242 AGOFCMCONV, S/IX.A, *Acta Provincialia*, Chapter of 1906. "...notum fecit patribus vocalibus se facultatibus apostolicis instructum fuisse ut prima vice posset nominare sine concurso vocalium, Primum Ministrum Provinciale. Circa personam eligendam, Rmus. Praeses adjecit, aliam, hic et nunc, digniorem non esse nisi A.R.P. Ex. Prov. Hyacinthus Fudzinski, qui, a pluribus annis strenue adlaboravit pro constituenda hac nuova Provincia, et a die qua Apostolica Sedes concessit decretum, quo omnes Polonici Conventus Prov. Americanae Imma. Conceptionis, possint congregari in unam separatam Provinciam, eam tamquam Commissarius Generalis, electus a supradicto Rmo. P. Generali, recte prudenterque gubernavit." Later, Reuter was unsure if he had full faculties to proceed as he had done, and requested a sanatio, which was granted on 2/III/1909. See the account by Jeremiah Smith, p. 274-277.

243 The formation policy was agreed to at the first Chapter: see AGOFCMCONV, S/IX.A, *Acta Provincialia*. The Immaculate Conception Province Chapter in 1906 established a tuition rate for the students at Trenton. Incidentally, Fudzinski was a voting member of the Immaculate Conception Province Chapter in 1906 as well as the Intermediate Chapter of 1908: see *Ibid.*, S/IX.D, *Acta Provincialis*.

244 This proposal of Fudzinski's, to my knowledge, has never been discussed in Conventual historiography. Documentation is found in AGOFCMCONV, S/IX.D, packet 15, letters of 4/I/1899 and 9/I/1899. A search in the Canadian section of APF failed to locate any actual intention of a foundation. The plan seemed to have died in its preliminary stages.

245 APIC, "Min. Gen. Corr.", packet 2, letter of 13/IV/1860. "Avvenga di essere desiderabile il fondere buoni conventi nelle grandi città, ma non lasciare il corso per il denaro."

246 It is not coincidental that Moczygamba recommended to Propaganda some of these very structures; see APF, "Scritture", Volume 22, 10r-15v, 41r.

247 Robert Trisco, *Bishops and Their Priests in the United States*, in *The Catholic Priest in the United States: Historical Investigations*, ed. John Tracy Ellis, (Collegeville, 1971), p. 270.

248 APIC, "Min. Gen. Corr.", packet 1, letter of 4/XI/1859. "...tenetevi benevoli i vescovi, ed operare a norma dei loro consigli, è sempre una garanzia per noi l'agire col loro parere."

249 AGOFMCONV, S/IX.D, packet 2, undated manuscript. "7) Fratres nostri teneantur revereri Episcopum Galvestoniensem et coadjuvare ipsum in animarum cura et ei omnia qua non repugnanti constitutionibus praestare."

250 See Smith, p. 59-63, and John Sharp, *Brooklyn's First Preparatory Seminary*, in *Historical Records and Studies*, 36(1947), p. 102-110.

251 See Fehlner, op. cit.

252 AGOFMCONV, S/IX.D, packet 5, Moczygemba to Minister General, 26/IX/1864, and 3/XI/1864.

253 Noted by Peter Jachetti to Marangoni, *Ibid.*, packet 5, undated, but based on internal evidence, probably spring of 1866.

254 APF, "Scritture", Volume 22, 21r, Moczygemba to Propaganda, 2/X/1868. "Vescovo Conroy disse che lui non poteva tollerare a formarsi una diocesi in diocesi."

255 *Ibid.*, 22r, and AGOFMCONV, S/IX.D, packet 5, undated letter of Jachetti to Marangoni.

256 See APF, "Scritture", Volume 23, 998r-1001v. Conroy's private secretary, John Kroeger OFM Conv, wrote from Albany to Leopold Moczygemba in Alton, IL, on 25/II/1871, describing the frequent and abject drunkenness of the prelate, his extreme ignorance of the rudiments of Latin, and the cunning of the Albany clergy, who liquored him up before making requests. Moczygemba forwarded the letter to Propaganda.

257 *Ibid.*, 1000v. "Non resterà finchè non abbia cacciato tutti conventuali dalla diocesi."

258 For Syracuse, see APIC, Hellmann, p. 265-266; for Utica, see Smith, p. 97-98; for legal recognition, see APIC, "Min. Gen. Corr.", packet 2, letter of 11/III/1862.

259 See the discussion by Jachetti to Marangoni, AGOFMCONV, S/IX.D, packet 5, undated letter.

260 See AGOFMCONV, S/IX.D, packet 5, undated letter of Jachetti to Marangoni.

261 See the correspondence between Dehm and Ehrenburg in APIC, Hellmann, 10/IX/1867 on p. 395a; 2/X/1867 on p. 395a-395b; 9/VII/1868 on p. 397.

262 APF, "Scritture", Volume 23, 1332rv, Procurator General Ludovico Marangoni to Propaganda Fide, 7/IX/1871. "Monsignore Giovanni Conroy Vescovo di Albany negli Stati Uniti di America dopo molte verbali promesse si compiacque finalmente di emanare il decreto col quale formalmente concede all'Ordine nostro la chiesa parrocchiale di Albany, che costò ai religiosi nostri considerevoli sacrifici, e permette l'erezione del rispettivo convento per l'Ordine stesso."

263 See the status report of Pentecost, 1869, in AGOFMCONV, S/IX.D, packet 6.

264 APF, "Scritture", Volume 23, Noethen, 984r, 991r; cover letter of 19/VI/1871 of Ludovico Marangoni, calling Dehm "ottimo e zelantissimo Commiss. Gen.", 987rv; Dehm's defense of 1/VI/1871, 988rv, 989r.

265 The specifics of this case are not germane to the topic at hand. The archival deposits on this point are huge and complex, a veritable minefield for the researcher: see AGOFMCONV, S.IX.D, the entirety of packet 10; APF, "Lettere", Volumes 373-381, *passim*, and "Scritture", Volume 38, 3r-26lv. The summary is clear in Jeremiah Smith, p. 184-197. The whole affair is put into the context of St. Louis diocesan history, and care of Italian immigrants, in John Rothensteiner, *History of the Archdiocese of St. Louis*, (St. Louis, 1928), p. 681-682.

266 A further echo of these points can be found in Lesen's report of his 1882 Visitation: "Superioribus...nullibi pensio haec integre collecta fuit ob debita congregationum, ita ut ordo pluria milliaria dollariorum amisit.... In actu visitationis insisti, ut ubique ad ommissione serventur leges respicientes administrationem bonorum ecclesiarum et domorum, acceptationem, retentionem, et expenditionem pecuniae...."; see AGOFMCONV, S/IX.D, packet 8, letter of 3/VII/1882.

267 APF, "Scritture", America Centrale, Volume 38, 7r, dated January, 1883. "...sarebbe dunque desiderabile che questa S. Congregazione non solo investigasse l'equità dei fatti reclami, ma ben anche le falsità ed inesattezze di quei due Monsignori."

268 AGOFMCONV, S/IX.D, , packet 11, both letters dated 25/X/1886.

269 APF, "Scritture", America Centrale, Volume 38, 322v, Lesen to Minister General, dated November, 1882. "il che sarebbe grave ferita alla nascente custodia occidentale delle nostra provincia."

270 Letter of Chatard to Neubauer, 6/IX/1897, copied in APIC, *Liber Ordinationum Superiorum*, p. 15.

271 *Ibid.*, p. 11.

272 APF, NS, #21333.

273 APIC, *Liber Ordinationum Superiorum*, p. 15-16.

274 *Ibid.*, 910rv-911r, Lesen to Minister General, 11/IV/1883.

275 See John Marshall, *Diocesan and Religious Clergy: The History of a Relationship, 1789-1969*, in *The Catholic Priest in the United States: Historical Investigations*, ed. John Tracy Ellis, (Collegeville, MI, 1971), p. 385-422.

276 They were also crucial and intertwined with the issue of Trusteeism in American circles: see Eugenio Corecco, *La formazione della Chiesa Cattolica negli Stati Uniti d'America attraverso l'attività sinodale* (Brescia, 1970), and Patrick Dignan, *A History of the Legal Incorporation of Catholic Church Property in the United States (1784-1932)*

(Washington, 1935).

277 AGOFMCONV, S/IX.D, packet 2, dated 14/IX/1852.

278 Ibid., letter of 5/V/1854.

279 See Smith, p. 17, and AGOFMCONV, S/IX.D, packet 2, undated "Protezzure della missione nella America del Nord", which stipulates, "che i padri che stanno nelle missioni come parroci, avendo prima provveduto ai bisogni della parrocchia, siano tenuti in coscienza di dare una certa contribuzione al convento (pro rata)."

280 AGOFMCONV, S/IX.D, packet 2, letter of 13/XII/1854.

281 Ibid., letter of 16/VII/1855.

282 Ibid., packet 5, McCloskey to Moczygamba, 28/IX/1859.

283 See Baker, *The Reverend*, p. 89.

284 Who felt himself deceived, cheated, and hoodwinked by Moczygamba: see Baker, *The Reverend*, p. 85-86; see also Mary Angela Fitzmorris, *Four Decades of Catholicism in Texas, 1820-1860*, (Washington, 1926), p. 95. Even General Minister Salvatore Cali was uncomfortable with the double-dealing: see APIC, "Min. Gen. Corr.", packet 1, letter of 4/XI/1859.

285 See James Connelly, *The History of the Archdiocese of Philadelphia*, (Philadelphia, 1976), p. 212-214, 237-250.

286 See Joseph Kirlin, *Catholicity in Philadelphia*, (Philadelphia, 1909), p. 370-372.

287 As cited in a letter of 28/XI/1861, published in *Diamond Jubilee Memoir*, p. 92 (APIC, "Parishes and residences").

288 APF, "Scritture", America Centrale, vol. 19, 175rv, 176rv, letter of 27/IV/1861. "Nell'anno 1857 Monsignor Neumann Vescovo di Filadelfia nella America Settentrionale venne in trattativa col Padre Bonaventura Keller Minore Conventuale di cedere all'Ordine la Chiesa ed annessa casa sotto titolo di S.' Alfonso nella stessa città di Filadelfia e ne spediva opportuno decreto sotto il dì 31 Agosto che si annette in Copia unitamente ad altra lettera dell'istesso Vescovo al Padre B. Keller. Nel Febbraio 1858 in una Domenica tenendo il medesimo Vescovo pontificali in detta Chiesa vi installò solennemente l'Ordine nella persona dei Pp. B. Keller e Giuseppe Bruenemann: e verbalmente fra i detti Padri e lo stesso Vescovo si convenne, che essendovi ancora alcuni debiti di non urgente pagamento, il Padre dal provento avessero prelevato scudi 800 (Dollari) pel loro mantenimento e dopo pagate altre spese di Chiesa il residuo dell'introito consegnato venisse allo stesso Vescovo pel pagamento dei debiti formati nella fabbrica della Chiesa medesima di S.'Alfonso, come è stato fatto ogni anno eseguito. Frattanto la S. Congr. dei Vescovi e Regolari sotto il dì 1 Ottobre 1858 eresse in Regolare Provincia i Conventi che l'Ordine avea in America e nominatamente il Convento di Filadelfia rettificando così la cessione fatta dal detto Monsignore Neumann, di cui fu esibito il Decreto. Sotto il dì 15 Ottobre 1858 lo scrivente venne nominato Commissario Generale di quella Regolare Provincia ed è sempre vissuto in buona fede circa il possesso di quel Convento in Filadelfia. Accaduto la morte di questo Vescovo di Filadelfia, il di lui successore Monsignore Wood, ignaro, come supponesi, di tale Convenzione circa il pagamento dei debiti gravati di quella Chiesa fece conoscere al sottoscritto che la cessione era invalida non essendo nel Decreto nominati i Debiti ed il modo distinguerli, aggiungendo, che il suo predecessore non avea diritto cedere ad un Ordine una Chiesa pagata in parte coi denari da esso

imprestati. Sorpreso lo scrivente di tal notizia ha cercato di convalidare la Cessione assumendo a carico della Chiesa il pagamento dei debiti residuati a norma di quanto si faceva con Monsignore Neumann."

289 Ibid., 281r, dated August, 1861. "...spero di fare vedere che in questo affare non ho violato nessun diritto, e che mentre che mi sono insegnato di tenere la Diocesi libera dal pericolo di una perdita enorme pecuniaria, non mi sono dimenticato dei diritti altrui." "...quest'assalto segreto e inaspettato dal Rev.do Padre Provinciale Moczygemba."

290 A copy of which is found in Ibid., 177rv, 178r.

291 See Concilii Plenarii Baltimorensis II., in ecclesia Metropolitana Baltimorensi, a die VII. ad diem XXI. Octobris A.D. MDCCCLXVI, habiti, et a Sede Apostolica recogniti, Acta et Decreta, (Baltimore, 1868), lxxv-lxxvi, and #203.

292 AGOFMCONV, S/IX.D, packet 5, contains a copy of a long letter of 20/XI/1866, written by Angelo Paresce SJ of Loyola College in Baltimore to Jesuit General Peter Beckx. It is an alarming letter outlining the nefarious plans of Archbishops Alemany of San Francisco and Lamy of Santa Fe to keep religious from the property of parish churches which also serve as their conventual churches, a plan opposed by Archbishop McCloskey of New York. The presence of the "Commissario Generale dei Conventuali" is mentioned on p. 13 of this text.

293 A good summary of the disagreement is found in Smith, p. 200-212.

294 In his letter to the Minister General of 10/XI/1873, Leopold Moczygemba blames financial mismanagement on his predecessor John Kroeger and his six German boys, and describes Kroeger's behavior as "non era da sacerdote e frate ma piuttosto da effeminato giovanetto;" see AGOFMCONV, S/IX.D, packet 7. In the later 1870's Anselm Auling and Maurice Bierl were accused of maintaining live-in mistresses; both were removed from the parish: see Ibid., packet 8, Dehm to Minister General, letter of 2/X/1877.

295 APF, "Scritture", Volume 37, 321r, letter of 31/VII/1880. "...i Rr. Pp. potrebbero guadagnare un poco nell'interesse loro pecuniario...."

296 Ibid., 322v, Lesen to Minister General, dated November, 1882.

297 Ibid., "Lettere", Volume 379, 41r, Propaganda to Vincennopolis, 27/I/1883. "Se quanto riferiscono i religiosi è vero, la domanda mi sembra discreta, ed io la raccomando alla bontà della S.V. per quei provvedimenti che crederà più opportuni."

298 APIC, Hellmann, p. 328-330, Vincennopolis to Propaganda, 29/VII/1883. "Tutte le grandi speranze eccitate dalla venuta dei Rr. Pp. Minori Conventuali andavano a vuoto." "Tutto considerato, Eminenza, sono di opinione che i Rr. Pp. Minori Conventuali farebbero meglio altrove che in questa diocesi." "Però, non vorrei che Vostra Eminenza dica ai Padri di abbandonare la diocesi subito, ma che lo facciano all'occasione apparentemente da se; imperocché non desidero aver anche l'apparenza di recare spreggio a religiosi."

299 Ibid., p. 286-287, Act of 22/XI/1885. "...vix regula S. Francisci cum modo vivendi americano conciliari potest."

300 APF, "Lettere", Volume 381, 612v, Propaganda to Vincennopolis, 5/XII/1885.

301 *Ibid.*, "Scritture", America Centrale, Volume 38, 910rv-911r, Lesen to Minister General, 11/IV/1883.

302 *Ibid.*, Ludovicopolis to Propaganda Fide, 27/VI/1883.

303 APIC, Hellmann, p. 330-331, dated 30/VII/1883. The original is no longer extant in the Propaganda archives.

304 See Smith, p. 108-109.

305 Found in Acta et Decreta Concilii Plenarii Baltimorensis Tertii in ecclesia Metropolitana Baltimorensi habiti a die IX. Novembris usque ad diem VII Decembris, A.D. MDCCCLXXXIV, (Baltimore, 1884), p. 212-230.

306 See the discussion in Gerald Fogarty, The Bishops Versus Religious Orders: The Suppressed Decrees of the Third Plenary Council of Baltimore, in Jurist 33(1973), 384-398.

307 Found in Acta et Decreta Concilii Plenarii Baltimorensis Tertii, # 90 and #271.

308 See Fogarty, p. 397-398. Incidentally, the Conventual dispute with Bishop Chatard over St. Joseph Cemetery is used as a test case and example in the argumentation: see p. 393.

309 Agreement found in AGOFMCONV, S/IX.D, packet 15, dated 9/XI/1896, and in APF, NS, #22873.

310 AGOFMCONV, S/IX.D, packet 15, letter of 2/V/1898. "Se si fosse trattato di accettare "ad tempus" per essere cacciati dopo, non lo avrei mai fatto. Ma così non ho potuto, e meno ancora ho voluto rifiutare una favorevole offerta."

311 Here the issue was complicated by creating a parish territory in a Polish neighborhood, yet still desiring to maintain a non-territorial parish: see Richard Deptula, *Polish Immigrants, Conventual Franciscans, and Franciscan Sisters of St. Joseph: Corpus Christi Roman Catholic Church, Buffalo, New York, 1898-1939*, unpublished Master's Dissertation, Catholic University of America, 1989.

312 See in this case Deptula, p. 193-198, and Anthony Kuzniewski, *Faith and the Fatherland: The Polish Church War in Wisconsin, 1896-1918*, (Notre Dame, 1980), *passim*.

313 AGOFMCONV, S/IX.D, packet 2, undated manuscripts. "...parochi ea propter foras habitantur quocumque anno rationem de sua economia reddere teneantur et quo superio conventi incorporentur." "Missionarii rationem reddere teneantur superiori missionis de elemosinis atque oblationibus fidelibus acceptis." From a comment by Moczygemba, *Ibid.*, dated 13/XII/1854, the above regulations must have been before that date.

314 *Ibid.*, undated, but from internal evidence sometime in 1858. "Che i missionarii tengano un libro nel quale segnano le rendite come ancora il esito, di cui una copia manderanno annualmente al Superiore della provincia. Che i padri che stanno nelle missioni come parroci, avendo prima provveduto ai bisogni della parrocchia, siano tenuti in coscienza di dare una certa contribuzione al convento (*pro rata*)."

315 Some \$400 annually from all the Texas mission statements combined: see Smith, p. 17.

316 In Leopold Moczygemba's hand, written in German, and found APIC, "Parishes and residences", St. Alphonsus, separate packet.

317 Kortens expected an assignment from Neumann, possibly to a proposed foundation in Bridesburgh; see Fehlner, p. 328, note #26. Gerber was living as an exclaustated priest in St. Louis Church, Buffalo, NY; see APIC, "IC Prov. Corr.", third packet, Moczygemba to Gerber, letter of 25/IV/1860. Evidence of Gerber's coming as simply a good-will gesture on the part of the friars is confirmed by the record of Gerber's return to the community only in 1863: see AGOFMCONV, S/IX.D, packet 5, Moczygemba to Gerber, letter of 25/VII/1863, Gerber eventually exclaustated again, and wound up as pastor of St. Francis Church in Trenton, where he paved the way for the friars' ministry in that diocese: see Ernst Reiter, *Schematismus der Katholischen Deutschen Geistlichkeit...Staaten*, (New York, 1869), p. 120-121.

318 APIC, Acta Capitularius [SIC]Conventi Syracusae, 17/VIII/1860, p. 2-3.

319 See AGOFMCONV, S/IX.D, packet 5, letter of Keller 5/IX/1864, letter of Moczygemba 3/XI/1864 and 13/XII/1864.

320 Ibid., Acta Provincialia, I.

321 Ibid., packet 8, letter of 3/VII/1882. "Patres aluntur pensione a Congregationibus pro servitio Ecclesiae, juxta diocesana statuta saluta. Superioribus...annis nullibi pensio haec integre collecta fuit ob debita congregationum, ita ut ordo pluria milliarum dollariorum amisit...."

322 Found in APIC, "Parishes and residences", Assumption.

323 AGOFMCONV, S/IX.D, packet 9, Ehrenburg to Lesen, 16/VII/1886.

324 See Ibid., packet 2, letters of 24/III/1854, 15/VII/1854, 28/VIII/1855, 25/I/1856, 4/III/1856; packet 4, letters of June, 1858 and 24/VI/1858; APIC, "Corr.", packet 2, letters of 29/XI/1858, 1/V/1857, 8/VI/1858, 19/VIII/1858.

325 AGOFMCONV, S/IX.D, packet 3, 7/VII/1857. "...potrei essere facilmente citato al giudice pur gli debiti."

326 Ibid., packet 2, 1858 Regulations. "Che tutti gli conventi debbono concorrere a sostentare i professi studenti (pro rata)."

327 See the agreement between Moczygemba and Wood in APF, "Scritture", Volume 19, 177rv, 178r, and the financial statement for December, 1858, in APIC, "Parishes and residences", St. Alphonsus, separate packet.

328 See AGOFMCONV, S/IX.D, packet 7, 10/XI/1873.

329 See APIC, Acta Capitularium [SIC]Conventus Syracusae, and summarized in Smith, p. 79-80.

330 See AGOFMCONV, S/IX.D, packet 5, exemplar of printed flyer of 20/IV/1859.

331 APIC, *Liber Ordinationum Superiorum*, 9/VIII/1876. "Cum isthaec Im. Concept. Provincia redditus, qui a bonis immobilibus proveniant, nullo modo possideat; cumque Missarum stipendia pro Sacerdotibus alendis maximopere sint necessaria, hinc decernimus, ut Missae, quae infra Statutum a iure tempus celebrari non possunt (dummodo liberae sint, hoc est neque Ecclesiae neque Altari obligatae) a respectivis Superioribus Localibus ad Min. Provinciale transmittantur. Ministri autem Provincialia munus erit, easdem ita illis Conventibus et Domibus satisfaciendas distribuere, in quibus intentiones pro numero Sacerdotum deficiunt. Praecipimus autem firmiter omnibus Patribus ac Fratribus, ut intentiones Missarum quae in officio pastoralis persolvendo offeruntur, fideliter et integre locali Superiori tradant."

332 See respective notations in AGOFMCONV, S/IX.D, *Acta Provincialia*, I.

333 *Ibid.* "In canonica sua visitatione Min. Provincialis accurate inspiciat proventus et expensas singulorum Conventuum et Domorum, ac dein cum parvo suo Definitorio taxam statuatur, quam singuli aerario Provinciali quotannis solvere debent."

334 *Ibid.* "...in unaquaque Ecclesia ab Ordine provisa quotannis collecta instituatur pro expensis Clericorum Ordinis, quae ante Festum S. Francisci ad Min. Provinciale mitti debeat." The closing date is presumably tied to the traditional beginning of the seminary scholastic year: if there was no money, how could the seminarians be housed, fed, or taught?

335 AGOFMCONV, S/IX.D, packet 14, letter and inclusions of 8/III/1891.

336 The entire correspondence is found in *Ibid.*, protest of 18/VIII/1891, with undated rebuttal by Neubauer.

337 *Ibid.*, packet 2, legislation of 1858(?). "...non sia lecito a un padre missionario un Batimento alcuno nella parrocchia senza avere inteso il Superiore della Provincia....in tali casi il Superiore della provincia s'intenderà con il Vescovo."

338 *Ibid.*, *Acta Provincialia* I, (1880). "Nemini deinceps liceat quidpiam aedificare in posterum, quin prius ea de re Min. Provinciale certiore reddiderit, qui dein nonnisi consulto parvo Definitorio quoad sumptus, planum ceteraque omnia adjuncta aedificationi annuat aut renuat."

339 *Ibid.* "...Ecclesiarum Rectoribus praecipitur, ut quoad extraordinarias expensas, ad quas scilicet Episcopi licentia requiritur, prius in scriptis Adm. P. Provincialis licentiam obtineant." The amount of "extraordinary expenses" was stipulated at \$50 at the next Provincial Chapter in 1889: see *Ibid.*

340 *Ibid.*, Intermediate Congregation of 1888. "Unusquisque Superior pro expensis domorum, quae juxta Diocesana statuta ab ipsa ecclesia solvenda sunt, nulla alia pecunia in futuro utatur quam ecclesia. In futurum nulli Superiori permittitur, pecuniam Conventus vel Domus ecclesiae commodare, quin cautionem illam (vulgo note or pass book) in favorem Conventus vel Domus accipiat, quam saeculares consuescunt accipere. Et hoc quidem eisdem Superioribus in virtute S. Obedientiae praescribitur."

341 *Ibid.*, expenses, Chapter of 1886, examination of records, Chapter of 1889.

342 *Ibid.*, packet 2, Heimo's letter of 2/X/1853, and Duranz' letter of 15/VII/1853.

343 Ibid., letter of G. Bovieri, Incaricato degli Affari interni della Nunziatura di Lucerna, based on a report of Vicar General Tendly, to Minister General, 5/III/1854. "Le P. Antoine est malheureux, il n'a, au fond, pas on mauvais caractère, mais il n'a jamais été formé, il a fait un misérable noviciat et fort pénurie d'études, d'en sorte qu'il n'a aucun esprit religieux, aucunes connaissances qu'on serait en droit d'exiger d'un prêtre, surtout dans les temps actuels. Je ne le crois pas à même de faire un sermon passable. Cependant il a été approuvé, déjà par notre Evêque déficient, ad suscipiendos fidelium confessiones."

344 Ibid., letter of 14/III/1854.

345 Ibid., packet 3. For secularization, see APIC, "Min.Gen.Corr.", packet 2, Salvatore Calli to Leopold Moczygemba, 14/V/1860.

346 A series of letters is found in AGOFMCONV, S-IX.D, packet 4.

347 APF, "Scritture", Volume 18, 375v-380r, Cardinal Vannucelli to Propaganda Fide, 25/IX/1858. "...si debbe valutarlo più a tavolino che all'apostolato."

348 de Tocqueville, II, 137.

349 This material is summarized from AGOFMCONV, S/IX.D, packet 2, Moczygemba to Minister General, 24/III/1854; Keller to Minister General, 4/V/1853; Keller to Minister General, 4/X/1856; packet 3, Keller to Minister General, 14/VIII/1857; APIC, "IC Prov Corr", packet 1, Vicar General Dubois to Dear Sir, 27/II/1854; and Peter Damian Fehlner, *St. John Neumann, C.S.S.R., and the Friars Minor Conventual in the U.S.A.: A Critical Edition of Eight Letters*, in *Miscellanea Francescana*, 84(1984), 319-29.

350 Summarized from APIC, "Min. Gen. Corr.", packet 1, letter of 23/XI/1859; "IC. Prov. Corr.", packet 2, Moczygemba to Keller, 19/II, 1859; Moczygemba to Mueller, 19/II/1859; Alemany to Keller, 4/II/1859; letter of Pierre Magagnotte, Vicar General of San Francisco, 28/III/1859; and Jerome Stoffel, *The Hesitant Beginnings of the Catholic Church in Utah*, in *Utah Historical Quarterly* 36: 48-55.

351 See APIC, "IC Prov. Corr.", packet 3, obediences of 25/VIII/1860 and 10/XII/1860; Moczygemba to Keller, 21/X/1863; Moczygemba to Keller, 30/VIII/1864; AGOFMCONV, S/IX.D, packet 5, Keller to Minister General, 5/IX/1864; Moczygemba to Minister General, 9/III/1865; and Moczygemba to Minister General, 22/XII/1864: "...conoscendolo incapace per una tale missione mi opposi sempre alle di lui brame." Moczygemba was in favor of a Mexican foundation (see AGOFMCONV, S/IX.D, packet 5, Moczygemba to Minister General, 3/XI/1864), just not by Keller or Mueller. Mueller was an old hand himself at vagabondage. From Texas, early on, he had requested to go either to Wisconsin or Pennsylvania, it didn't matter which: see Ibid., packet 2, Mueller to Minister General, 5/V/1854.

352 Enchiridion sacerdotum curam animarum egentium, (Roma, 1870).

353 For obedience to Rome, see APIC, Hellmann, *Notes*, p. 395a-395b, letter of Dehm to Ehrenburg, 2/X/1867; for Moczygemba in Rome, see APF, "Scritture", Volume 23, 4r-42r, a report on American affairs; exclaustation in AGOFMCONV, S/IX.D, packet 6, letters of 2/IX/1870 and 15/IX/1871, and in APF, "Scritture", Volume 23, 93rv, 99r-100v, 101r; for the episcopal nomination, APF, "Scritture", Volume 23, 1040rv-1041r; Volume 24, 684rv; 685rv-686r; 883v-884v; for summary, see Baker, *The Reverend*, 90-108.

354 Ibid., packet 2, Dornseiffer to Minister General, 17/IV/1854. "...io conosco solamente uno dei padri in questo convento habile per la missione. Gli religiosi nel convento di Hall non hanno uno buono fondamento, e non possano havere, perchè i novizi professano senza noviziato e senza di sapere i principali dogmi della costituzione per conseguenza professano senza di aver provato ed esaminato loro vocazione. Religiosi di questa maniera vivono raramente modesti nella parte dei infedeli e si fanno spesso volta più danno per la missione come profitto. Paternità Rma, io parlo per esperienza. Cavallo senza freno in bocca vanno raramente la strada dritta."

355 Ibid., 1854(?) Mission directives. "Reverendissimus Minister Generalis satagat bonos idoneosque religiosos in Tesensem missionem mittere, atque non mittantur ii, qui in Europa conventibus se non bene gesserunt vel incontenti fuerunt aut tales qui propter ignorantiam in vineam Domini laborare nequecum."

356 See the list in Smith's Appendix, p. 304-305.

357 See AGOFMCONV, S/IX.D, packet 5, letters of 13/XII/1864 and 22/XII/1864. Moczygemba's request led to the recruitment of Giuseppe Lesen and Pietro Jachetti as American formation personnel: see Ibid., letters of 9/I/1865, 18/I/1865, and 25/I/1865.

358 Ibid., Moczygemba to Vicar General, 9/III/1865. "Promovendo la religione nelle nostre parrocchie più e più, spero che allora le vocazioni non mancheranno. Dalle nostre scuole parrocchiali abbiamo preso sei giovanetti e li abbiamo vestito d'abito. Questo è un metodo laborioso, però più sicuro per l'Ordine. Sia certo Rmo. P. Vicario Generale, che io non manco già mai d'inculcare, affinché le nostre sante leggi sono osservate, perchè lo so bene che non altrimenti Dio ci benedirà ed aiuterà."

359 Ibid., "...i quali hanno la necessaria scienza per ricevere i sacri ordini la quale hanno acquistato nel secolo, e di più mostrano di avere spirito religioso e di essere di una buona indole, in somma sono giovani di santo timore come mi ha riferito il loro stesso maestro il P. Antonio Rossadowski supplico adunque in nome di tutti i padri onde ottenere dei cooperatori nella vigna del Signore, affinché questi tre giovani possano fare la professione dei voti solenni e così potere essere ordinati. Io non amo in America di fare ordinare i giovani coi voti semplici, perchè vi è troppo occasioni per varie tentazioni dalle parte dalla nature, del secolo, ed ancora dei vescovi stessi. Quando uno è legato coi voti solenni allora tutte le occasioni sono tolte." The three, Louis Platzer, Peter Joseph Stump, and Paul Mittendorf, each 23 years old, never appear in any lists of the friars, and presumably left the community before ordination.

360 The only other recorded petition is of Ignatius Berna in 1900, the time of Jacek Fudzinski's rapid expansion of Polish-language ministry: see APF, NS, #37933.

361 Ibid., packet 2, undated: "...in quantum fieri potest...", "Quilibet missionarius quotannis exercitiis spiritualibus in conventu vacare debet." Ibid., Moczygemba to Minister General, 20/IX/1853: "...facilmente perde lo spirito religioso. Texas è un grande paese e in questo potrà distendersi l'Ordine nostro, se colla prudenza e spirito religioso si porrà meno all'opera."

362 Ibid., undated 1858(?) Regulations. "Al ciascun convento siano chiaramente assegnate le missioni a parrocchie da cui dipenderanno..." "Ante un padre viene essere nominato come un parroco di un luogo, deve il Superiore della provincia esaminare le di lui capacità, se corrispondono al posto, onde evitare dei frequenti cambiamenti, molto ingiuriosi alla parrocchia. In caso che il Superiore della provincia volesse richiamare un religioso da una parrocchia per mandarlo a un'altra, s'intenda avanti di ciò con Vescovo, onde conservare la pace e buon'armonia." The economic tie to the mother convent always seems the most preponderant. The first Chapter of the friary in Syracuse, for example, makes no mention of the internal life of the mission stations, but simply demands that all of its finances return to the friary: see APIC, *Acta Capitularius [SIC]Conventi Syracusae*, 17/VIII/1860, p. 3-4.

363 APIC, "IC Prov. Corr.", packet 3, 6/XI/1862.

364 See Smith, p. 225-226.

365 See APIC, Hellmann, p. 395a-397, letters of 10/IX/1867, 2/X/1867, and 9/VII/1868.

366 See the undated letter to Marangoni in AGOFMCONV, S/IX.D, packet 5.

367 APIC, "Documents", Lesen to Jachetti, 11/IV/1882.

368 *Ibid.*, *Liber ordinationum superiorum*, decrees of Vicar General Antonio Adragna, 9/VIII/1876. "Volumus ac districte praecipimus, ne deinceps acceptentur missionum domus, neque parociae, ubi quatuor saltem sacerdotes commode ali nequeunt (v. Const. Urb., VI, V, #1). Quae vero hactenus receptae fuerunt, vix ac fieri potest dimittantur."

369 See AGOFMCONV, S/IX.D, packet 2, letter of 13/XII/1854, and packet 3, letter of 4/IX/1857, and APF, "Scritture", Volume 17, 869r, letter of 13/III/1857.

370 See AGOFMCONV, S/IX.D, packet 2, letter of 24/III/1854, and packet 3, letter of 1/IV/1857.

371 See *Ibid.*, packet 2, an unsigned, undated protocol entry; packet 3, letters of 17/XII/1857 and 1/XII/1858.

372 See *Ibid.*, packet 2, letter of 4/X/1856, and packet 3, letter of 14/VIII/1857, as well as Smith, p. 59-63; John Sharp, *History of the Diocese of Brooklyn, 1853-1953*, p. 247-249; Sharp, *Brooklyn's First Preparatory Seminary*, p. 102-110.

373 AGOFMCONV, S/IX.D, packet 4, archival history of the Texas foundation, last paragraph. "A provedere bene i due Conventi, per ora è inibito di ricevere altre parrocchie, oltre quelle ricevute."

374 APIC, "Min. Gen. Corr.", packet 1, December, 1858. "Limiti il suo zelo nell'assumere nuove obbligazioni...."

375 *Ibid.*, letter of 4/XI/1859. "Despero maggior cautela e circospezione nei vostri stabilimenti, confesso il vero, non mi vanno genio tanti mutazioni che sono succedette in breve tempo, non più siamo in Galveston, non più al Texas, ciò che ora abbiamo di tutto di recente fondazione, per quanto posso dereggere dalle vostre lettere mi sembra che tutte le nostre case si riducano a tre, soltanto a Filadelfia, a Utica, a Siracusa, come va di ciò che avevamo, per cui nell'anno scorso si domandava l'erezione della provincia? Faccio questa osservazione per farvi conoscere il mio interno e poi impegnarvi con maggiore zelo in fondazioni stabili."

376 Great hope and effort was put into the foundation of Terre Haute to become a western model of what had been founded in the East: see APIC, Hellmann, p. 17, and "Parishes and residences", St. Joseph, *Centennial of the Parish of St. Joseph, Terre Haute, Indiana, 1838-1938*.

377 AGOFMCONV, S/IX.D, packet 2, undated. "Officium divinum, oratio mentalis, examen conscientiae juxta constitutionem Ordinis in comuni quandum fieri potest, quotidie habenda apud missionarios."

378 Ibid. For commutation, see an undated and pre-printed list of concessions from Propaganda Fide.

379 APIC, Hellmann, p. 397-398, Dehm to Ehrenburg, 9/VII/1868.

380 Ibid., "Documents", Ordo servandus in Seminario Conventus S. Francisci Trenton., dated 1/X/1875.

381 AGOFMCONV, S/IX.D, packet 8, report of provincial visitation of Joseph Lesen to Minister General, 3/VII/1882. "Interiorem autem Ordinis statum quod refert, religiose exercitationes Chori, Meditationis et in communi regulariter habentur, uno excepto Conventu Albanensi, ob ingruentes, ut dicebatur, labores, et deficientiam loci ad easdem adaptati...."

382 Ibid., *Acta Provincialia*, Decrees of Vicar General Antonio Adragna after provincial visitation, 9/VIII/1876. "Caveant omnes religiosi, ne spiritum sanctae orationis extinguant; idcirco, sive in conventibus morentur proprie dictis, sive sint in domibus missionum, quotidie incumbant orationi mentali in choro vel capella mane et vespere saltem per dimidiam horam singulis vicibus, ut habetur in Cap. III....Studeant similiter divinum officium recitare cum omni corporis et animae compositione, verba S. Spiritus proferendo cum debita mora, praesertim ad asteriscum, et caveant ne una pars chori psalmodum versiculos incipiat, antequam altera praecedentes absolverit, vespere et matutinum quotidie recitent horis, quantum fieri potest...."

383 Ibid.

384 Ibid., *passim*. See Chapter of 1899 for "chorum frequentent, mentalemque orationem perficiunt, quantum officia parochialia permittant". For "omnia privatim propter deficientiam Patrum", see report of Custos of the East Nazareno Graziani, in AGOFMCONV, S/IX.D, packet 14, April, 1891.

385 Ibid., packet 14, circular letter of 9/II/1893. "...Bonus Deus adjuvabit, ut brevi instituat, in ceteris domibus et locis, ubi duo patres tantum commorantur, id fieri potest, ut mane parvae horae cum dimidia horae meditatione et circum serum vesperae cum examine conscientiae communiter habeantur...."

386 Ibid., packet 16, circular letter of Louis Miller, 22/XI/1906. "In maioribus conventibus, nullus certe Pater vel Frater ab hisce quotidianis exercitiis spiritualibus communibus nisi grave de causa excusatur. Patres vero illi, qui adscripti sunt conventibus ubi Noviciatus aut Clericatus habetur, scandali meminerint, quod sua absentia iuvenibus hisce datur, quodque eos eam in opinionem ducere solet, chorum pro clericis et non etiam pro Patribus habendum, quo tam nil falsius nilque magis omnium damnatione dignum."

387 See the rescript in APF, NS, #65588, dated 19/III/1905.

388 APIC, "Min. Gen. Corr.", packet 6, circular letter of 17/IX/1906. "Iterum atque iterum inculco chori et meditationis quotidianae obligationem. Etsi in aliquibus locis ob paucitatem fratrum ad chorum habendum nulla sit obligatio, adest tamen semper stricta obligatio meditationem quotidie faciendi: Chorus directe afficit locum, meditatio personam. Haec obligatio strictior adhuc est ubi inveniuntur fratres laici, cuius rei ratio omnibus patet. Superiores neque seipsos eximere ab hac obligatione neque alios sine iusta causa valent dispensare. Nemo excusatur nisi actu aliquo munere sui officii detineatur, nec valet occupationem aliquam officii apposite in illud tempus transferre ut causam habeat a choro

vel meditatione sese excusandi. Statuatur proinde talis hora pro his exercitiis qua omnes possint interesse."

389 About 33%, according to rough calculations of available data in the 1850's, reported in the completed version of this work.

390 AGOFMCONV, S/IX.D, packet 1, Keller to Minister General, letter of 2/VII/1852.

391 IBID., packet 2, 1854(?) legislation. "Commissarius pro tempore existens non potest laicus oblati non sua auctoritate tantum sine capituli consensum ad ordinem recipere."

392 Ibid., legislation of 1858(?). "Che i fratelli laici o conversi restano sempre nello stato dei oblato e che solamente in articulo mortis facciano la solenne professione onde lucrare le indulgenze."

393 APIC, "Min. Gen. Corr.", packet 1, Call to Moczygemba, 23/XI/1859. "Mi vedo nell'obbligo di scrivere qualche avvertimento per correggere gli errori e per mettervi nella giusta via. Primo di tutto riprovo assolutamente di tenere in cucina le donne. Vi sono in Utica due donne Maria Anna Collins et est *attractio* Conventus ed un'altra o figlia o serva domestica. So che in Germania vi è questo abuso in alcuni conventi, ed io non voglio che si introducesse in America, ove dobbiamo procurare di stabilire secondo lo spirito della Regola per il buon esempio.... [Il frate] è un ladro non progresso che sta in cucina colle donne, con essa non può apprendere lo spirito di religione."

394 AGOFMCONV, S/IX.D, packet 5, letter of 22/XII/1864. "In America non vi è bene di avere molti laici, molti lavori si fanno fare per i secolari."

395 Ibid., dated 14/XII/1864. "A suo tempo questi fratelli saranno un buon sostegno dell'Ordine nostro."

396 APIC, "Min. Gen. Corr.", packet 2, letter of 8/II/1865. "Mi venne qui riferito che in cotesti nostri conventi non si osserva affatto la clausura. Io veramente non lo credo. In ogni modo interesse la nota religiosità della P.V.M.R. di far sì che la clausura sia specialmente nel convento di noviziato, rigorosamente osservata."

397 AGOFMCONV, S/IX.D, packet 5, letter of 9/III/1865. "In quanto alla clausura, la custodiamo per quanto si può, in quanto al noviziato è tutto introdotto come in Italia e come le Costituzioni lo domandano. Vi è una cosa eccessivamente difficile di ricevere dei laici in America, con tutta la mia premura solamente due furono ammessi alla santa professione, non può essere altrimenti dove quasi tutti vogliono fare denaro. Promovendo la religione nelle nostre parrocchie più e più, spero che allora le vocazioni non mancheranno." Presumably the two brothers mentioned by Moczygemba were Schmitt and Lanczyk, referred to above. According to Smith's Appendix B, Schmidt professed on 25/III/1863, and died in Syracuse on 28/II/1889. Lanczyk's name is not mentioned, and it can be assumed that he left the community.

398 Ibid., *Acta Provincialia*, I, Chapter of 1880.

399 See APIC, Hellmann, p. 372-373, letters of 26/V/1890, 26/VIII/1890, 26/IX/1890.

400 Ibid., "Min. Gen. Corr.", packet 4, letter of 20/IX/1890.

401 This information is drawn from Archives of the Province of Our Lady of Consolation (Mt. St. Francis, Indiana, USA), particularly *Brevis descriptio historica* in the *Liber Ordinationum* of the friary at Mt. St. Francis, and the *Silver Jubilee*, 1936 of the property. My thanks to Province Archivist Larry Eberhardt for providing this material. The title of the land passed out of the hands of the friars to an actress by the name of Mary Anderson. The official statements refer to her as Mueller's niece (*Silver Jubilee*, p. 51); oral history among the friars refer to her as Mueller's illegitimate daughter.

402 Ibid., dated 17/II/1899. "Ab initio et usque semper sperabam forte, ut hic locu propter solitudinem suam schola fratrum laicorum fioret: heu vero! Multi quidem vocati, pauci tamen electi sunt. En istis, qui afflantur Spiritus Sancto ad religiosam vitam sunt, qui corruptis moribus stipati corruunt: alii fame e paupertate in saeculo oppresi, qui fame satiata et nuditate coperta, iterum ad priora mundi misera redeunt; non pauci etiam eorum, qui scientiam obtinuerunt, sacrificanti sacerdoti "Et cum Spiritu tuo" respondere, quibus nondum longius placet, humiles servi Seraphici Patriarchae esse; desiderant studiis incumbere et gradus dignitatis obtinere; alii tandem, qui pane sine cura et labore manducato pingui facti sunt, imbecilliter faciem mulieris sustinere nequeunt et debent nubere. Spiritus Americanus omnino est spiritus saeculi, spiritus indipendentiae, lucri, et carnis....Hic sit finis!"

403 Ibid., p. 12.

404 See Smith, Appendix B.

405 AGOFMCONV, S/IX.D, *Acta Provincialia*, II, Chapter of 1902.

406 As in Trenton: see Ibid., packet 16, refusal of Trenton to remove women domestics due to lack of religious brothers, letter of 18/V/1907 and reply of 8/VII/1907.

407 Ibid., *Acta Provincialia*, II, Chapter of 1902.

408 APIC, "Min. Gen. Corr.", packet 1, letter of December, 1858. "...non meno di dieci altri religiosi sacerdoti, che faranno le veci di assistenti...."

409 See AGOFMCONV, S/IX.D, packet 4, list prepared for request for erection of Commissariate, 16/V/1858.

410 These three were friends of Kroeger's from Rome, who were granted their *Magisterium* as a throwaway favor, since they were going to America anyway: see Ibid., packet 6, request of 6/VII/1871.

411 See the list, Ibid., packet 7.

412 Ibid., *Acta Provincialia* I, Chapter of 1872, 2v. "...de his ipsius missionibus locusque maxima ex parte Germanicis, ne Germanicam sensibilitatem offenderet."

413 APF, "Scritture", Volume 23, 1001r. "Avrei piacere se anche voi vi unireste con me per aver Keller fatto Maestro-- questo sarebbe in primo luogo giustizia e ancora sarebbe una botta per uomini come Alfonso, Pio, etc." Probably Alphonse refers to Zoeller and Pius to Kotterer, two other American friars.

414 APIC, "Min. Gen. Corr.", packet 3, decree of 29/IV/1872.

415 AGOFMCONV, S/IX.D, packet 7, request for information from Propaganda Fide to Antonio Adragna, 22/III/1873. To the request, Adragna added the name of Francis Neubauer, no doubt aware of the cronyism between Keller and Mueller.

416 APF, "Scritture", Volume 24, 740r, letter of 9/III/1873. "Siccome le Costituzioni dell'Ordine nei decreti del Definitorio Generale del 1659, confermati dalla S. Sede, accordano la laurea dottorale ai missionarii dopo dodici anni di lodevole esercizio, quindi io credo che questa disposizione si possa anche applicare ai missionarii di America, tanto più, in quantochè le loro fatiche sono certamente superiori a quelle dei missionarii di Oriente."

417 See AGOFMCONV, S/IX.D, packet 7, letter of 17/IV/1873.

418 See APIC, *Liber ordinationum superiorum*, decrees of Vicar General Antonio Adragna, 9/VIII/1876, p. 4.

419 Alphonse Zoeller and Francis Neubauer were named *Patres Provinciae* in 1880; Clement Luitz, Vincent Duimovich, and Leonard Reich in 1883; and Avellino Szabo and Alphonse Lehrschohl in 1889: see AGOFMCONV, S/IX.D, *Acta Provincialia*, I, *passim*.

420 See APIC, "Min. Gen. Corr.", packet 5, circular letter of 16/IX/1894.

421 AGOFMCONV, S/IX.D, packet 4, archival notes on decree of erection, 1/XII/1858.

422 Ibid., packet 16, inquiry of Miller dated 27/XII/1899, abozzo of General Minister dated 20/II/1900.

423 Ibid., copy of decree of Sacra Congregatio Episcoporum Regularumque, dated 26/III/1901.

424 Ibid., petition of 11/V/1901.

425 Ibid., Minister General's decree of 6/III/1902.

426 APF, NS, #48848, dated 23/III/1902. "...dove un cambiamento totale di tutti i singoli superiori ed ufficiali provinciali e locali non potrebbe non produrre un certo turbamento e sconvolgimento nei conventi, nelle parrocchie, e nei fedeli."

427 AGOFMCONV, S/IX.D, packet 16, Assistant General Celestino Fattuta to Minister Provincial, 3/V/1902.

428 Anecdotally, in 1920 the Province of St. Anthony of Padua in the United States elected as Provincial Minister Eustace Bartoszewicz, who elected to retain as Provincial Minister the pastorate of St. Hedwig Church in Detroit, Michigan. After being re-elected in 1923, he was informed by the General Minister that the two offices were incompatible; he promptly resigned as Provincial Minister to retain his pastorate.

429 See the correspondence in Ibid., packet 2, letter of German Commissary General Robert Zahradniczek to Minister General of 27/VIII/1854, with reply of 13/X/1854. "Io sono contento che la missione sia Germanica ed anche il Superiore sia un religioso germanico bavarese."

430 APIC, "Min. Gen. Corr.", packet 1, letter of 4/XI/1859. "...quello stabilimento i tutti impegnano nelle missioni di Oriente nella maggior parte sostenute da missionari francesi...."

431 This is a common pattern in American clerical relationships between diocesan and regular clergy: see John Marschall, *Diocesan and Religious Clergy: The History of a Relationship 1789-1969*, in *The Catholic Priest in the United States: Historical Investigations*, ed. John Tracy Ellis, (Collegeville, 1971), p. 396-399.

432 AGOFMCONV, S/IX.D, packet 5, Moczygemba to Minister General, 26/IX/1864. "La chiesa cattolica in America sotto governo dei vescovi Irlandesi o Inglesi non è in quello stato favorevole come si dice o scrive...." See also Ibid., letter of 3/XI/1864.

433 APIC, Hellmann, p. 396, Dehm to Ehrenburg, 28/IV/1868.

434 APF, "Scritture", Volume 22, 4r-42r passim, 2/X/1868. "Il relatore, che è né Tedesco né Irlandese, deve dire la verità, che quei vescovi Tedeschi sono uomini di organizzazione e di economia."

435 See Ibid., "Udienze", Volume 135, for a letter of Bishop Leonard Wood of Philadelphia, who on 12/X/1860 asks for exclausturation of Fr. Francesco Gatti OFM Conv, who "si trovò...nelle case...ignoto delle favelle inglese e tedesca."

436 AGOFMCONV, S/IX.D, packet 5, report of 13/XII/1864. Referring to Frederick Doyle in Chateaugay, New York, "rissoso, e poi come sono tutti gli Irlandesi."

437 Ibid., packet 7, circular letter of Bonaventure Keller, 15/VIII/1872. "Lunge igitur a nobis aemulatio illa mala, quae ab egoismo progenita, tam acerbos fructus in mundo producere consuevit... [ab] diversitate nationalitatis...arma sumit ad expugnandos fratres."

438 It has been noted that German congregations were hegemonous and solid, built as an anti-Protestant and pro-German bulwark around a lavish devotional and spiritual life buttressed by an extensive social and spiritual organizational framework: see Dolores Liptak, *Immigrants and Their Church* (New York, 1989), p. 95 and 97-99.

439 AGOFMCONV, S/IX.D, packet 7, Moczygemba to Minister General, 10/XI/1873. "...erano stati posti in Terre Haute sei ragazzi secolari tedeschi, della di cui vocazione all'Ordine è molto da dubitarsi, ai quali si devono dare libri, maestri, servizio, e vitto senza che pagassero un soldo e ciò si era fatto solo perchè tedeschi di origine. Una tale cosa avea già posto malumore e maldicenze fra parrocchiani tutti Irlandesi, i quali terribilmente fremevano che essendo essi quelli che mantengono e Chiesa e Convento nessuno dei loro figli e connazionali era stato posto gratis in collegio ma solo i tedeschi che gli Irlandesi dovevano mantenere. Per tale ragione avea già diminuito di molto in chiesa le collette domenicali ed anche le collette fuori di chiesa diminuivano grandamente da giorno in giorno." "...stati spediti senz'altro in Syracuse, congregazione tedesca... unitamente alla nota delle spese incontrate per il loro viaggio da qui in Syracuse...." "...se il P. Kroeger poté come superiore locale ricevere senza giudizio in collegio i detti ragazzi a condizione irragionevole, credo che molto più potea l'intero capitolo conventuale in vista delle esposte ragioni e dopo averne dati replicati avvisi al P. Provinciale rimandare quei fanciulli a quei Padri tedeschi che avevano presa la responsabilità presso i loro genitori." "...dal tutto insieme, vale a dire del modo di agire dal Superiore per principio di nazionalità da escludere da noi ogni elemento che non è tedesco, da non prendersi nessuna premura di queste tre case,

vale a dire S. Bonaventura in St. Louis, di S. Giuseppe e S. Benedetto in Terre Haute, come pure per ragione di distanza, essendo noi lontani dalle case tedesche quasi di mille e ottocento miglia da importare grandi spese e per viaggi nelle visite e per recarsi ai Capitoli sarebbe ottima cosa che questi tre conventi risaltanti d'Italiani e Inglesi venissero separati dagli Tedeschi e formassero Commissariato o Provincia da loro." "...desiderano non essere ritenuti dalla freddezza Germanica....è grande ostacolo al nostro progresso l'esser uniti ai Tedeschi."

440 See the letters in *Ibid.*, Keller to Minister General, 24/XI/1873; Jachetti to Minister General, 24/XII/1873; Cucchiarini to Rev.mo Padre, 20/II/1874.

441 APF, "Scritture", Volume 27, Nazareno Graziani to Santo Padre, 2/III/1877. "...il principale motivo della nostra venuta in America, dopo la suppressione delle nostre province in Italia, si fu...per spirituale profitto dei poveri ed abbandonati Italiani."

442 AGOFMCONV, S/IX.D, packet 13, Jachetti to Minister Provincial, 13/VII/1880. "Miller si diede con tante e tali arti a suscitare le passioni nazionali a far partito contro Lesen e gli italiani...."

443 APF, "Scritture", Volume 29, request of Cesare Cucchiarini, October, 1878. "Se col suo Vescovo, Msgr MacCloskey, non si otterrebbe l'intento, è perchè il Sig. Denser è tedesco, il suo giornale è tedesco, e Monsignore invece (sia detto in camera charitatis) è tutto americano-inglese."

444 AGOFMCONV, S/IX.D, packet 8, Dehm to Minister General, 2/X/1877, on Cucchiarini's removal; the petition (signed as well by the Italian Vice-Consul of Louisville), 29/X/1877; Dehm's commentary, 6/XI/1877.

445 *Ibid.*, packet 9, letter of 2/VII/1885. "Non c'è che la morte d'un Irlandaccio, che fra i Tedeschi conta come tutte le altre nazioni quanto un straccio. I Tedeschi vogliono tutto come nella Germania, non riflettono mai che un prete là con 500 anime non ha da fare in un anno ciò che due o tre sacerdoti fanno qui in un mese in una parrocchia di 3-4000 anime." See also *Ibid.*, Lesen to Procurator General, 7/VIII/1885, and packet 8, Lesen to Procurator General, 18/I/1880.

446 See Smith, p. 119-131.

447 See the correspondence in AGOFMCONV, S/IX.D, packet 13, letters of 11/XI/1880, 25/XI/1880, and 8/I/1881.

448 See APIC, Hellmann, p. 333 (transcriber's note) and p. 335.

449 See Baker, *The Reverend*, p. 68-69.

450 *Ibid.*, p. 69-70.

451 AGOFMCONV, S/IX.D, packet 7, letter of 10/XI/1873.

452 See Baker, *The Reverend*, p. 98-109. In April, 1994, I was privileged to make a pilgrimage to Panna Maria, Texas, pray at Leopold Moczygemba's grave, and celebrate Mass at the village church.

453 See AGOFMCONV, S/IX.D, packet 2, letter of 4/X/1856, and packet 3, letter of 14/VIII/1857.

454 Ibid., packet 4, Dornseiffer to Minister General, 16/II/1858. "Devo dire che il P. Keller, il quale si trova nella diocesi di Brooklyn prope New York, fa continuamente la sua corrispondenza con i Padri Missionari in Texas per suaderli di lasciare Texas e di venire a Lui, anche a me ha scritto tre volte, sarebbe bene di dare a Lui una ammonizione più forte, come io ho potuto dare."

455 See the documentation in Ibid., packet 3, undated "Fatto Informativo" and letter of Keller to Minister General of 8/II/1858, on the reverse of which is a notation "Letta ed esaminato la detta lettera in Congresso di Propaganda, si conobbe che il P. Keller non diceva il vero", in the hand of General Procurator Giacinto Gualerni; see also the documentation in APF, "Scritture", Volume 18, 29r-30rv, McCloskey to Propaganda Fide, dated 20/I/1858; "...infligga una penitenza a suo arbitrio al P. Keller proporzionata alla irregolarità della tenuta condotta", 29r.

456 APIC, "IC Prov. Corr.", packet 3, 21/X/1863. "Utinam in calidiorem aliquam regionem...carissime frater, mittere possem!"

457 Evidence suggests that Moczygamba (not even present at the Provincial Chapter of 1872), was subtracting himself from the Conventual community in hopes of being nominated Vicar Apostolic of the State of Montana, a hope dashed when his episcopal patron Joseph Baltes of Alton, Illinois, vetoed his nomination on the terna: see APF, "Scritture", Volume 24, Baltes to Propaganda, 17/I/1873, 684r-686r, including a bitter letter from Moczygamba to Baltes; Salvatelli to Min. Gen., 16/IV/1873, 883v-884v; "Udienze", Volume 369, 59r, Altonensis to Propaganda, 18/II/1873; 195v-196r, Altonensis to Propaganda, 30/V/1873; AGOFMCONV, S/IX.D, packet 7, Grasselli to Segretario (presumably John Kroeger, Secretary of the Provincial Chapter of 1872), 17/VII/1872.

458 AGOFMCONV, S/IX.D, packet 7, letter of 10/XI/1873.

459 Ibid., Moczygamba to Minister General, from Terre Haute, letter of 11/V/1874. "Voi potete andare a St. Louis e là potete voi e P.M. Salvatelli vivere così indipendenti come i raggi del sole. Per tutto il tempo che io sono Provinciale non vi disturberò."

460 Ignaz von Dollinger was a professor in Germany who objected to the First Vatican Council's definition of infallibility of the Roman Pontiff, and led a schismatic movement known as Old Catholicism. This label attached to Moczygamba, therefore, insinuates fomentation of schism and treacherous disloyalty.

461 AGOFMCONV, S/IX.D, packet 7, Cucchiarini to Revmo P., from Louisville, letter of 20/II/1874. "...non inabile..."; "...il Praeceptor di tutto..."

462 A copy of which, dated 29/IX/1874, is found in AGOFMCONV, S/IX.D, packet 7. The whole affair is described by Jeremiah Smith in a very pro-Keller stance, p. 154-162.

463 AGOFMCONV, S/IX.D, packet 7, Lesen to Vicario Generale, 16/II/1875. The letter was written from Terre Haute, indicating that Lesen went into the lions' den to confront his and Keller's accusers face to face. "Rigetto da me con isdegno la sesta accusa, la quale mi caratterizza come capo intrigante per l'elezione del P. Provinciale. L'Arcivescovo Vic. Apostolico di Costantinopoli Mons. Grasselli fu Presidente del Capitolo, ed egli, spero, farà testimonianza di quanto io fossi alieno anche dall'ombra dell'intrigo. La settima accusa, che cioè io fossi capo d'un partito che cercava per fas e per nefas di far riconfermare il Provinciale, è una pura calunnia. Pura calunnia è pure che io avessi già scritto un'istanza al V.P. Rma., acciò ottenesse un rescritto dalla Sacra Congregazione per far escludere dal prossimo

Capitolo molti Padri che vi avrebbero dritto. Protesto dinanzi a Dio che tale idea mai mi venne neppure in capo. Tuttavia perdono sinceramente ai miei fratelli; il peccato procede principalmente da fantasia ferviata. Essi credono e desiderano servire la buona causa; errano per idee preconcepite, per fuoco non represso, e per inesperienza. Anche V.P. Rma. può perdonarli e accettare in compenso la certezza offertale, che le nostre vere miserie in America alla fine non sono molte. Se altre miserie si fossero presentate alla loro diligente ricerca, sarebbero state anche esse esposte." It seems that Lesen's pardons due to inexperience are directed more towards the others on the complaint, and less towards Moczygemba, who is seen throughout the missive as the ringleader of the opposition.

464 Ibid., first draft of Procurator General Giuseppe Antonio Bonelli to Em. Sig. Cardinale, 3/III/1875. "Dal tutto assieme si rileva che essene stato [SIC] il solo mal animo e la cupidigia del dominare in alcuni, la ignoranza e il malumore in altri de' sottoscritti, il manente del ricorso."

465 APF, "Udienze", Volume 179, 1340r. "Poiché questo si è condotto con molto zelo, e mancano daltronde religiosi conventuali di detta provincia sufficienti a costituirgli un successore secondo le loro Costituzioni, così supplica la S.V. anche per evitare gravi spese a convocare un Capitolo per detta elezione, a degnarsi con l'autorità apostolica confermare in ufficio il medesimo P.M. Keller *ad quinquennium* ed esercitare gli atti che secondo le Costituzioni dell'Ordine incombono il P. Provinciale." The minutes of this request can be found AGOFMCONV, S.IX.D, packet 7, passim. There is no record as to whether this suggestion originated in America or in Rome.

466 APIC, "Min. Gen. Corr.", third packet, Antonio Adragna to Keller, letter of 4/IX/1875. "...il Definitorio si sia tenuto in pace." The members of the Definitory, to reiterate, were Lesen and Jachetti.

467 AGOFMCONV, S.IX.D, packet 8, letter of 3/VII/1882. "In pace quidem vivitur, uno aut alio casu dissensionis inter hunc aut illum excepto...."

468 Salvatelli as "*initium mali*" in APIC, "Persons", Jachetti, *Memorie del P. Pietro Jachetti di Monteleone di Spoleto*, date of 13/IX/1880; general treatment (grossly oversimplified and misleading) in Smith, p. 171-174; deposit of records scattered throughout AGOFMCONV, S.IX.D, packets 11-13.

469 See AGOFMCONV, S.IX.D, packet 11, *Defensio Sententiae* of 24/VIII/1886.

470 For sanation, see *Ibid.*, packet 13, request of 25/III/1880, and rescript of 20/VI/1880; for anecdotal evidence, see the marginal note, APIC, Hellmann, p. 54. This financial skullduggery probably is the background for a flurry of capitular legislation in the 1880's on financial accountability.

471 For Chapter nominations, see AGOFMCONV, S.IX.D, *Acta Provincialis*, Acta of Chapters of 1883 and 1886; for accusations, see *Ibid.*, Acta of 1885, 4v, and Acta of 1886, 6r; for letters, see *Ibid.*, packet 11, letters of 25/X/1886; for sworn statement, see letter of 26/V/1887; for exasperated acquiescence, see Neubauer to General Minister, letter of 3/VI/1887. "...proinde abjecto omni prejudicio contra dictum P. Jachetti et nullo modo verbis vel actionibus P. Provincialis causatus vel instigatus...."

472 *Ibid.*, letter of 13/VI/1887. "La Sua mi feri nell'intimo dell'animo. Avanti a Dio sono un miserabile: avanti agli uomini mai prostitui il mio onore di uomo, galantuomo, religioso, e Superiore, e quel che più importa, mai avanti a Dio e gli uomini professai errori di sorta, e molto meno le detesto le dottrine protestanti e giansenistiche."

473 *Ibid.*, letter of 18/X/1887. "...Riguardo al P. Jachetti, Ella, prima di prendere un partito contrario apertamente al mio sentimento, non me ne abbia detto neppure un avviso. Vedo peraltro che con Lei è inutile il disertare le mie ragioni

non la convincono, la mia autorità, anziché dirigerla, si serve di rovinoso inciampo, e turbo incendiario la pace di cotesta Provincia. Non mi rimane dunque altro che richiamare anche il precetto datoLe ultimamente, come so con la presente; e, giacché Ella si reputa l'unico giudice competente nel governo della sua provincia, lasciarla operare come meglio Le aggrada."

474 See Smith, p. 225-226.

475 See AGOFMCONV, S/IX.D, Acta Provincialis, *passim*, and Smith, p. 247-248.

476 AGOFMCONV, S/IX.D, packet 14, Neubauer to Fr. Guardian[?], letter of 1/IX/1895.

477 AGOFMCONV, S/IX.D, packet 15, letter of 2/V/1898. "Il P.M. Pietro Jachetti da quattro mesi non ha consegnato un centesimo alla Casa di S. Francesco di Hoboken. Farò la monizione con tutta la carità e prudenza, ma il buon P. Jachetti bisogna che si metta in regola coi suoi elementari doveri. Non vi è ombra di ragione di fare eccezione con lui."

478 See APIC, "Persons", Jachetti, *Memorie*, especially 22/II/1897, "Venne il Prov.le in S. Francesco. Conflitti etc.," and 15/IV/1899, "Stracciai la relazione custodiale coram Miller. Deus parcat R.P. Fudzinski."

479 See AGOFMCONV, S/IX.D, packet 15, Jachetti to McEvoy, letter of 8/IX/1898; see also *Ibid.*, Acta Provincialis, Chapter of 1899.

480 See *Ibid.*, packet 9, letter of 17/VI/1878, and packet 13, letter of 13/VII/1880, where Jachetti accuses Miller of "si diede con tante e tali arti a suscitare le passioni nazionali a far partito contro Lesen e gli italiani". The conflict is chronicled in APIC, "Persons", Jachetti, *Memorie*, *passim*. Relations between the Guardian and Cleric Master at Trenton were a perpetual bone of contention, leading to the decree on 9/V/1890 of "Regulationes pro bono pacis respectu A.R.P. Superioris Conventus Trent. et Regentis Studiorum", found in APIC, "Documenta".

481 AGOFMCONV, S/IX.D, Acta Provincialia, II.

482 AGOFMCONV, S/IX.D, packet 2, 1854(?) legislation. "Instituatur vita communis tam pro conventibus quam pro parochis extra conventum degentibus in quantum fieri poterit, parochi ea propter foras habitantur quocumque anno rationem de sua economia reddere teneantur et quo superio conventi incorporentur."

483 *Ibid.*, letter of 13/XII/1854. "Vengo finalmente a rispondere alle proposizioni riguardanti il regolamento della missione. Tutte le proposizioni propostemi saranno facili a eseguirsi, però introdurre la vita commune...al presente è impossibile ad eseguirsi che poi più tardi sarà possibile io non tarderò di farlene la relazione."

484 *Ibid.*, 1858(?) legislation. "Nei conventi si serva la vita commune e nelle missioni inquanto le circostanze permettono."

485 APIC, "Min. Gen. Corr.", packet 1, letter of December, 1858. "Inculcherà a tutti i religiosi indistintamente l'osservanza della vita commune esatta in qualunque luogo essi siano o nei conventi o nelle parrocchie a norma del citato rescritto li visiterà sì in quanto alla disciplina sì in quanto all'amministrazione...."

486 Ibid., Acta Capitularius[SIC] Conventi Syracusae, passim.

487 AGOFMCONV, S/IX.D, packet 5, report of 13/XII/1864. "...ad tempus et usque ad revocationem Rmi. Patris Ministri Generalis...."

488 Drawn from the Acta Congregationis Commissariati, November 29-30, 1870. The original legislation has not been preserved. This decree is reprinted in Ibid., packet 14, *Litterae Circulares* of Francis Neubauer, 1889. "...quamprimum Min. Generalem interrogaret, quinam patres in hac missione speciales facultates habent et an expedit, ut isti patres tales facultates ostendere debeant superioribus localibus et ipsi Commissario, cum id necessarium sit pro observantia vitae religiosae et pro securitate conscientiae superioris localis."

489 Ibid., Acta Provincialia, I, Intermediate Congregation of 1874.

490 APIC, *Liber ordinationum superiorum*, visitation decrees of Vicar General Antonio Adragna, 9/VIII/1876. "Administratio bonorum temporalium cujuscunque conventus seu domus componatur ad tramitem Constitutionum in Cap. IV. Reg. Tit. II.... Adsit similiter in conventibus proprie dictis arca trium clavium, seu aerarium, in quo debeant reponi et custodiri, nedum summae eorundem conventuum rerum etiam finitimarum domorum, ubi unus vel duo sacerdotes commorantur. Quodsi pro circumstantiarum opportunitate melius judicetur, pecunias publicis cumulariis (vulgo Bank) servandas tradere, cautionis libellum (Bank Book) in aerario custodiatur. In eodem aerario, adhibitis cautelis in Cap. IV. Reg. Tit. II. praescriptis adservandae etiam sunt privatae religiosorum eleemosynae, qui actu de familia vel in finitimis missionum domibus existunt. In ipso pariter aerario reponi debet catalogus eorum omnium, quae ad simplicem usum religiosorum concessa sunt; quae quidem catalogus quotannis ab unoquoque religiosorum debet renovari."

491 AGOFMCONV, S/IX.D, Acta Provincialia, I.

492 APIC, "Min. Gen. Corr.", packet 4, Minister General to Avellino Szabo, 1/II/1890. "Huiusmodi vita communis perfecta semper, crede mihi, et inopportuna et intolerabilis videbitur, non solum istie apud vos, sed ubique gentium, nisi de dup conditiones adsint, nimirum: 1)magna et vere paterna charitas ex parte superiorum qui subditorum justis necessitatibus provideant, verum etiam, prout genitores erga suos filios facere solent, eas opportune prevenire sciant ac velint. 2)verus in subditis evangelicae paupertatis spiritus in animo a terrenarum rerum ambitio sincere alieno."

493 His name is associated with reforming Polish Provincial Minister Samuel Rajss as an initiator of the common life in the Acta Conventus Cracoviensis ab 1888, p. 9, cited in Damianus Synowiec, *P. Samuel Rajss Observantiae Religiosae in Provincia S. Antonii Patavini Reformatore (1850-1901)*, in *Miscellanea Francescana*, 77(1977), p. 148, Note 87. General Minister Bonaventure Soldatich identified Czelusniak as a promoter of the common life when he arrived in America in 1890. He came to America only under the condition that he could live only in a friary where it was in force: see APIC, "Min. Gen. Corr.", packet 4, Soldatich to Neubauer, letter of 22/XI/1890.

494 AGOFMCONV, S/IX.D, packet 14, circular letter of Francis Neubauer, 9/II/1893. "...quod usurae provenientes ex depositione eleemosynarum fratrum particularium quocumque modo, non in bonum ecclesiae, sed provinciae cadant." "Cum autem aeraria nullibi in hac provincia existunt in proprio sensu verbi...." "Timeo, ne juniores confratres nostri, qui nuperrime in labore animarum nobis associati sunt, sub regula exactae vitae perfecte communis aut exemplo seniorum et vitae particularis temere in errorem sui modo vivendi ducti sint, aut animum propriae suae vitae nondum recte comprehenderint. Omne initium difficile est.... Expensae fratrum vitam perfecte communem degentium clare et distincte libro administrationis insertae inveniuntur ac in quolibet capitulo conventuali diligenter examinentur; eadem regula compellit superiorem et fratrem, perfecte vitae communis rationem approximate conceptam expostulare et dare, quoties, ut supplementum pro quotidiano usu repetatur, contingit. Per astutiam et levitatem nec lex mutatur, nec a peccato excusatur. Vita perfecte communis etiam in nostram provinciam introducta fuit pro meliore conditione obtinenda vitae religiosae. Cum ergo effectus hujus vitae modi undique observentur, et comparatione inter unum et alterum vitae genus

instituta...experientia docuerit, vitam communem vita particulari majorem gradum expensarum efflagitasse...."

495 See the decree in APIC, "Min. Gen. Corr.", packet 5.

496 AGOFMCONV, S/IX.D, *Acta Provincialia*, 1895 Chapter. "2) quod Adm. Rev. P. Provincialis faciat regulas et dispositiones pro iis qui profitentur vitam communem ita ut recipiant omnia ea qua sunt necessaria et magno rigore procedat contra superiores qui eas non observant."

497 See AGOFMCONV, S/IX.D, *Acta Provincialia*. Jeremiah Smith mistakenly notes that this was passed: see p. 267-268.

498 See *Ibid.*, letter of 8/IX/1898.

499 *Ibid.*, by Cardinal Protector Parocchi, October, 1898. "Tempore mei triennalis officii, quod ad finem vergit, Deo adjuvante reservavi, Patribus Definitoribus, quia ipsis inopportunitate videbatur, non approbantibus, quinque Conventus pro vita communi perfectae eamque de facto introduxi et optimo quidem cum successo, scilicet in Conventu S.P.N. Francisci, Syracusis, N.Y., Conventu S. Joseph Sp. B.M.V., Uticae, N.Y., Conventu B. Mariae Angelorum, Albaniae, N.Y., S. Petri Ap., Camden, N.J., S. Adalberti Ep.M., Newtown, N.Y. Appropinquante autem Capitulo Provinciali, periclitatus id, quod [non!] in obsequium religiosae observantiae et Decretorum Pontificiorum, sicut et in evidens bonum ipsius Provinciae fuit introductum. Omnis enim quasi Patres ad Capitulo interveniendum jus habentes, et Definidores Provinciae nemine excepto, vitam profitentur particularem. Quum autem major eorum pars introductionis vitae communis contradiceret, et non pauci eidem jam introductae abolitionem minentur, patet, non improbabilitates attentatum sivi, quod omnis prohibetur jure. Qua propter Sanctitatem Vestram humillime supplico, ut vitae communi in dictis Conventibus introductae manus approvare et declarare dignetur, ne eadem vita communis sine speciali Apostolicae Sedis venia aboleri possit et valeant."

500 Summarized from Reuter's circular letter of 14/IX/1906, found in *Ibid.*, packet 16.

501 *Ibid.*, *Acta Provincialia*, I.

502 See the letters of 26/X/1890, 22/XI/1890, and 9/I/1891 concerning Caesar Cucchiarini in APIC, "Min. Gen. Corr.", packet 4.

503 See his circular letter of 14/IX/1893, in AGOFMCONV, S/IX.D, packet 14.