The Canons

Council of Sardica (AD 343) (AD 343)

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Introduction

The holy synod assembled in Sardica from various provinces decreed as follows. (Found in Greek in John of Constantinople's collection of the sixth century and several other mss. Found also in the works of the Greek scholiasts.Found in Latin in the Prisca, in Dionysius Exiguus, and in Isidore, genuine and false.)

Canon I.

(Greek.) Hosius, bishop of the city of Corduba, said: A prevalent evil, or rather most mischievous corruption must be done away with from its very foundations. Let no bishop be allowed to remove from a small city to a different one: as there is an obvious reason for this fault, accounting for such attempts; since no bishop could ever yet be found who endeavoured to be translated from a larger city to a smaller one. It is therefore evident that such persons are inflamed with excessive covetousness and are only serving ambition in order to have the repute of possessing greater authority. Is it then the pleasure of all that so grave an abuse be punished with great severity? For I think that men of this sort should not be admitted even to lay communion. All the bishops said: It is the pleasure of all. (Latin.) Bishop Hosius said: A prevalent evil and mischievous corruption must be done away with from its foundation. Let no bishop be allowed to remove from his own city to another. For the reason of such attempts is manifest, since in this matter no bishop has been found who would remove from a larger city to a smaller one. It is therefore evident that these men are inflamed with excess of covetousness, and are serving ambition and aiming at the possession of power. If it be the pleasure of all, let so great an evil be punished right harshly and sternly, so that he who is such shall not even be admitted to lay communion. All with one accord answered: Such is our pleasure.

Notes.

Ancient Epitome of Canon I. NO bishop is to be found passing from a smaller to a greater city. If anyone should move from an humble to a more important see, he shall be excommunicated through his whole life as proud and grasping. Van Espen. (Dissert. in Synod. Sard.,II.) What Peter de Marca says (De Concordia Sacerdotii et Imp., Lib. V., cap. iv.), "Hosius presided over" this council as legate of the Roman bishop, rests upon no solid foundation, and no trace of any such legation is found in Athanasius or in any of the otherwriters who treated of this synod. Moreover such a thing is contrary to the form of subscription used. For of those who signed the first is Hosius, and Athanasius designates him simply as "from Spain," without any addition; and then next he mentions "Julius of Rome, by Archidamus and Philoxenus, his presbyters," etc. What is clearer than that, by the testimony of Athanasius, Julius was present by these two presbyters only, and that they only were his legates or vicars, who in his room were present at this synod?

The first part of this canon is found in the Corpus Juris Canonici; Raymund's Decretales, De Clericis non residentibus, Cap. ii.

Canon II.

(Greek.) Bishop Hosius said: But if any such person should be found so mad or audacious as to think to advance by way of excuse an affirmation that he had brought letters from the people [laity], it is plain that some few persons, corrupted by bribes and rewards, could have got up an uproar in the church, demanding, forsooth, the said man for bishop. I think then that practices and devices of such sort absolutely must be punished, so that a man of this kind be deemed unworthy even of lay communion in extremis. Do ye therefore make answer whether this sentence is approved by you.They [the bishops] answered: What has been said is approved of. (Latin.) Bishop Hosius said: Even if any such person should show himself so rash as perhaps to allege as an excuse and affirm that he has received letters from the people, inasmuch as it is evident that a few persons could have been corrupted by rewards and bribes-[namely] persons who do not hold the pure faith-to raise an uproar in the church, and seem to ask for the said man as bishop; I judge that these frauds must be condemned, so that such an one should not receive even lay communion at the last. If ye all approve, do ye decree it. The synod answered: We approve.

Notes.

Ancient Epitome of Canon IL. If anyone shall pass from one city to another, and shall raise up seditions, tickling the people and be assisted by them in raising a disturbance, he shall not be allowed communion even when dying. Van Espen. To understand this canon aright it must be remembered that in the first ages of the Church the people were accustomed to have a share in the election of their bishop; and he whom the people demanded was usually ordained their bishop. Aristenus. This [penalty] is something unheard of and horrible, that he should not be deemed worthyof communion even at the hour of death; for it is a provision found nowhere else imposed by any canon, nor inflicted upon any sin. Van Espen. The Greek author Aristenus [in the above remarks] probably has not erred from the truth when he asserts that to no crime was this penalty attached, if he refers to the Eastern Churches; for Morinus himself (in the xixth chapter of the ixth book, De Penitentia), confesses that this penalty was never attached to any crime among the Easterns: nevertheless in some Churches in the first ages the three crimes of idolatry, murder, and adultery were thus punished: that is, that to those who admitted any one of these, reconciliation was denied even at his death, ”and this,” says Morinus, ”I think no one can deny, who is at all versed in the testimony of the ancients on this point.”

Hefele. The addition in the Latin text, qui sinceram fidem non habent, is found both in Dionysius Exiguus and in Isidore and the Prisca, and its meaning is as follows: "In a town, some few, especially those who have not the true faith, can be easily bribed to demand this or that person as bishop." The Fathers of Sardica plainly had here in view the Arians and their adherents, who, through such like machinations, when they had gained over, if only a small party in a town, sought to press into the bishoprics. The Synod of Antioch moreover, in 341, although the Eusebians, properly speaking, were dominant there, had laid down in the twenty-first canon a similar, only less severe, rule. This canon is found in the Corpus Juris Canonici, Raymond's Decretales, cap. if, De electione, but with the noteworthy addition "unless he shall have repented." These words do not occur in the other Latin versions, and Hefele thinks them to have been added by Raymond of Pennaforte.

Canon III.

(Greek.) Bishop Hosius said: This also it is necessary to add,-that no bishop pass from his own province to another province in which there are bishops, unless indeed he be called by his brethren, that we seem not to close the gates of charity. And this case likewise is to be provided for, that if in any province a bishop has some matter against his brother and fellow-bishop, neither of the two should call in as arbiters bishops from another province. But if perchance sentence be given against a bishop in any matter and he supposes his case to be not unsound but good, in order that the question may be reopened, let us, if it seem good to your charity, honour the memory of Peter the Apostle, and let those who gave judgment write to Julius, the bishop of Rome, so that, if necessary, the case may be retried by the bishops of the neighbouring provinces and let him appoint arbiters; but if it cannot be shown that his case is of such a sort as to need a new trial, let the judgment once given not be annulled, but stand good as before. (Latin.)

Bishop Hosius said: This also it is necessary to add,-that bishops shall not pass from their own province to another province in which there are bishops, unless perchance upon invitation from their brethren, that we seem not to close the door of charity. But if in any province a bishop have a matter in dispute against his brother bishop, one of the two shall not call in as judge a bishop from another province. But if judgment, have gone against a bishop in any cause, and he think that he has a good case, in order that the question may be reopened, let us, if it be your pleasure, honour the memory of St. Peter the Apostle, and let those who tried the case write to Julius, the bishop of Rome, and if he shall judge that the case should be retried, let that be done, and let him appoint judges; but if he shall find that the case is of such a sort that the former decision need not be disturbed, what he has decreed shall be confirmed. Is this the pleasure of all? The synod answered, It is our pleasure.

Notes.

Ancient Epitome OF Canon No bishop, unless called thereto, shall pass to another city. Moreover a bishop of the province who is engaged in any litigation shall not appeal to outside bishops. But if Rome hears the cause, even outsiders may be present. Van Espen. According to the reading of Dionysius and Isidore, as well as of the Greeks, Balsamon, Zonaras and Aristenus, as also of Hervetus the provision is that bishops of one province shall not pass to another in which there are Not bishops. Zonaras. Not only are bishops prohibited from

changing their cities, and passing from a smaller to a larger one, but also from passing from one province to another in which there are bishops, for the sake of doing any ecclesiastical work there unless they are called by the bishops of that province. On the phrase "if it pleases you" the following from St. Athanasius is much to the point (cit. by Pusey, Councils, p. 143). "They [i.e., the Council of Nice] wrote concerning Easter, 't seemed good' as follows: for it did then seem good, that there should be a general compliance; but about the faith theywrote not 'It seemed good,' but 'Thus believes the Catholic Church' ; and thereupon they confessed how the faith lay, in order to shew that their sentiments were not novel, but apostolic."

Tillemont. This form is very strong to shew that it was a right which the Pope had not had hitherto. Van Espen. Peter de Marca (De Concordia Sacerdotii et Imperii, Lib. VII., Cap. iij., 8) says that Ho-sins here proposed to the fathers to honourthe memory of St. Peter that he might the more easily lead them to consent to this new privilege; for, as De Marca has proved, the right here bestowed upon the Roman Pontiff was clearly unknown before. It has been urged that the mention of the pope by name, intimates clearly that the provision of these canons of an appeal to Rome was of a purely temporary character; and some famous authors such as Edmund Richer, of the Sorbonne, have written in defence of this view, but Hefele quotes with great force the words of the learned Protestant, Spittler (Critical Examination of the Sardican Decisions. Spittler, Sammtlichen Werken, P. viii., p. 129 sq.).

Spittler. It is said that these Sardican decisions were simply provisional, and intended for the present necessity; because Athanasius, so hardly pressed by the Arians, could only be rescued by authorizing an appeal to the Bishop of Rome for a final judgment. Richer, in his History of the General Councils, has elaborately defended this opinion, and Horix also has declared in its favour. But would not all secure use of the canons of the councils be done away with if this distinction between provisional and permanent synodal decisions were admitted? Is there any sure criterion for distinguishing those canons which were only to be provisional, from the others which were made for all future centuries? The Fathers of the Synod of Sardica express themselves quite generally; is it not therefore most arbitrary on our part to insert limitations? It is beyond question that these decisions were occasioned by the very critical state of the affairs of Athanasius; but is everything only provisional that is occasioned by the circumstances of individuals? In this way the most important of the ancient canons might be set aside.

Hefele. According to the Greek text, and that of Dionysius, those who had pronounced the first judgment were to write to Rome; and Fuchs rightly adds, that they were to do this at the desire of the condemned. But, according to Isidore and the Prisca, the right or the duty of bringing the affair before Rome, also belonged to the neighbouring bishops. I believe that the last interpretation has only arisen through a mistake, from a comment belonging to the next sentence being inserted in the wrong place. It only remains to be remarked here, that Isidore and the Prisca have not the name Julio, ... But Hardouin's conjecture, that instead of Julio, perhaps illi may be read, is entirely gratuitous, contrary to the Greek text, and

plainly only a stratagem against the Gallicans. This canon is found in the Corpus Juris (Canonici, Gratian's Decretum, Pars II., Causa VI., Quaest. iv., Canon j. 7, in Isidore's version. Dionysius's version is quite wrong as given by Justellus and in the Munich edition, changing the negative into the affirmative in the phrase ne unus de duobus.

Canon IV.

(Greek.) Bishop Gaudentius said: If it seems good to you, it is necessary to add to this decision full of sincere charity which thou hast pronounced, that if any bishop be deposed by the sentence of these neighbouring bishops, and assert that he has fresh matter in defence, a new bishop be not settled in his see, unless the bishop of Rome judge and render a decision as to this. (Latin.) Bishop Gaudentius said: It ought to be added, if it be your pleasure, to this sentence full of sanctity which thou hast pronounced, that-when any bishop has been deposed by the judgment of those bishops who have sees in neighbouring places, and he [the bishop deposed] shall announce that his case is to be examined in the city of Rome-that no other bishop shall in any wise be ordained to his see, after the appeal of him who is apparently deposed, unless the case shall have been determined in the judgment of the Roman bishop.

Notes.

Ancient Epitome of Canon IV. If a bishop has been deposed and affirms that he has an excuse to urge, unless Rome has judged the case, no bishop shall be appointed in his room. For he might treat the decree with scorn either through his nuncios or by his letters. There are two distinct understandings of this canon. The one view is that the"neighbours" of this canon are the same as the "neighbours" of the preceding canon (number iij.) and that the meaning of this canon therefore is-If the court of second instance, correlating of the bishops of the neighbouring province, has pronounced the accused guilty, he still has one more appeal to a third court, viz., Rome. This is the view taken by the Greeks, Zonaras and Balsamon, by the Ballerini, Van Espen, Palrod, Walter, Natalis Alexander and many others. In direct opposition to this is the view that there is no third but only a second appeal mentioned by the canon. The supporters of this interpretation are Peter de Marca, Tillemont, Dupin, Fleury, Remi Ceillier, Neander, Stolberg, Echhorn, Kober, and with these Hefele sides and states his reasons for doing so.

Hefele. There must be added to the reasons of the connexion of this canon with the preceding, the course of events, etc.: 1. That it certainly would be very curious if in the third canon mention was made of the appeal to Rome as following the judgment of the court of first instance; in the fourth, after that of the court of second instance; and again in the fifth, after the judgment of the court of first instance. 2. That if the Synod had really intended to

institute a court of third instance, it would have done so in clearer and more express terms, and not only have, as it were, smuggled in the whole point with the secondary question, as to "what was to be done with the bishop's see." 3. Farther, that it is quite devoid of proof that the expression "neighbouring bishops" is identical with "Bishops in the neighbourhood of the said Province," that, indeed this identification is throughout unwarrantable and wrong, and it is far more natural to understand by the neighbouring bishops, the comprovincials, therefore the court of first instance.

4. That by this interpretation we obtain clearness, consistency, and harmony in all three canons. 5. That the word palin in the fourth canon presents no difficulty; for even one who has only been heard in the court of first instance may say he desires again to defend himself, because he has already made his first defence in the court of first instance. Canon V. (Greek.) Bishop Hosius said: Decreed, that if any bishop is accused, and the bishops of the same region assemble and depose him from his office, and he appealing, so to speak, takes refuge with the most blessed bishop of the Roman church, and he be willing to give him a hearing, and think it right to renew the examination of his case, let him be pleased to write to those fellow-bishops who are nearest the province that they may examine the particulars with care and accuracy and give their votes on the matter in accordance with the word of truth. And if any one require that his case be heard yet again, and at his request it seem good to move the bishop of Rome to send presbyters a latere, let it be in the power of that bishop, according as he judges it to be good and decides it to be right-that some be sent to be judges with the bishops and invested with his authority by whom they were sent. And be this also ordained. But if he think that the bishops are sufficient for the examination and decision of the matter let him do what shall seem good in his most prudent judgment.

The bishops answered: What has been said is approved. (Latin.) Bishop Hosius said: Further decreed, that if a bishop is accused, and the bishops of that region assemble and depose him from his office, if he who has been deposed shall appeal and take refuge with the bishop of the Roman church and wishes to be given a hearing, if he think it right that the trial or examination of his case be renewed, let him be pleased to write to those bishops who are in an adjacent and neighbouring province, that they may diligently inquire into all the particulars and decide according to the word of truth. But if he who asks to have his case reheard, shall by his entreaty move the Bishop of Rome to send a presbyter a latere it shall be in the power of that bishop to do what he shall resolve and determine upon; and if he shall decide that some be sent, who shall be present and be judges with the bishops invested with his authority by whom they were appointed, it shall be as he shall choose. But if he believe that the bishops suffice to give a final decision, he shall do what he shall termine upon in his most wise judgment.

Notes.

Ancient Epitome of Canon V. [Lacking.]This Canon is vii. of Isidore's collection. Van Espen. Mere there is properly speaking no provision for "appeal," which entirely suspends [i.e. by the canon law] the execution and effect of the first sentence; but rather for a revision of

judgment ... .; those who were sent by the Roman bishop from his side (a latere) or the bishops wire were appointed, ought, together with the bishops of the province who had given the former sentence, to give a fresh judgment and declare their sentence. And this Hinemar of Rheinus was the first to notice in his letters in the name of Charles the Bald sent to John VIII. This view is supported with his accustomed learning and acumen by Du Pin, De Antiqua Eccl. Disciplina, Diss. II., Cap. I., Sec. 3.

Canon VI.

(Greek.) Bishop Hosius said: If it happen that in a province in which there are very many bishops one bishop should stay away and by some negligence should not come to the council and assent to the appointment made by the bishops, but the people assemble and pray that the ordination of the bishop desired by them take place-it is necessary that the bishop who stayed away should first be reminded by letters from the exarch of the province (I mean, of course, the bishop of the metropolis), that the people demand a pastor to be given them. I think that it is well to await his [the absent bishop's] arrival also. But if after summons by letter he does not come, nor even write in reply, the wish of the people ought to be complied with. The bishops from the neighbouring provinces also should be invited to the ordination of the bishop of the metropolis.

It is positively not permitted to ordain a bishop in a village or petty town, for which even one single presbyter is sufficient (for there is no necessity to ordain a bishop there) lest the name and authority of bishop should be made of small account, but the bishops of the province ought, as before said, to ordain bishops in those cities in which there were bishops previously; and if a city should be found with a population so large as to be thought worthy of an episcopal see, let it receive one.Is this the pleasure of all? All answered: It is our pleasure. (Latin.) Bishop Hosius said: If it shall have happened, that in a province in which there have been very many bishops, one [i.e., but one] bishop remains, but that he by negligence has not chosen [to ordain] a bishop, and the people have made application, the bishops of the neighbouring province ought first to address [by letter] the bishop who resides in that province, and show that the people seek a ruler [i.e., pastor] for themselves and that this is right, so that they also may come and with him ordain a bishop. But if he refuses to acknowledge their written communication, and leaves it unnoticed, and writes no reply, the people's request should be satisfied, so that bishops should come from the neighbouring province and ordain a bishop.

But permission is not to be given to ordain a bishop either in any village, or in an unimportant city, for which one presbyter suffices, lest the name and authority of bishop grow cheap. Those [bishops] who are invited from another province ought not to ordain a bishop unless in the cities which have [previously] had bishops, or in a city which is so important or so populous as to be entitled to have a bishop.Is this the pleasure of all? The synod replied: It

is our pleasure. Ancient Epitome of Canon VI. If the bishops were present when the people were seeking for a bishop, and one was away, let that one be called. Butt if he is willing to answer the call neither by letter nor in person, let him be ordained whom they desire. When a Metropolitan is appointed the neighbouring bishops are to be sent for.

In a little city and town, for which one presbyter suffices, a bishop is not to be appointed. But if the city be very populous, it is not unfitting to do so. The second portion of this canon is entirely lacking in the Latin. The Greek scholiasts, Zonaras, Balsamon, and Aristenus, understand this to mean "that 'at the appointment of a metropolitan the bishops of the neighbouring provinces shall also be invited,' probably to give greater solemnity to the act," so says Hefele. And to this agree Van Espen, Tillemont, and Herbst. The first part in the Greek and Latin have different meanings; the Greek text contemplating the case of one bishop stopping away from a meeting of bishops for an election to fill a vacancy; the Latin text the case of there being only one bishop left in a province (after war, pestilence, or the like). This second meaning is accepted by Van Espen, Christian Lupus and others. Moreover, it would seem from Flodoard's History of the Church of Rheims (Geschichte der Rheimser Kirche, Lib. III., c. 20 [a book I have never seen]) that the Gallican Church acted upon this understanding of this canon. It is that also of Gratian.

Between the Latin and the Greek text stands the interpretation of Zonaras, which is that if a province once having many bishops has by any contingency only one left besides the Metropolitan, and he neglects to be present at the consecration of the new bishops, he is to be summoned by letter of the Metropolitan, and if he does not then come, the consecrations are to go on without him. With this explanation Harmenopulus also agrees, adding further that the Metropolitan might alone consecrate the bishops, resting his argument on the words to ikaun k.t.l. Some scholars have supposed that neither the present Greek nor the present Latin text represent the original, but that the Greek text is nearest to it, but must be corrected by an ancient Latin version found by Maffei in a codex at Verona. The Ballerini have devoted careful attention to this point in their notes to the Works of St. Leo the Great (Tom. iii., p. xxxij. 4). It would seem that this might be the canon quoted by the fathers of Constantinople in 382, and if so, it would seem that they had a Greek text like that from which the Verona version was made.

Van Espen. The fathers of Sardica [in the second part of this canon, which is Canon VII. by the Latin computation] decreed two things: first, that where the people justly asked for a Pastor to be ordained for them, their demand should be complied with; but where the people insisted upon having a bishop ordained for a village or little city, for which one presbyter was all that was needed, no attention should be paid to their demands, lest the name and authority of a bishop should become despicable. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, P. I., Distinc. lxv., c. ix.

Canon VII.

(Greek.) Bishop Hosius said: Our importunity and great pertinacity and unjust petitions have brought it about that we do not have as much favour and confidence as we ought to enjoy. For many of the bishops do not intermit resorting to the imperial Court, especially the Africans, who, as we have learned from our beloved brother and fellow-bishop, Gratus, do not accept salutary counsels, but so despise them that one man carries to the Court petitions many and diverse and of no possible benefit to the Church, and does not (as ought to be done and as is fitting) assist and help the poor and the laity or the widows, but is intriguing to obtain worldly dignities and offices for certain persons. This evil then causes enfeeblement [better, murmuring (read tonqrusmon or tonqrusmon)], not without some scandal and blame to us. But I account it quite proper for a bishop to give assistance to one oppressed by some one, or to a widow suffering injustice, or, again, an orphan robbed of his estate, always provided that these persons have a just cause of petition.

If, then, beloved brethren, this seems good to all, do ye decree that no bishop shall go to the imperial Court except those whom our most pious emperor may summon by his own letters. Yet since it often happens that persons condemned for their offences to deportation or banishment to an island, or who have received some sentence or other, beg for mercy and seek refuge with the Church [i.e., take sanctuary], such persons are not to be refused assistance, but pardon should be asked for them without delay and without hesitation. If this, then, is also your pleasure, do ye all vote assent. All gave answer: Be this also decreed. (Latin.) Bishop Hosius said: Importunities and excessive pertinacity and unjust petitions have caused us to have too little favour or confidence, while certain bishops cease not to go to the Court, especially the Africans, who (as we have learned) spurn and contemn the salutary counsels of our most holy brother and fellow-bishop, Gratus, so that they not only bring to the Court many and diverse petitions (not for the good of the Church nor, as is usual and right, to succour the poor or widows or orphans), but even seek to obtain worldly dignities and offices for certain persons. This evil therefore stirs up at times not only murmurings, but even scandals. But it is proper that bishops should intercede for persons suffering from violence and oppression, afflicted widows and defrauded orphans, provided, nevertheless, that these persons have a just cause or petition.

If, then, brethren dearly beloved, such be your pleasure, do we decree that no bishops go to the Court except those who may have been invited or summoned by letters of the God-fearing emperor. But since it often happens that those who are suffering from injustice or who are condemned for their offences to deportation or banishment to an island, or, in short, have received some sentence or other, seek refuge with the mercy of the Church, such persons should be succoured and pardon be begged for them without hesitation. Decree this, therefore, if it be your pleasure. All said: It is our pleasure and be it decreed.

Notes.

Ancient Epitome of Canon VII. When an orphan, widow, and other desolate persons are oppressed by force let the bishop give them succour and approach the Emperor; but through a pretext of this kind let him not be a hanger on of the camp, but rather let him send a deacon. Van Espen. The "salutary counsels" (salutaria consilia) here seem to be synodical admonitions, as Zonaras notes; and these might well be ascribed to Gratus, the bishop of Carthage, because many of the African synods were held under his presidency and direction. Nothing is more noteworthy than how from the first princes summoned bishops in counsel with regard to affairs touching either the estate of the Church or of the Realm; and-called them to their presence in urgent and momentous cases, and kept them with them. Justinian, the emperor, in his Novels (Chapter II.) defines that no one of the God-beloved bishops shall dare to be absent any more from his diocese for a whole year, and adds this exception, "unless he does so on account of an imperial jussio; in this case alone he shall be held to be without blame."

On this whole matter of bishops interceding for culprits, and especially for those condemned to death, see St. Augustine (Epist. 153 ad Macedonium). With this canon may be compared Canon VII. of the Council of Rheims in a.d. 630. This canon is found in part in the Corpus Juris Canonici, Gratian's Decreturn, P. II., Causa xxiij., Quaest. viij., c. xxviij.

Canon VIII.

(Greek.) Bishop Hosius said: This also let your sagacity determine, that -inasmuch as this was decreed in order that a bishop might not fall under censure by going to the Court-that if any have such petitions as we mentioned above, they should send these by one of their deacons. For the person of a subordinate does not excite jealousy, and what shall be granted [by the Emperor] can thus be reported more quickly.All answered: Be this also decreed. (Latin.) Bishop Hosius said: This also your forethought should provide for-inasmuch as ye have made this decree in order that the audacity of bishops might not labour [or, be observed] to go to Court. Whosoever therefore shall have or receive petitions such as we have mentioned above, let them send these [each] by a deacon of his, because the person of a minister is not an object of jealousy, and he will be able to report more quickly what he has obtained.

Notes.

Ancient Epitome of Canon VIII. [Lacking.] Van Espen. This decree is threefold. First, that the bishop in going to Court should not fall under suspicion either at Court or of his own people that he was approaching the Prince to obtain some cause of his own. Second, according to the interpretation of Zonaras, "that no one should be angry with the Minister or Deacon who tarried in camp, as the bishop had departed thence." And third, that the Minister could carry away what he had asked for, that is (according to Zonaras), the letters of the Emperor pardoning the fault, or such like other matters.

Canon IX.

(Greek.) Bishop Hosius said: This also, I think, follows, that, if in any province whatever, bishops send petitions to one of their brothers and fellow-bishops, he that is in the largest city, that is, the metropolis, should himself send his deacon and the petitions, providing him also with letters commendatory, writing also of course in succession to our brethren and fellow-bishops, if any of them should be staying at that time in the places or cities in which the most pious Emperor is administering public affairs. But if any of the bishops should have friends at the Court and should wish to make requests of them as to some proper object, let him not be forbidden to make such requests through his deacon and move these [friends] to give their kind assistance as his desire. But those who come to Rome ought, as I said before, to deliver to our beloved brother and fellow-bishop, Julius, the petitions which they have to give, in order that he may first examine them, lest some of them should be improper, and so, giving them his own advocacy and care, shall send them to the Court.

All the Bishops made answer that such was their pleasure and that the regulation was most proper. (Latin.) This also seems to follow, that from whatever province bishops shall send petitions to that brother and fellow-bishop of ours who has his see in the metropolis, he [the metropolitan] should dispatch his deacon with the petitions, providing him with commendatory letters of like tenour to our brethren and fellow-bishops at that time resident in those regions and cities in which the fortunate and blessed Emperor is ruling the State. If however a bishop who seeks to obtain some petition (a worthy one, that is) has friends in the palace, he is not forbidden to make his request through his deacon and to advise those who, he knows, can kindly intercede for him in his absence. X. But let those who come to Rome, deliver, as before said, to our most holy brother and follow-bishop, the bishop of the Roman church, the petitions which they bear, that he also may examine whether they are worthy and just, and let him give diligence and care that they be forwarded to the Court.

All said that such was their pleasure and that the regulation was proper. Bishop Alypius said: If they have incurred the discomforts of travel for the sake of orphans and widows or any in distress and having cases that are not unjust, they will have some good reason [for their journey]; but now since they chiefly make requests which cannot be granted without envy and reproach, it is not necessary for them to go to Court.

Note.

Ancient Epitome of Canon IX. If one brother sends to another, let the Metropolitan fortify the nuncio with letters; and let him write to the bishops, who have the matter in hand, to protect the nuncio. Here the Latin is not only a translation but an interpretation of the Greek text, for it distinctly says that every bishop shall send the petition he intends to present at court first to his Metropolitan, who shah send it in. This is not clearly in the Greek, and yet the Greek Commentators find it there. Christian Lupus. The authority of the bishop alone is not sufficient to send a deacon to Court, there must be added the judgment of the Metropolitan who shah examine the petition, prove, sign, and commend it, not only to the Prince, but also to the bishop in whose diocese he may happen to be. Hefele.

Zonaras, Balsamon, and Aristenus explained this canon somewhat differently, thus: "If a bishop desires to send his petitions addressed to the Emperor to the bishop of the town where the Emperor is staying, he shall first send them to the Metropolitan of that province (according to Aristenus, his own Metropolitan) and the latter shall send his own deacon with letters of recommendation to the bishop or bishops who may be at court." This difference rests upon the various meanings of "to the brother and fellow-bishop" in the beginning of the canon. We understand by this his own Metropolitan, and treat the words: o en th meizoni k. t. l., as a more exact definition of "fellow-bishop," and the participle tugkanwn as equivalent to tugkanei, and make the principal clause begin at autoj kai ton diakonon. Beveridge translated the canon in the same way. Zonaras and others, on the contrary, understood by "fellow-bishop," the bishop of the Emperor's residence for the time being, and regarded the words o en th meizoh k. t. l. not as a clearer definition of what had gone before, but as the principal clause, in the sense of "then the Metropolitan shall," etc. According to this interpretation, the words conveying the idea that the bishop must have recourse to the Metropolitan are entirely wanting in the canon.

The first part of this Canon is the last part of Canon IX. of the Latin. The last part is Canon X. of the Latin, but the personal part about Alypius is omitted from the Greek.

Canon X.

(Greeks.) Bishop Hosius said: This also I think necessary. Ye should consider with all thoroughness and care, that if some rich man or professional advocate be desired for bishop, he be not ordained until he have fulfilled the ministry of reader, deacon, and presbyter, in order that, passing by promotion through the several grades, he may advance (if, that is, he be found worthy) to the height of the episcopate. And he shall remain in each order assuredly for no brief time, that so Iris faith, his reputable life, his steadfastness of character and considerateness of demeanour may be well-known, and that he, being deemed worthy of the divine sacerdotal office [sacerdotium, i.e., the episcopate] may enjoy the highest honour. For it is not fitting, nor does discipline or good conversation allow to proceed to this act rashly or lightly, so as to ordain a bishop or presbyter or deacon hastily; as thus he would rightly be accounted a novice, especially since also the most blessed Apostle, he who was the teacher of the Gentiles, is seen to have forbidden hasty ordinations; for the test of [even] the longest period will not unreasonably be required to exemplify the conversation and character of each [candidate].All said that this was their pleasure and that it must be absolutely irreversible. (Latin.)

Bishop Hosius said: This also I think it necessary for you to consider most carefully, that if perchance some rich man or professional advocate or ex-official be desired for bishop, he be not ordained until he have fulfilled the ministry of a reader and the office of deacon and presbyter, and so ascend, if he have shown himself worthy, through the several grades to the height of the episcopate. For by these promotions which in any case take a considerable length of time can be tested his faith, his discretion, his gravity and modesty. And if he be found worthy, let him be honoured with the divine sacerdotal office [i.e. the episcopate]. For it is not fitting, nor does order or discipline allow, that one be rashly or lightly ordained bishop, presbyter or deacon, who is a novice, especially since also the blessed Apostle, the teacher of the Gentiles, is seen to have expressly forbidden it. But those [should be ordained] whose life has been tested and their merit approved by length of time.

All said that this was their pleasure.

Notes.
Ancient Epitome of Canon X. No lawyer, teacher, or gentleman (plousioj) shall be made a bishop without passing through the holy orders. Nor shall the space of time between the

orders be made too brief, that there may be a better proof of his faith and good conversation. For otherwise he is a neophyte. This is Canon XIII. of Dionysius, Isidore, and the Prisca. Van Espen. By Scholasticus de foro ["professional advocate"] must be understood an eloquent pleader of difficult causes, who being bound up in forensic disputes and strifes, may be presumed to be little fitted for the priesthood, and therefore to need a more strict examination. The Synodal approbation is lacking in Dionysius as given by Justellus, as well as in that of the Roman Code, but is found in Labbe's reprint of Dionysius and Isidore. This Canon is found in the Corpus Juris Canonici, Gratian's Decretum, P. I., Dist. lxj., c. x.

Canon XI.

(Greek.) Bishop Hosius said: This also we ought to decree, that when a bishop comes from one city to another city, or from one province to another province, to indulge boastfulness, ministering to his own praises rather than serving religious devotion, and wishes to prolong his stay [in a city], and the bishop of that city is not skilled in teaching, let him [the visiting bishop] not do despite to the bishop of the place and attempt by frequent discourses to disparage him and lessen his repute (for this device is wont to cause tumults), and strive by such arts to solicit and wrest to himself another's throne, not scrupling to abandon the church committed to him and to procure translation to another. A definite limit of time should therefore be set in such a case, especially since not to receive a bishop is accounted the part of rude and discourteous persons. Ye remember that in former times our fathers decreed that if a layman were staying in a city and should not come to divine worship for three [successive] Sundays [that is], for three [full] weeks, he should be repelled from communion. If then this has been decreed in the case of laymen, it is neither needful, nor fitting, nor yet even expedient that a bishop, unless he has some grave necessity or difficult business, should be very long absent from his own church and distress the people committed to him.

All the bishops said: We decide that this decree also is most proper. (Latin.) Bishop Hosius said: This also ye ought to determine. If a bishop comes from one city to another city, or from his own province to another province, and serving ambition rather than devotion, wishes to remain resident for a long time in a strange city, and then (as it perchance happens that the bishop of the place is not so practised or so learned as himself) he, the stranger, should begin to do him despite and deliver frequent discourses to disparage him and lessen his repute, not hesitating by this device to leave the church assigned him and remove to that which is another's-do ye then [in such a case] set a limit of time [for his stay in the city], because on the one hand to refuse to receive a bishop is discourteous, and on the other his too long stay is mischievous. Provision must be made against this. I remember that in a former council our brethren decreed that if any layman did not attend divine service in a city in which he was staying three Sundays, that is, for three weeks, he should be deprived of communion. If then this has been decreed in the case of laymen, it is far less lawful and fitting that a bishop, if there be no grave necessity detaining him, should be absent from his church longer than the time above written.All said that such was their pleasure.

Notes.

Ancient Epitome of Canon XI. A bishop when called in by another bishop, if he that called him is unskilled, must not be too assiduous in preaching, for this would be indecorous to the unlearned bishop, and an attack upon his bishopric. And both improper, Without grave necessity it is undesirable for a bishop to be absent from his church. This is Canon XIV. of the Latin. Van Espen. To understand this canon it must be again remembered that in the first ages of the Church bishops were wont to be appointed at the demand of the people; wherefore whoever were going around after the episcopate, were accustomed to solicit the hearts of the people, and to make it their study to win their affections.

Canon XII.

(Greek.) Bishop Hosius said: Since no case should be left unprovided for, let this also be decreed. Some of our brethren and fellow-bishops are known to possess very little private property in the cities in which they are placed as bishops, but have great possessions in other places, with which they are, moreover, able to help the poor. I think then permission should be given them, if they are to visit their estates and attend to the gathering of the harvest, to pass three Sundays, that is, to stay for three weeks, on their estates, and to assist at divine worship and celebrate the liturgy in the nearest church in which, a presbyter holds service, in order that they may not be seen to be absent from worship, and in order that they may not come too frequently to the city in which there is a bishop. In this way their private affairs will suffer no loss from their absence and they will be seen to be clear from the charge of ambition and arrogance.

All the bishops said: This decree also is approved by us. (Latin.) Bishop Hosius said: Since no case should be left unprovided for [let this also be decreed]. There are some of our brother-bishops, who do not reside in the city in which they are appointed bishops, either because they have but little property there, while they are known to have considerable estates elsewhere, or, it may be, through affection for kith and kin and in complaisance to these. Let this much be permitted them, to go to their estates to superintend and dispose of their harvest, and [for this purpose] to remain over three Sundays, that is, for three weeks, if it be necessary, on their estates; or else, if there is a neighbouring city in which there is a presbyter, in order that they may not be seen to pass Sunday without church, let them go thither, so that fin this way] neither will their private affairs suffer loss from their absence, nor will they, by frequent going to the city in which a bishop is resident, incur the suspicion of ambition and place-seeking. All said that this was approved by them.

Notes.

Ancient Epitome of Canon XII. If a bishop has possessions outside his diocese, and visits them, let him be careful not to remain there more than three Lord's days. For thus his own flock will be enriched by him, and he himself will avoid the charge of arrogance. This is Canon XV. of the Latin. Van Espen. As Balsamon notes, this canon is an appendix to that which goes before, and the context of the canon indicates this clearly enough; for while the last canon decrees that no bishop is to be absent from his diocese for more than three Lord's

days, without grave necessity, in this canon a certain modification is introduced with regard to certain bishops. Hefele. According to the Latin text of Dionysius, it is: ”Some bishops do not reside in their Cathedral town, etc.” Isidore and the Prisca, however, are nearer the Greek text, as instead of resident they more rightly read possident.

Canon XIII.

(Greek.) Bishop Hosius said: Be this also the pleasure of all. 'If any deacon or presbyter or any of the clergy be excommunicated and take refuge with another bishop who knows him and who is aware final he has been removed from communion by his own bishop, [that other bishop] must not offend against his brother bishop by admitting him to communion. And if any dare to do this, let him know that he must present himself before an assembly of bishops and give account.' All the bishops said: This decision will assure peace at all times and preserve the concord of all. (Latin.) Bishop Hosius said: Be this also the pleasure of all. If a deacon or presbyter or any of the clergy be refused communion by his own bishop and go to another bishop, and he with whom he has taken refuge shall know that he has been repelled by his own bishop, then must he not grant him communion. But if he shall do so, let him know that he must give account before an assembly of bishops.

All said: This decision will preserve peace and maintain concord.

Notes.
Ancient Epitome of Canon XIII. Whose knowingly admits to communion one excommunicated by his own bishop is not without blame. This is Canon XVI. of the Latin. Van Espen. The present canon agrees with Canon V. of Nice and with Canon IV. of Antioch, on which canons see the notes. The Synod's approbation of this canon is found in Dionysius, Isidore, and in the Roman Codex apud Hervetus; but it is lacking from Balsamon and Zonaras.

Canon XIV.

(Greek.) Bishop Hosius said: I must not fail to speak of a matter which constantly urgeth me. If a bishop be found quick to anger (which ought not to sway such a man), and he, suddenly moved against a presbyter or deacon, be minded to cast him out of the Church, provision must be made that such a one be not condemned too hastily [or read aqwon, if innocent] and deprived of communion. All said: Let him that is cast out be authorized to take refuge with the bishop of the metropolis of the same province. And if the bishop of the metropolis is absent, let him hasten to the bishop that is nearest, and ask to have his case carefully examined. For a hearing ought not to be denied those who ask it. And that bishop who cast out such a one, justly or unjustly, ought not to take it ill that examination of the case be made, and his decision confirmed or revised. But, until all the particulars have been examined with care and fidelity, he who is excluded from communion ought not to demand communion in advance of the decision of his case. And if any of the clergy who have met [to hear the case] clearly discern arrogance and pretentiousness in him, inasmuch as it is not fitting to suffer insolence or unjust censure, they ought to correct such an one with somewhat harsh and grievous language, that men may submit to and obey commands that are proper and right. For as the bishop ought to manifest sincere love and regard to his subordinates, so those who are subject to him ought in like manner to perform the duties of their ministry in sincerity towards their bishops. (Latin.)

Bishop Hosius said: I must not fail to speak of a matter which further moveth me. If some bishop is perchance quick to anger (which ought not to be the case) and, moved hastily and violently against one of his presbyters or deacons, be minded to cast him out of the Church, provision must be made that an innocent man be not condemned or deprived of communion. Therefore let him that is cast out be authorized to appeal to the neighbouring bishops and let his case be heard and examined into more diligently. For a hearing ought not to be denied one who asks it. And let that bishop who cast him out, justly or unjustly, take it patiently that the matter is discussed, so that his sentence may either be approved by a number judges] or else revised. Nevertheless, until all the particulars shall be examined with care and fidelity, no one else ought to presume to admit to communion him who was excluded therefrom in advance of the decision of his case. If, however, those who meet to hear it observe arrogance and pride in [such] clergy, inasmuch as it surely is not fitting for a bishop to suffer wrong or insult, let them correct them with some severity of language,

that they may obey a bishop whose commands are proper and right. For as he [the bishop] ought to manifest sincere love and charity to his clergy, so his ministers ought for their part to render unfeigned obedience to their bishop.

Notes.

Ancient Epitome of Canon XIV. One condemned out of anger, if he asks for assistance, should be heard. But until [he shall have asked for] the assistance let him remain excommunicated. This is Canon XVII. of the Latin version.Van Espen This canon is intended especially to aid presbyters, deacons, and other clerics, who have been excommunicated precipitately and without just cause, or suspended by their own bishop in his anger and fury. ... The canon, moreover, admonishes that the bishop with regard to whose sentence the dispute has arisen shah patiently consent to the discussion of the matter de novo, whether his decision be sustained by the majority or emended. And let bishops and other prelates who have spiritual jurisdiction over the clergy note this, who cannot bear with equanimity that a word should be said against their decisions, but exact a kind of blind obedience, even frequently with great conscientious suffering to their very best ecclesiastics; and in such cases as do not promptly and blindly obey them, the clergy are traduced as rebels and even a patient hearing is refused to them.

This canon is found in the Corpus Juris Canonici, Gratian's Decretum, P. II., Causa XI., Q. iij., c. iv.[After Canon XIV.] Canon XVIII. (of the Latin.) Bishop Januarius said: Let your holiness also decree this, that no bishop be allowed to try to gain for himself a minister in the church of a bishop of another city and ordain him to one of his own parishes. All said: Such is our pleasure, inasmuch as discord is apt to spring from contentions in this matter, and therefore the sentence of us all forbids anyone to presume to do

Note.

Van Espen. It is manifest that these two canons [xviii. of the Latin and xv. of the Greek], contain the resolution of the same case, and therefore it is that the Greeks keep only the former which contains the decree of the synod, made on Hosius's motion, the suggestion having been made by Januarius the bishop: which suggestion makes the first of these canons. [I.e. Latin canon xviij.]

Canon XV.

(Greek.) Bishop Hosius said: And let us all decree this also, that if any bishop should ordain to any order the minister of another from another diocese without the consent of his own bishop, such an ordination should be accounted invalid and not confirmed. And if any take upon themselves to do this they ought to be admonished and corrected by our brethren and fellow-bishops. All said: Let this decree also stand unalterable. (Latin.) Bishop Hosius said: This also we all decree, that if any [bishop] should ordain the minister of another from another diocese without the consent and will of his own bishop, his ordination be not ratified. And whoever shall have taken upon himself to do this ought to be admonished and corrected by our brethren and fellow-bishops.

Notes.

Ancient Epitome of Canon XV. If one places a foreign minister without the knowledge of his own bishop in any grade embaqmon, in aliquo gradu), he has indeed made the appointment, but it is without force. This is Canon XIX. in the Latin. Hefele. Fuchs, in his Bibliothek der Kirchenversammlungen (Pt. II., p. 123, note 125) , thinks he has discovered a difference between this canon and the exclusively Latin one preceding it, in that the latter supposes the case of a bishop ordaining a foreign cleric, over whom he has no jurisdiction, to a higher grade, with the view of retaining him for his own diocese; while the other-fifteenth or nineteenth canon-treats of a case where such an ordination takes place without the ordaining bishop intending to keep the person ordained for his own diocese. Van Espen is of another opinion, and maintains that both canons obviously refer to one and the same case, for which reason the Greek text has only inserted one of them. It is certain that the text of both canons, as we have it, does not clearly indicate the difference conjectured by Fuchs, but that it may easily be found there.

Van Espen. If the reading of all the Latins and Greeks is decisive, this canon only treats of the ordination of those already ministers or clerics, and so the Greek commentators Balsamon, Zonaras, and Aristenus understood it, as is evident from their annotations. But Gratus, Bishop of Carthage, and Primate of Africa, in the First Synod of Carthage testified that in this canon it was decreed, that without the licence of his own bishop, a layman of another diocese was not to be ordained, and this interpretation or rather extension of the Canon, was received everywhere, as is demonstrated by the fifty-sixth of the African

Code. This together with Canon XIX. of the Latin text are found as one in the Corpus Juris Canonici (Gratian's Decretum, P. I., Dist. lxxj.), c. j.

Canon XVI.

(Greek.) Bishop Aetius said: Ye are not ignorant how important and how large is the metropolitan city of Thessalonica. Accordingly presbyters and deacons often come to it from other provinces and, not content with staying a short time, remain and make it their permanent place of residence, or are compelled with difficulty and after a very long delay to return to their own churches. A decree should be made bearing on this matter. Bishop Hosius said: Let those decrees which have been made in the case of bishops, be observed as to these persons also. (Latin.) Bishop Aetius said: Ye are not ignorant how large and important is the city of Thessalonica. Presbyters and deacons often come to it from other regions, and are not content to remain a short time, but either make their residence there or at least are with difficulty compelled to return after a long interval to their own place.

All said: Those limits of time which have been decreed in the case of bishops ought to be observed as to these persons also.

Notes.

Ancient Epitome of Canon XVI. What things have been decreed for bishops with regard to the length of their absence, applies also to presbyters and deacons. Van Espen. This canon needs no explanation.

Canon XVII.

(Greek.) AT the suggestion moreover of our brother Olympius, we are pleased to decree this also: That if a bishop suffer violence and is unjustly cast out either on account of his discipline or for his confession of [the faith of] the Catholic Church or for his defence of the truth, and, fleeing from danger, although innocent and devout [or, innocent and being under charge of high treason], comes to another city, let him not be forbidden to stay there until he is restored or until deliverance can be found from the violence and injustice that have been done him. For it would be harsh indeed and most oppressive that one who has suffered unjust expulsion should not be harboured by us; as such a man ought to be received with the greatest consideration and cordiality.* All said: This also is our pleasure. (Latin.) AT the suggestion of our brother Olympius, we are pleased to decree this also: That if any suffer violence and is unjustly cast out on account of his discipline and his Catholic confession or for his defence of the truth, and, fleeing from dangers, although innocent and devout, comes to another city, let him not be forbidden to stay there until he can return or his wrong has been redressed. For it is harsh and unfeeling that he who is suffering persecution should not be received; indeed, great cordiality and abundant consideration should be shown him.

All the synod said: All that has been decreed the Catholic Church spread abroad throughout all the world will preserve and maintain. And all the bishops of the various provinces who had assembled subscribed thus: I, N., bishop of the city of N. and the province of N., so believe as above is written.

Notes.

Ancient Epitome of Canon XVII. If a bishop goes into another province after he has been unjustly expelled from his own, he should be received, until he has been delivered from his injury. This is Canon XXI. of the Latin and the last. Van Espen. St. Gregory seems to have had this canon in mind when he wrote to the bishops of Illyria (Lib. III., Epist. xliij.), who had been cast out by the hostility of the barbarians.

Canon XVIII.

(Greek.) Bishop Gaudentius said: Thou knowest, brother Aetius, that since thou wast made bishop, peace hath continued to rule [in thy diocese]. In order that no remnants of discord concerning ecclesiastics remain, it seems good that those who were ordained by Musaeus and by Eutychianus, provided no fault be found in them, should all be received. (This canon is wanting in the Latin.)

Canon XIX.

(Greek.) Bishop Hosius said: This is the sentence of my mediocrity [i.e., unworthiness]-that, since we ought to be gentle and patient and to be constant in compassion towards all, those who were once advanced to clerical office in the Church by certain of our brethren, if they are not willing to return to the churches to which they were nominated [or, espoused], should for the future not be received, and that neither Eutychianus should continue to vindicate to himself the name of bishop, nor yet that Musaeus be accounted a bishop; but that if they should seek for lay communion, it should not be denied them.All said: Such is our pleasure. (This canon is wanting in the Latin.)

Notes.

Ancient Epitome of Canons XVIII. And XIX. A clergyman who does not live in the Church among whose clergy he is enrolled should not be received. Eutychian and Musoeus shall not have the name of bishops. But let them be admitted to communion with the laity, if they wish. Both of these canons are lacking in the Latin. Hefele. It is clear that the reason why these two canons do not exist in the Latin text is that they did not apply to the Latin Church and only contained a special rule for Thessalonica.

Canon XX.

(Greek.) Bishop Gaudentius said: These things wholesomely, duly, and filly decreed, in the estimation of us the bishops [twn ierewn] such as are pleasing both to God and to man will not be able to obtain due force and validity, unless fear [of a penalty] be added to the decrees proclaimed. For we ourselves know that through the shamelessness of a few, the divine and right reverend title of bishop [of the thj ierwsunhj] hath often come into condemnation. If therefore any one, moved by arrogance and ambition rather than seeking to please God, should have the hardihood to pursue a different course of action, contrary to the decree of all, let him know beforehand that he must give account and defend himself on this charge, and lose the honour and dignity of the episcopate. All answered: This sentence is proper and right, and such is our pleasure. And this decree will be most widely known and best carried into effect, if each of those bishops among us who have sees on the thoroughfares or highway, on seeing a bishop [pass by] shall inquire into the cause of his passage and his place of destination. And if at his departure he shall find that he is going to the Court, he will direct his inquiries with reference to the objects [of a resort to the Court] above mentioned. And if he come by invitation let no obstacle be put in the way of his departure. But if he is trying to go to the Court out of ostentation, as hath afore been said by your charity, or to urge the petitions of certain persons, let neither his letters be signed nor let such an one be received to communion.

All said: Be this also decreed (Latin.) Bishop Gaudentius said: These things which you have wholesomely and suitably provided [in your decrees] pleasing in [or, to] the estimation of all both [or, and] to God and to men, can obtain force and validity only in case fear [of a penalty] be added to this your action. For we ourselves know that through the shamelessness of a few the sacred and venerable sacerdotal [-episcopal] name hath been many times and oft brought to blame. If therefore anyone attempts to oppose the judgment of all and seeks to serve ambition rather than please God, he must be given to know that he will have to render an account and lose office and rank. This can be carried into effect only provided each of us whose see is on the highway shall, if he sees a bishop pass, inquire into the cause of his journey, ascertain his desti- nation, and if he finds that he is on his way to the Court, satisfy himself as to what is contained above [i.e., as to his objects at Court], lest perhaps he has come by invitation, that permission may be given him to proceed. If, however, as your

holiness mentioned above, he is going to Court to urge petitions and applications for office, let neither his letters be signed nor let him be received to communion.

All said that this was proper and right and that this regulation was approved by them.

Notes.
Ancient Epitome of Canon XX. [the last part of which in Beveridge, Synod., is numbered xxj.] If any bishop tries out of pride to do away with what has been decreed admirably, and in a manner pleasing to God, he shall lose his episcopate. A bishop who shall see a bishop on his way to the camp, if he shall know that he goes therefor any of the before-mentioned causes, let him not trouble him, but if otherwise let him pronounce excommunication against him. This is Canon XI. of the Latin. Van Espen. After the words [”honour and dignity”] according to Balsamon and Zonaras, as also Gentian Hervetus, there follows the approbation of the synod in these words: ”All answered, This opinion is becoming and well-pleasing to us,” which indicate this to be the end of the canon; and therefore the Greeks make of this two distinct canons. Dionysius and Isidore make but one canon, ... and this appears to be more congruous on account of the subject-matter of the first part, and will be manifest by connecting the two parts together.

Van Espen follows Zonaras and Balsamon in understanding ”Bishops in Canali,” as such as were set on the public roads and public highways, or rather ”in cities which are on the public highways, or ‘Canals,’ by which they that pass go without labour, as in a canal or aqueduct the water flows, for aqueduct and canal are the same thing in the Roman tongue.”[After Canon XX.] Canon XII. (of the Latin Texts.) Bishop Hosius said: But some discretion is here requisite, brethren dearly beloved, in case some should come to those cities which are on the highway still ignorant of what has been decreed in the council. The bishop of such a city ought therefore to admonish him [a bishop so arriving], and instruct him to send his deacon from that place. Upon this admonition he must, however, himself return to his diocese.

Notes.
Van Espen. This proposition of Hosius in the Roman Codex is joined as an appendix to the preceding canon. The Greeks omit it altogether, very likely either because it seemed to be a proposition of Hosius’s rather than a synodal canon, for no adoption by the synod is recorded: or else because, even if it were a decree, it was only of temporary character, that is to say, until the canons had been sufficiently promulgated, and therefore some on the ground of ignorance might be exempt from the threatened penalties.

Source. English translation: an older public-domain translation as collected in the Writings-Database (HistoricalChristianFaith), mostly from the Ante-Nicene, Nicene and Post-Nicene Fathers and similar nineteenth-century editions. SermonIndex has only divided it into chapters and short sections; the wording is the translator’s own. Square brackets, Greek or Latin words and footnote-free text are as the source file prints them,

and a transcription error may remain. No Greek or Latin text is shown beside it yet, and no modern English version has been made.