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Indianapolis, Ind.

Jan'y. 11<sup>th</sup> 1889.

Very Res<sup>d</sup>. Fr. E. Sorin C.S.C.

Sup. Gen<sup>l</sup> of the RR. Fathers of the Hol, Bro<sup>s</sup>.

Dear Res<sup>d</sup>. Father General,

Owing to inability to obtain information regarding the will of 1857 referred to in the letter of the Consul of France at Chicago, inclosed in your valued favour of Dec. 29<sup>th</sup> ult., which information, at a second request, I received only yesterday by telegram, I have hitherto been unable to answer. The matter certainly has its difficulties, and I am not sufficiently possessed of details to be able to speak with full satisfaction to myself on the subject.

In the first place, the will mentioned by M. E. Brunsch as bearing date 1857 must be the one probated in New Albany, which of course the subsequent one of 1873 renders, it would certainly seem, null.

With regard to this subsequent will of 1873, as I sup<sup>se</sup>

pose it was legally drawn up, it constitutes a very grave obstacle to acting in accordance with the declared intentions of Res<sup>d</sup>. F. Neyron. Knowing the existence of the prior will or rather of the only valid will, that of 1873, it must have been his intention to make a will, leaving, as I think he should have done, the amount to your Order. But this it seems he did not do. The law in a case like this does not take into account

intentions, for these are not revocations; they imply a future revocation only. I think this manner of acting is based on natural law, on a sound principle of moral law, that where any one has <sup>determined</sup> formally and in a way to fix permanently the disposition of property, that is to be he dec<sup>l</sup>ared his real intention, unless re-vo<sup>k</sup>ed in an equally marked way, circumstances permitting; and this, because of our changing

moods. I do not think therefore that the declaration of an intention is sufficient to justify a step of the nature you speak of. And this all the more, because charity to yourself and your community would seem to forbid the risk. Were the heirs-at-law in France to push the thing, the question might be brought before the U. S. Courts, with perhaps much injury to all concerned.

I would suggest compromising with the heirs in France, on the ground of the declaration of intentions of the Rev. F. Neyron, in consequence of which your Community probably did more justice than justice or charity required. In this way some foundation for the benefit of his soul might be made by them at Notre Dame.

Very respectfully and truly,

Rev. F. General,

yours in Christ,

+ F. J. Chataud,  
Bishop of Vincennes.