

Vat. lat. 3137**saec. XVex.****Prov.** Francesco Panizi, bp. of Gaeta (+1494)

1 + 148 fols. memb. 233 (150) x 150 (80) mm, origin Italy. Quiniones, saec. XVex.

Iv <Incertus auctor>, **Eulogium Leonis I**

(Rubrica) Eulogium Leonis I Pontificis maximi. (Textus) Inter nouem ferme(?) Romanos pontifices qui Leonis nomine nuncupati sunt: Leo Thuscus ut ordine primus pariter dignitate prestans fuit ... (Finis) si quisquis idiota disputauerit et non eum in omnibus uenerabiliter acceperit: Anathema sit.

fol. 1r-8v **Tabula epistolarum sanctissimi Leonis pape** (table of contents)fol. 9r-147v **Leo <I>, Epistolae** (See Vat. lat. 543 fol. 1va-82ra for a further information.) *Variants:*

(Rubrica) Incipit epistola sanctissimi Leonis *pro* Epistola Leonis; (Epistola ultima) (Rubrica) Epistola eiusdem Leonis pape. Ad Dorum episcopum Beneuentanum. (Inscriptio) Dilectissimo fratri Doro. Leo episcopus. (Textus) Iudicium quod de te sperabamus dolemus esse frustratum ... (Finis) ut omnia illico (illi *cod.*) quemadmodum constituimus roborentur. Data XIII (Datum id. *cod.*) mar. Postumiano u. c. cons. (Colophon) Deus laudetur. (red rubric) Expliciunt epistole sanctissimi Leonis pape feliciter.

Bibl. S. Leo Magnus, *Opera*, ed. Ballerini PL 54.573-74, this is a variant of their Coll. XXI.

Fol. Iv is written in humanist Italic cursive. The rest of the MS is in a humanist book-hand by a single scribe using brown ink. The Tabula by the same scribe lists the single letters referring to folios of this MS. There are occasional marginal corrections by the scribe as well as short notabilia, the latter usually in red. A later hand has added some marginalia (e.g. fol. 32r, 48r). Fol. 9r is decorated in a half-border white vine design with blue, green, and light red, highlighted by gold disks with fine rays. The border expands to include the book initial - which is gold. The same pattern in the lower margin surrounds a coat of arms within a green garland. The arms consist of horizontal bands of red and silver, and may be those of Francesco Patrizi. There is a second, smaller initial in gold on a square blue field on the folio. Each succeeding letter begins with a large simple blue or red capital and rubric in red. The MS has two sets of numbers. The original numbering by the scribe in red in the upper right corner, starts with the first letter (fol. 9) and was used to construct the preceding (originally unnumbered) table. It has an error, skipping from 120 to 131. The modern stamped numbers in the lower right corner start with the first page of the table and are followed here. Catchwords are vertical along the inner margin line. The MS was rebound in red leather over cardboard in the mid-19th century. Fol. 148r-v is lined but otherwise blank.

Vat. lat. 3458**saec. XVI****Prov.** Antonio Carafa, card. 1568-91.

<I> + 95 fols. chart. 272 (203) x 190 (134) mm, origin Italy (Rome?). Quaterniones, saec. xvi.

fol. 1r-94v <**Concilia Toletana XIII-XVII**>

(Rubrica) Concilium Toletanum XIII. (Rubrica secunda) In nomine Domini. Incipiunt gesta synodalia habita in urbe Toletana sub era (urbem Toletanam era *cod.*) D.CC.XXI. anno regni excellentissimi Eruigii principis 4^{to}. (Textus) Illibatae charitatis (Inlibatae karitatis ed.) instinctu alternis uisionum obtutibus redditi ... (Finis) siue excommunicatione seu etiam damno maneat usquequaque

multatae (damnatae *cod.*).(Colophon) Finis.

Ed. *Concilios Visigóticos-Hispano-Romanos*, ed. J. Vives, in *España Cristiana*, ed. J. Vives and T. Marín, Vol. 1 (Barcelona-Madrid 1963) 411-74, 482-537.

The MS is written in a 16th-century cursive in dark-brown ink. It has no decoration. The ink has bled, and the pages are now protected by a netting. On <I>v a more recent hand added: 'Antonii Card. Carafae bibliotecarii munus ex testamento'. The two unidentified watermarks are 1) a shield with a diagonal band supporting the letters 'SPQR', the whole surmounted by a lily, and 2) a shield divided horizontally, the upper with an eagle surmounting a column, the lower with an animal, perhaps a dog. The old parchment binding has been restored. <I>r and fol. 95r-v are blank.

Vat. lat. 3477

saec. XV.1

Prov. Antonio Carafa card. 1568-91; Giordano Orsini, card. 1405-38. <I> +329 fols.-45-236 chart. 213 (128) x 143 (83) mm, origin Italy. Seniones et octoniones, saec. XV.1. fol. 1r-11v, 31r-90r, 123v-125v, 132v-153v, 226v-232v, 247r-289v, 305r-309v

<**Auctores varii**,

Opera polemica>: REARRANGE !!! Splitting the MS into two sections and alphabetic listing of authors is inadequate and denatures this MS !!! Antonius de Butrio, Consilium de schismate, imperfectum (fol. 43v-46r [**Ed.** Paulus Castrensis, *Consilia I* fol. 214ra-215ra, lacking the texts between 214va 'intentio' and 214vb 'ad hoc astringuntur']); Antonius de Luschi, De modo tenendi per concilium ad Petrum de Candia (fol. 138r-140r); Bartholomaeus de Saliceto, Consilium de schismate (fol. 48r-v [**Ed.** Vincke, *Schriftstücke* 30-32 no. 3, using this MS]); Bononiensis Universitas, Conclusiones de schismate (fol. 49r-v [**Ed.** Mansi 27.219-21, 221 n. a, 221-22, 222 n. b]), Franciscus Zabarella, Tractatus de schismate (fol. 132v-137v [**Ed.** Franciscus Zabarella, *Consilia* (Venetiis 1581) fol. 153vb-156va. This is the second version of the tract; for a copy of the third, see Vat. lat. 2254 fol. 212rb-219vb]); Johannes de Bellantibus de Senis, Consilium de schismate (fol. 50r-61v); Marcus de Canetulo, Orationes duae (fol. 305r-308r, 308v-309v [**Bibl.** G. Alidosi, *Li dottori bolognesi* (Bologna 1620) 169]); Matthaeus de Mathesillanis, Consilium de schismate cum subscriptione Johannis de Canetulo (fol. 40v-43r [**Ed.** Paulus Castrensis, *Consilia I* fol. 215ra-va]); Nicolaus de Bittonio O.F.M., Tractatus de schismate (fol. 1r-11v [**Bibl.** Vincke, 'Magister Theologiae' 178-206]); Parisiensis Universitas, Consilium de schismate (fol. 62r-v, 88v-90r); Paulus de Castro, Consilium de schismate (fol. 32v-35v [**Ed.** Vincke, *Schriftstücke* 29-32 no. 2, using this MS; Paulus Castrensis, *Consilia I* fol. 213rb-214ra]); Petrus de Alliaco et Johannes Gerson, Epistola ad Gregorium XII (fol. 63r-v [Genoa, 15 sept.; **Ed.** Jean Gerson, *Oeuvres complètes* (Paris 1960-73) II 84-86 no. 22. **Bibl.** Op. cit. II xvi no. 22]); Petrus de Alliaco, Decem considerationes circa concordatum Massiliae (fol. 64r-66v [**Bibl.** P. Glorieux, 'L'oeuvre d'Ailly' 73]); Petrus de Ancharano, Consilia de schismate (fol. 46v-47v [**Ed.** Petrus de Ancharano, *Consilia* fol. 24vb-25rb], fol. 226v-232v [**Ed.** cit. fol. 115vb-117rb], fol. 247r-250r [**Ed.** Vincke, *Schriftstücke* 112-18 no. 18, using this MS], fol. 250v-251v [**Ed.** cit. 119-21 no. 19, using this MS], fol. 252r-269r [**Bibl.** Souchon, *Papstwahlen* II 248-51]); Petrus de Candia, postea Alexander V, Responsio Antonio de Luschi (fol. 150r-152v); Robertus de

Francola, Tractatus de schismate, imperfectus (fol. 269r-289v), Incerti auctores, Consilia de schismate (fol. 31r-32r [**Ed.** Vincke, *Schriftstücke* 34-39 no. 5, using this MS]), Quaestio super opinione episcopi Ragusini (fol. 67r-88r), De modis tenendi per dominum Gregorium XII (fol. 123v-125v [**Ed.** Vincke, *Schriftstücke* 142-46 no. 24. using this MS]), Considerationes de schismate, imperfectae (fol. 140r-141r [**Ed.** Vincke, *Schriftstücke* 134-41 no. 22 to 137, using this MS]), Satira in Gregorium XII (fol. 142r-146v), Epistola officialium curiae Romanae (fol. 147r-148r), Versus de schismate (fol. 149r).

fol. 14r-30v, 91r-123v, 126r-132r, 152v-161v, 163r-235r, 289v-291r <**Auctores varii, Acta de schismate**>: Benedictus XIII, Epistolae (fol. 29r-v [**Ed.** Mansi 26.1014-16], fol. 113r-v [Portovenere, 13 iun. 1408; **Ed.** Mansi 26.1016-18], fol. 114r-v [**Ed.** Mansi 26.1016), fol. 128r-131v [Portovenere, 15 iun. 1408; **Ed.** Mansi 26.1103-09], fol. 132r, [15 iul. 1408; **Ed.** Mansi 26.1110-11], fol. 173r-176v [7 nov. 1408; **Ed.** Mansi 26.1180-84] cum epistola cardinalium eiusdem, fol. 176v-177r [1408; **Ed.** Mansi 26.1184]); Carolus VI rex Franciae, Epistolae (fol. 100r [Paris, 12 ian. 1407], fol. 100v-102r [Paris, 12 ian. 1407], fol. 102r-v [Paris, 12 ian. 1407], fol. 115r-117r [Paris, 22 maii 1408]); Collegium Avinionense cardinalium, Epistolae (fol. 28r-v [Villeneuve d'Avignon, 16 iul.], fol. 152v-156v et fol. 202v-205r (two copies) **Ed.** Mansi 26.1161-67], fol. 170v-173r [Pisa, 24 sept. 1408; **Ed.** Mansi 26.1175-79]), Cedula in conclavi post mortem Clementis VII (fol. 122v [**Ed.** Souchon, *Papstwahlen* I 298-99]); Collegium Romanum cardinalium, Epistolae (fol. 157r-161v [Livorno; **Ed.** Mansi 26.1167-75), fol. 163r-165v), Capitula in conclavi post mortem Bonifacii IX (fol. 224v-226r [24 oct. 1404; **Ed.** Souchon, *Papstwahlen* I 280-84]), Capitula in conclavi post mortem Innocentii VII (fol. 14r-17r [**Ed.** Souchon, *Papstwahlen* I 287-92]); Collegium unitum cardinalium, Epistolae (fol. 104r-109v [Pisa, 13 maii 1408), fol. 111r-113r, 121r-122r [1 iul. 1408; **Ed.** Mansi 27.46-49], fol. 177v-180r [25 ian. 1409; **Ed.** Mansi 27.207-12], fol. 205v-207r [Livorno]), Responsio oratoribus Venetorum et Florentinorum (fol. 198r-202v [**Ed.** Martène et Durand, *Thesaurus* II 1411-19]), Declaratio marchionis Montis Ferrati (fol. 126r-127v), Responsio Malatestae de Pensauero (fol. 209v-213v [**Ed.** Mansi 27.239-45 no. 17]); Concilium Perpinianum (1408), Cedula (fol. 184v-185r); Commune Florentiae, Epistolae (fol. 196v-197v [Florence, 28 feb. 1409; **Ed.** Mansi 27.434-35], fol. 233r-235r [Florence, 28 feb. 1409; **Ed.** Mansi 27.430-33), Salvusconductus (fol. 180v-181r [Florence, **Ed.** Mansi 27.203-04]); Gregorius XII, Epistolae (fol. 17v-18v [**Ed.** Mansi 26. 1013-14], fol. 30r-v [**Ed.** Martène et Durand, *Veterum scriptorum ... collectio* VII 754-55], fol. 110r-111r [Lucca, 21 maii], fol. 118v-119v [Lucca, 17 maii], fol. 166r-170r, 186r-195v [19 jan., **Ed.** Mansi 27.7-73]), Appellatio (fol. 119v-121r [Lucca, 1408]), Mandatum (fol. 103r), Responsio oratoribus Benedicti XIII (fol. 97v-99v); Henricus IV rex Angliae, Epistola (fol. 181r-183r [Westminster, 12 nov.; **Ed.** Mansi 27.108-10]); Hernandus ciliae Segorieque comes, Epistola (fol. 117v-118r [Celje (Cilli), 12 iun. 14??]; Commune Ianuae, Instrumenta diplomatica de concordato Massiliae (fol. 19r-27r [**Ed.** C. Baronius, *Annales* an. 1407, §4, (ed. Theiner 27.164-66a partial edition); a cancelled copy of the material on fol. 26v appears at fol. 27v.]); Johannes de Soleria O.S.B., abbas s. Justinae, Epistola (fol. 183r-184r [Marano, 5

- feb. 1409]); Johannes Dominici O.P., Epistola (fol. 195v-196v [Siena, 10 oct.]); Ludovicus de Barro, Epistola (fol. 223v-224r); Oratores Benedicti XIII, Oblatio (fol. 92r-94r [Ed. Vincke, *Schriftstücke* 70-72 no. 10, using this MS]), Responsio ad oblationem oratoris Venetorum (fol. 95r-97r); Oratores Caroli VI, Oblatio (fol. 208r-v) cum responsione cardinalium (fol. 208v); Oratores Gregorii XII, Oblatio (fol. 209r [Portovenere]); Oratores Sigismundi regis Hungariae atque Venetorum, Oblatio cum responsionibus cardinalium (fol. 214r-219v [Ed. Vincke, *Schriftstücke* 155-61 no. 27, using this MS]); Oratores Venetorum, Oblatio (fol. 94v); Rupertus rex Romanorum, Constitutio procuratorum (fol. 290r-v [Ed. *Deutsche Reichstagsakten unter König Ruprecht III* ed. J. Weizsäcker (Deutsche Reichstagsakten VI; Gotha 1888) 489, 491]); Wenceslaus rex Bohemiae, Epistola (fol. 207r-208r [Prague, 19 iul.]); Incerti auctores, Deliberationes pro regimine ecclesiae tempore subtractionis obedientiae Parisiis factae (fol. 123r-v), Requisitio facta Antonio de Calvis (fol. 222r-223r).
- fol. 237r-244v <**Pseudo Isidorus, Decretales**, excerpta>
 /// publicantur. Nullus enim qui suis est rebus spoliatus ... (Finis) Dultitius Sancti Antimi (Anthonii *cod.*). (Colophon) Finit. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 18(VI)-24, 662-64.)
- fol. 245r-246v **Concilium Pisanum (1135)**
 (Rubrica) Sinodus Pisana. (Textus) Anno Dominice incarnationis M^o c^o xxxvi (*sic*) celebrata est sinodus Pisis ... (Finis) eis ulterius diuina non celebrabunt officia. (Ed. D. Girgensohn, 'Das Pisaner Konzil von 1135 in der Überlieferung des Pisaner Konzils von 1409', *Festschrift für Hermann Heimpel Vol. II* (Göttingen 1972) 1063-1100 at 1097-1100, using this MS (siglum R). Cf. the edition in MGH Const. 1, ed. L. Weiland, pp. 577-79.)
- fol. 291v-304v <Incertus auctor, **Nomina participantium in concilio Pisano (1409)** (Ed. G. di S. Teresa, 'Un nuovo elenco dei partecipanti al concilio di Pisa del 1409', *Ephemerides carmeliticae* 16 (1965) 384-411 at 391-411, from this MS.)
- fol. 310r-317r **Alexander V, Const. Rerum omnium summi** (Ed. Mansi 27.83-90.)
- fol. 317r-v <**Alexander V, Const. Hodie sententiam**>
 (Inscriptio) Venerabilibus fratribus ... salutem, etc. (Textus) Hodie sententiam nuper in generali concilio Pisano contra iniquitatis alumnos ... (Finis) ad uerbum de indulto huiusmodi mentionem. Dat. (This text refers to another text of Alexander, beginning 'Mandamus quatinus predictas litteras ...' It appears to be unedited.)
- fol. 318r-320r **Concilium Pisanum (1409), Constitutiones**
 (Rubrica) Copia constitutionum factarum in concilio Pisano. (Praefatio) <N>os omnes et singuli episcopi presbiteri et diaconi sancte Romane ecclesie cardinales insimul congregati ... (fol. 319r) (Textus) <S>acra et uniuersalis synodus prefata auditis dictis petitionibus factis ... (Finis) dimitti precipimus et mandamus. (Ed. J. Vincke, 'Acta Concilii Pisani', *Römische Quartalschrift* 46 (1938) 81-331 at 300-02, 302-03, Mansi 27.408-09; Vincke, ed. cit. 313, 313-14.)
- fol. 320r-324r **Alexander V, <Constitutiones>**
 (Invocatio) In nomine Domini. Amen. (Praefatio) Sanctissimus dominus noster dominus Alexander papa quintus sacro et generali approbante concilio ... (fol. 320v) (Invocatio) In nomine sancte et indiuidue Trinitatis Patris et Filii et Spiritus

sancti. Amen. (Textus) Nos Alexander diuina prouidentia papa quintus considerantes quod tam Petrus de Luna ... (Textus ultimus) Item dominus noster qui habundantia liberalitatis ... (Finis) quod de gratia premissa et remissione bulle conficiantur. (Ed. J. Vincke, 'Acta Concilii Pisani'. 316, 318, 320, 319, 322. This collection differs in order and in certain details from that in Vat. lat. 4904 fol. 66r-70r.)

fol. 325r-327v **Rupertus rex Romanorum, Const. Super lamentabile**

(Ed. *Deutsche Reichstagsakten unter König Ruprecht III*, ed. J. Weizsäcker (Deutsche Reichstagsakten VI; Gotha 1888) 479-85.)

fol. 328r-329v <Tabula operum que continentur fol. 1-290>

Cat. Kristeller, *Iter II* 320. **Bibl.** Girgensohn, art. cit. 1065-67; Miethke, 'Schriften des Juan González' 284 n. 28.

The MS is a composite collection of polemics and muniments concerning the Schism. The collector was a member of the curia of Gregory XII, perhaps Cardinal Giordano Orsini (cf. Girgensohn); see the narrative notes at fol. 26v-27r, 91r-v, 103r-v, and 170r. The collector also wrote headings for individual works and notes on their contents; e.g. fol. 15r *marg.*

The texts are in a variety of hands and ink ranging from black and gray to several shades of brown. There is an initial B in red and blue on fol. 1r, with paragraph signs alternating red and blue on fol. 2r-11v. Capitals and rubrics are red on fol. 239r-244v. In the lower margin of fol. 1r are the arms of Antonio Carafa, with the inscription 'Antonii Card. Carafae Bibliothecarii munus ex testamento'. The names noted at the upper left hand corners of fol. 14r, 30r, 46r, 62r, 110r, 126r, 142r, 150r, 170r, 186r, 198r, 221r, 237r, 247r, 263r, 305r, and 321r may indicate sources of documents, since some end 'recepti' (e.g. fol. 222r). Quires are always marked with roman numerals in the upper margin of the first recto (from fol. 1r: primus quinternus through fol. 321r: XXII quinternus). The MS has a medieval foliation: 1-19, XX-CCLXXX, continued by modern pencil: 291-329. In the lower margin of fol. 222v is a modern note 'f. 223v dopo f. 235'; fol. 223 is correctly numbered, just out of place. Fol. 45 and 236 are missing. <I>r is blank except for the name Franciscus yspanus recepti in the upper left corner, and some *probationes pennae* (e.g. 'Beatissimo patri Innocentio' and 'Cum fueris Rome'). Fol. 13v is blank except for a note. For the watermarks, cf. Briquet nos. 3298 and 3658. The 16th-century binding of leather over wood was repaired in the late 19th century. <I>, fol. 12r-13r, 90v, 141v, 148v, 149v, 162r-v, 185v, 220r-221v, 235v, and 324v are blank.

Vat. lat. 3529

saec. XIIlex.

224 fols. memb. 337 (199) x 211 (101) mm, origin France. Quaterniones, saec. XIIlex.

fol. 1ra-8ra <Incertus auctor, **Introductio ad Decretum `In prima parte agitur`**> (D.1-C.36) (See Vat. lat. 2584 fol. 2ra-9ra for further information.)

fol. 8ra-222ra <**Gratianus, Decretum**> (See Vat. lat. 1365 fol. 11rb-152ra for further information.) *Variants:*

(Rubrica) Titulus decretorum discordantium concordia ac primum de iure constitutionis et nature. (Colophon) Laudetur quia libri finis: habetur finito libro sit (laus *add. al. man.*) et gloria Cristo.

fol. 8ra-222ra passim <**Glossae in Decretum**> a. (fol. 119rb, 121va, et passim), h. (fol. 119ra, 167ra, et passim); R. (fol. 126rb, 133va, et passim); r. (fol. 118, 122ra, et passim); r.d. (fol. 122rb); sec. p. (fol. 167ra); sec. r. (fol. 170ra, 172ra).

(**Bibl.** P. Legendre, *La pénétration du droit romain dans le droit canonique classique de Gratien a Innocent IV (1140-1254)* (Paris 1964) 76 n. 4 and 107 n. 5; A.M. Stickler, 'Zur Entstehungsgeschichte und Verbreitung des Dekretapparats "Ordinaturus Magister Gratianus"', SG 12 (1967) 111-41 at 122, stating that the

- apparatus in this MS has no connection with 'Ordinaturus Magister'; R. Weigand, 'Die Glossen des Cardinalis (Magister Hubald?) zum Dekret Gratians, besonders zu C.27 q.2', *BMCL* 3 (1973) 73-95, esp. 88-90, using this MS (siglum Vd); idem, 'Frühe Glossen zu D.12 cc.1-6 des Dekrets Gratians', *BMCL* 5 (1975) 35-51 at 37-46, using this MS (siglum Vd) in editing early glosses; idem, 'Romanisierungstendenzen im frühen kanonistischen Recht', *ZRG Kan. Abt.* 69 (1983) 200-249 passim, esp. 201 and 210, using this MS (siglum Vd); idem, 'Glossen des Magister Rolandus zum Dekret Gratians', *Miscellanea Bandinelli* 389-423 at 405-11, editing a number of glosses from the MS (siglum Vd), 413, 415, 418, and 419; idem, 'Studien zum kanonistischen Werk Stephans von Tournai', *ZRG Kan. Abt.* 72 (1987) 349-61 at 352-61, on Stephanus's glosses in various MSS, including this one (siglum Vd), Dolezalek-Weigand, 'Geheimnis' 144 and 180-92; Sella, *Nuove sigle.*)
- fol. 223ra-224va <Incertus auctor, **Tabula Decreti versificata**>
(Praefatio) Dante deo metris decretum rado trecentis ... Vnica cum centum distinctio parte prior | Tradito, ordo docet. Pateat distinctio prima. (Rubrica *margin.*) Distinctio 1^a (*sequitur 2. etc. ante singulos versus*) (Textus) Perlegat hic quisque diuinum ius hominisque ... (Finis) supplens omnia reseransque superflua missa | Corrige ruetur tibi si uicium sit ibi (tibi^{ac}). (Colophon) Quem probat hostia tu prefulgens pontificatu pandendo iura rudibus cum sit tua cura. (**Bibl.** Cf. Walther, *Versanfänge* no. 4049.)
- fol. 224va <Wernherus de Schussenrieth, **Versus memoriales ante Compendium II partis Decreti**> (See Volume II, *Addenda et corrigenda* with Vat. lat. 1365 fol. 594vb for further information.) *Variant:*
(Finis) *versum* Diccio (*leg. Diccio?*) *add. cod.*

Corrections said to be on "back page" - which is lacking!

- fol. 224va <Incertus auctor, **Admonitio brevis**>
Vide o homo qui dimittere tuis debitoribus renuis, Christum ... (Finis) ut mori non ualeant offerentem.
Bibl. Kuttner, *Repertorium* 6, 12, 55-56; Scano, 'Manoscritti del Decreto' 67-68.

In prima parte and the *Decretum* are written in late Carolingian bookhand in black ink; the *Tabula versificata* and short pieces at the end are in various Gothic bookhands in brown ink. Fol. 1r has a full foliate border with inhabited medallions, the initial 'T' forming the left side of the border and the rest of the opening words *In prima* are in elaborate foliate letters which left no room for *parte*. The *Decretum* begins with a large initial 'H' in interlace design with inhabited vine scrolling, while the remaining letters of *humanum genus*, in foliate initials, are arranged in vertical columns beside the 'H'. Smaller interlace initials open each *causa* and *de cons.*; *de poen.* is not set off in the text in any way. Other initials alternate red and blue with penwork in the contrasting color. Capitals and paragraph signs also alternate red and blue, as do the letters and numerals in the margins identifying the *distinctiones* and *causae*. In the *Tabula versificata* each line is preceded by the number of the *distinctio* or *causa*, or *quaestio*, in red. The *paleae* are mostly omitted in this MS. Besides D.73, about a dozen appear in the text; another dozen have been added in the margins. On fol. 45r is a half-page table of roman numerals, Latin and Greek letters, and Greek names for letters and numbers, decorated in four arcaded columns in the manner of a canon table to explain the *littera formata* (D. 73) on the opposite page. (Cf. W. Cahn, 'A twelfth-century Decretum fragment from Pontigny',

Bulletin of the Cleveland Museum of Art 62 (1975) 47-59, for discussion of a similar example.)

In prima parte has summarizing glosses in the margins. The *Decretum* contains glosses of the second and third type (cf. Kuttner, *Repertorium*) in several hands, as well as summarizing glosses (which are framed), and corrections and *postillae* added in later hands. In the lower margin of fol. 203v have been added a passage from Cod. 9.13.1, 'Raptore uirginum honestarum ... fiat legitimum conjugium' and a canon of the 845 council of Meaux, 'Qui uero deinceps rapere ... sine spe conjugii perpetuo maneat', (Mansi 14.834-35, c. 66). Pricking is sometimes visible. Catchwords are at the lower right edge, but frequently cut away. Centered running heads start on fol. 9r; a second set in the upper right corner of the recto, added later, makes special note of *de poen.* The shelfmark '3529' appears on fol. 1r, and on fol. 224va is the phrase 'Ave maria gratia plena dominus tecum' as a *probatio pennae*. The MS has a mid-19th century red leather binding. Fol. 222v is blank.

Vat. lat. 3530

saec. XVI.2

Prov. Antonio Carafa, card. 1568-91.

<II> + 296 fols. chart. 322 (224) x 231 (149) mm, origin Italy. Quiniones, saec. XVI.2.

<II>r-fol. 295r <**Gregorius de sancto Chrysogono, Polycarpus**> (See Vat. lat. 1354 fol. 1r-177v for further information.) *Variants:*

<Rubrica epistolae dedicatoriae deest.> (Inscriptio) Domino *pro* D.D; sanct^e *pro* sancte (Rubrica libri primi) epistola *pro* epistolis (Textus) Vt que *pro* Atque; hoc *om.*

The MS is written in a 16th-century cursive in dark brown ink. It was probably copied from Vat. lat. 1354 (for example, it has the same opening of Book 1 and also imitates the division of the final word, 'caelis', by widely spaced letters as was done in 1354). It was copied for the use of the *Correctores Romani* and has extensive marginal notations - references to Gratian, summaries, corrections of scribal errors - perhaps made by one of the *correctores*. It is undecorated. On <I>v is the note: 'Antonii card. Carafae bibliothecarii munus ex testamento'. The modern numeration actually begins on the second folio of the first quire, so that <II>r is the true beginning of the codex. For the watermark, cf. Briquet no. 13889. The MS is in an old parchment binding, perhaps original. <I>r and fol. 295v-296v are blank.

Vat. lat. 3531

saec. XVI

Prov. Antonio Carafa, card. 1568-91. **Scr.** Pedro Chacón (annotator).

<II> + 235 fols. chart. 353 (241) x 241 (145) mm., origin Italy. Quiniones, saec. XVI.

fol. 1r-3v **Ordo de celebrando concilio** (See Barb. lat. 535 fol. 4v-6v for further information.)

fol. 3v-4r <**Appendix ad ordinem de celebrando concilio**> (See Barb. lat. 535 fol. 6v-7r for further information.) *Variant:*

(Textus) dominus uel domina *pro* domnus uel domna.

fol. 4r-6r <**Pseudo-Leo IV, Admonitio synodalis**> (See Vat. lat. 1355 fol. 310r-311v for further information.) *Variants:*

(Rubrica) Incipit sermo quem sanctus Leo papa composuit in synodo dicendum.

(Finis) et Spiritu sancto ... seculorum. *om.*

fol. 6v **Exemplar libertatis** (See Barb. lat. 535 fol. 9r for further information.)

fol. 6v-7r <**Epistola formata dimissoria seu commendatoria**> (See Barb. lat. 535 fol. 9r-9v for further information.) *Variants:*

(Inscriptio) Aduentius *om. et vacuum remanet* (Textus) Nicea *om.* (Finis)

firmitatem *pro* fraternitatem (Appendix) uos *pro* uero; curam *pro* curamus.

- fol. 7r-10v <**Isidorus Hispalensis (s.), Etymologiae**, excerptum> (Lib. 9 cc. 6-7) (See Barb. lat. 535 fol. 9v-12r for further information.)
- fol. 10v <**De verbo 'stemma'**> (See Barb. lat. 535 fol. 12r for further information.) (In the margin, at the beginning of this passage is the note 'Hec non sunt Isidori'.)
- fol. 10v <**Quando anima in corpore introit**> (See Barb. lat. 535 fol. 12r for further information.)
- fol. 10v-11r **Augustinus** <(s.), **De diversis quaestionibus octaginta tribus**, excerptum> (Quaestio 56) (See Barb. lat. 535 fol. 12r-12v for further information.) *Variants:* (Rubrica) aedificationis *pro* aedificati (Finis) quoque *add. post* tot
- fol. 11v-12r <**De septem gradibus consanguinitatis**> (See Barb. lat. 535 fol. 13v-14r for further information.) *Variant:* quos nec *pro* quas.
- fol. 12v-234r **Anselmus Lucensis (s.), Collectio canonum**, recensio Bb, imperfecta (See Barb. lat. 535 fol. 14v-207r for further information.) *Variants:* (Rubrica tabulae capitulorum libri primi) desideranter *pro* desiderante (Rubrica textus) Cap. I *add.* (Canon ultimus, Inscriptio) Leo episcopis Constantinopolitanis. (Textus) Si uix (*om. ed.*) in laicis intolerabilis uidetur inscientia, quanto magis in his qui presunt, nec excusatione est digna nec uenia. (The text ends at Book 7, c. 101 [p. 404] of the edition. In this copy, the last canon is Book 7 c. 119; 201 canons are listed in the table of contents for Book 7. The last ten words of the canon are in a new hand. Below it, in another hand, is the note 'Reliqua huius libri VII, cum sex libris sequentibus qui hic desiderantur, habentur in codice 4983'. In the margin of fol. 16r, next to the rubric for canon 1, the long rubric preceding the table of contents for Book 1 is repeated.)
- Bibl.** P. Fournier, 'Observations sur diverses recensions de la collection canonique d'Anselme de Lucques', *Annales de l'Université de Grenoble* 13 (1901) 427-58 at 450, repr. in Fournier, *Mélanges* 635-66 at 658; Fournier-Le Bras, *Histoire* II 193 n. 1; Ballerini, *De antiq. coll.* PL 56.326, citing this MS as a recent copy of Anselm and noting its incomplete nature; Kuttner, 'Some Roman Manuscripts' 15, stating that this MS is an incomplete copy of Barb. lat. 535, made for Cardinal Carafa.

The MS is written in brown ink by a single scribe, except as noted, in a handsome secretarial cursive. According to Kuttner, the neat marginal notations, often referring to Gratian's *Decretum*, are by Pedro Chacón. There is no decoration. On <II>v is the note 'Antonii Card. Caraphae bibliothecarii munus ex testamento'. For the watermark, cf. Briquet no. 209. The MS has an old parchment binding, perhaps original. <I>r is blank except for the shelfmark; <I>v-<II>r, and fol. 234v-235v are blank.

Vat. lat. 3543

saec. XVmed. (ca. 1445)

Prov: Antonio Carafa, card. 1568-91. **Scr.** Andreas de Panigaliis; Michael Galteri (corrector). <II> + 91 fols. 16 + <I> memb. 357 (215) x 275 (185) mm, origin Switzerland (Basel). Quiniones, saec. XVmed. (ca. 1445).

fol. 1r-91r **Concilium Basileense, Epistolae et responsiones synodales**

(Epistola prima) (Rubrica) Epistola synodalis de conuocatione Bohemorum ad concilium. (Inscriptio) Sacrosancta generalis Synodus Basiliensis in Spiritu sancto legitime congregata ... (Textus) Compulit nos caritas Christi egredi de terra nostra et cognatione nostra ... (fol. 87v) (Epistola ultima) (Inscriptio) Sacrosancta

generalis synodus Basiliensis in Spiritu sancto legitime congregata uniuersalem ecclesiam representans ... (Textus) Magnum uirtutis opus serenissime princeps ... (Finis) ac aliorum sacrorum generalium conciliorum auctoritatis defensione dirigere dignetur omnipotens Deus. Datum Basilee ii non. ianuarii anno a natiuitate Domini Millesimo quadringentesimo quadragesimo quinto. (Subscr.) A. de Panigaliis. (*al. man.*) Concordant epistole et responsiones synodales suprascripte cum originalibus ipsius sacri concilii facta collatione per me notarium ipsius sacri concilii.. Michael Galteri (*signum notarii*) notarius.

Cat. Kristeller, *Iter* II 320. **Ed.** This collection resembles that in Mansi 29.233-376; but it transposes 5 and 6, places 14 between 10 and 11, and lacks 18-20. It also adds 3 other letters: fol. 64r-65v 'Solicitudinem generalium' (cf. Mansi 29.178-79); fol. 80r-84v 'Etsi te principes'; fol. 87v-91r 'Magnum uirtutis opus'. Corrections and critical observations signed by Michael Galteri are e.g. on fols. 23r, 30v, 47r, 48r, 80r. Michael was a notary, Andreas de Panigaliis a scriptor of the Council; see J. Dephoff, *Zum Urkunden- und Kanzleiwesen des Konzils von Basel* (Hildesheim 1930) 65 und 84.

Fol. 91v has been crossed out, and only 'Sacrosancta' appears on <I>r-v. That word is written in display script at the beginning of each letter. Catchwords are at lower right. On fol. 1r appear the Carafa arms and 'Antonii Car. Carafae Bibliothecarii munus ex testamento.' The MS has a 19th-century leather binding. <I-II> and fol. 17r-18v are blank.

Vat. lat. 3544

saec. XV (1479)

Prov. Antonio Carafa, card. 1568-1591.

<II> + 76 fols. chart. 343 (234) x 241 (159) mm, origin Italy (Naples). Seniones, saec. XV (1479).

<I>ra-<II>vb, fol. 1ra-76vb (*rect.* fol. 1ra-14va, <I>ra-<II>vb, fol. 15ra-76vb)

Johannes Antonius Carafa (+1481) <Reportationes in Decretales> (X 5.1.1-5.1.12, 5.1.19 ?, 2.28.10-2.28.56)

(fol. 1ra) (Rubrica) Incipiunt reportata per eximium u.i. doctorem dominum Ioannem Carafam Neapolitanum tempore pestis. Anno a natiuitate Domini M^o cccc^o lxxviii^o. De accusationibus inquisitionibus et denunciationibus. (Textus) <C>ontinuaturs ista rubrica secundum dominum Antonium de Butrio (Lemma primum) c. *Si quis episcopus*: (fol. 1rb) Iste c. propter eius breuitatem /// ... (Finis) non posset apparere ///

Bibl. Petrucci, DBI 19. 564s.

This MS is badly preserved, <I-II> being mutilated. The texts are incomplete, suggesting the loss of other leaves. The text is written in an awkward cursive in dark brown ink with some *verba* left blank. Rubrics and some capitals are red. These notes appear on <I>r: 'Iohannis Carafae Neapolitani reportata in titulo extra de accusationibus an. 1479 tempore pestis'; 'Antonii Cardinalis Carafae Bibliothecarii munus ex testamento'. Catchwords are vertical at lower right. The MS has an 18th-century parchment binding.

Vat. lat. 3555

saec. XIVex./XVIn. (?)

<II> + 67 fols. + <I> memb. 210 (135) x 140 (85) mm., origin Italy. Quiniones, saec. XIVex./XVIn. (?).

<I>r-<II>v <**Pseudo-Morbisanus, Epistola ad Romanum pontificem**

(Rubrica) Copia litterarum Turcorum. (Inscriptio) Molbasanus (sic) hebrei Igesie (et Gesii *ed.*) cum suis fratribus Cerabi Eiusbait imperatoris Organi collaterales pugiles in partibus Achere domini. Magno sacerdoti Romanorum iuxta merita dilecto. (Textus) Nuper auribus nostris intonuit ... (Finis) et septentrionalem plagam presertim Cloaciam (*recte* Croaciam) et Dalmaciam uisitare. Datum Anno Mahumeti septingentesimo XV (quadragesimoquinto *ed.*). In introitu mensis Lasbeu (Hasten *ed.*). (**Ed.** Pio II, *Lettera a Maometto II (Epistola ad Mahumetem)*, ed. G. Toffanin (Napoli 1953) 181-82 (app. I). **Bibl. Ed.** cit. xix-xxii; F. Babinger, 'Pio II e l'Oriente maomettano', *Enea Silvio Piccolomini Papa Pio II* (Siena 1968) 1-13 at 9 and F. Gaeta, Alcune osservazioni sulla prima redazione della 'Lettera a Maometto', *ibid.* 177-86 at 179.

fol. 1r-25r <Incertus auctor>, **Liber de modo poenitentiae**

(Rubrica) Incipit liber de modo penitencie. (Textus) Cum certissime sciam omne seruicium quod pauperibus suis impenditur ... (Finis) postea uero sacerdos dicat oracionem: Intercedat pro te beata et gloriosa.(cetera desunt)

fol. 25v-61v <**Concilium Lateranense IV (1215)**>, **Constitutiones**

(Rubrica) Incipiunt constitutiones Innocentii III pape. De fide catholica. Capitulum primum. (Textus) Firmiter credimus et simpliciter confitemur ... (Finis) ut eis digne proficiat ad salutem. Amen. (**Ed.** *Conc. oecum. decreta*, 24 ed. C. Leonardi 230-71. **Bibl.** A. Garcia y Garcia, *Constitutiones concilii quarti Lateranensis una cum Commentariis glossatorum* (MIC ser. A: corpus glossatorum 2; Città del Vaticano 1981), describing this MS at 134 and using it (sigla V1 and V1¹⁻²) for the edition of the rubrics.)

fol. 61v <Incertus auctor, **Narratio concilii quarti Lateranensis**> (1215)

(Textus) Anno ab incarnatione uerbi M^o CC^o XV^o celebrata est sancta uniuersalis synodus Rome in ecclesia Saluatoris que Constantiniana uocatur ... (Finis) etiam aliorumque locorum ingens affuit multitudo. (**Ed.** Mansi 22.955. This text circulated widely and is often found incorporated into chronicles.)

fol. 62r-63r Incertus auctor, <**Narratio longior concilii quarti Lateranensis**> (1215)

(Invocatio) In nomine domini nostri Iesu Christi. Amen. Anno incarnationis ipsius Mo CCo XVo mense novembri, decimo die ... indictione iiii. (Textus) In conspectu summi patris et secundi post Petrum apostolum principis ... (Finis) municionem constituit ex eodem. (**Ed.** and **Bibl.** S. Kuttner and A. Garcia y Garcia, 'A new eyewitness account of the fourth Lateran Council', *Traditio* 20 (1964) 115-78 at 171-74. This MS contains the only known copy of the text.)

fol. 63v-64r **Innocentius III, Epistola ad soldanum al-'Adil** (Po. 4719 et 5186)

(Inscriptio) Innocencius episcopus etc. Nobili uiro Caphedino soldano Damasci et Babilonie timorem diuini nominis et amorem. (Textus) Audisse te credimus quod multi reges et principes ... (Finis) Deus qui superbis in terra resistit et humilibus gratiam impartitur. Datum. Lateran. (**Ed.** E.R. Lupprian, *Die Beziehungen der Päpste zu islamischen und mongolischen Herrschern im 13. Jahrhundert anhand ihres Briefwechsels* (Studi e Testi 291; Città del Vaticano 1981) 110-14, using this MS; PL 216.831-32 is a shorter version of this letter.)

fol. 64v-65r **Guilielmus <II rex Siciliae, Mandatum ad fideles regis>**

(Inscriptio) Gulielmus Dei gratia rex Sicilie ducatus Apulie et principatus Capue ... (Textus) Oderisius uenerabilis Valuensis episcopus fidelis noster ostendit maiestati nostre dicens ... (Finis) in quibus opus fuerit auxilium et consilium tribuatis. Datum Salerni ultimo die Madii. Indictione V. (**Ed.** and **Bibl.** H. Enzensberger, *Beiträge zum Kanzlei- und Urkundenwesen der normannischen Herrscher Unteritaliens und Siziliens* (Münchener historische Studien Abteilung geschichtl. Hilfswissenschaften 9; Kallmünz 1971) 143-44, using this MS.

fol. 65v-67v <Tabula contentorum>

The MS is written in gray-green ink by two hands. The major scribe wrote an Italian humanistic script; a slightly later hand added the table of contents on fol. 65v-67v. There are large capitals in red or blue; those at the beginning and end of the *Liber de modo poenitentiae* and the beginning of the canons of Lateran IV have penwork in the contrasting color. Rubrics are red. The ink has faded or chipped on several pages. The MS was ruled with lead. Catchwords are framed at the lower right; there are traces of an old foliation system in the lower right corner of some rectos. Marginalia are very few, in several hands. The MS is bound in red leather, 18th-century work refurbished in the mid-19th century.

Vat. lat. 3572

saec. XV (1441)

Prov.: Eugene IV (1431-47)

8 fols. memb. 212 (125) x 137 (72) mm, origin Italy (Florence). Quaternio, saec. XV (1441).

fol. 1r-8v **Marcus Antomassinus, Tractatus de modis in iure studendi**

(Rubrica) Ad sanctissimum patrem et dominum dominum Eugenium summum pontificem q<uartum>. (Dedicatio) Ecce sanctissime pater opusculum presens tue uere sanctitati deuoueo ... (Rubrica textus) Marci Antomasini legum doctoris de modis in iure studendi tractatus incipit feliciter. Ad illustrem lectorem. (Praefatio) Non eram nescius lector illustris si quid in iure conscriberem

(fol. 1v) (Textus) Duo sunt in iure perturbantes hominum mentes et animum (fol. 8r)

(Finis) esse similis legi uel capitulo ipsam questionem terminanti.

(Epilogus) Habes tandem lector illustris munus mea quidem sententia magnum ...

(fol. 8v) intelligentiam extendere poteris pro tui necessitate. Datum lectum et publicatum in alma uniuersitate studii Florentini sub magnifico et generoso uiro domino Antonio Mauraceno rectore prelibate uniuersitatis dignissimo Veneto ae milite Yerosolimitano qui ad maiorem cautelam mandauit imponi sigillum uniuersitatis predictae. Quibus si qua male dicta fuerint corrigendum subiicio.

Anno Domini millesimo quadringentesimo quadragesimo primo die xii februarii pontificatus sanctissimi domini nostri pape Eugenii q<uarti> anno decimo.

Explicit.

Cat. Kristeller II 321, 581. **Bibl.** E. Müntz and P. Fabre, *La Bibliothèque du Vatican au XV^e siècle* (BEFAR 48; Paris 1887) 22.

The MS is written in a Roman round script in dark gray ink. An illuminated E with white vining and the arms of Eugenius IV appears on fol. 1r. Capitals are red or blue. The MS has its original blind stamped red leather binding.

Vgl. Girgensohn, in; München Proceedings 541f.

Vat. lat. 3786

saec. XVI

<IX> + 302 fols. chart. 326 (226) x 221 (146) mm, origin Italy. Quaterniones, saec. XVI.
<II>r-302v <Collectio Avellana> (See Vat. lat. 3787 for further information.) *Variant:*
(Finis) habentes prae oculis iudicium maiestatis superne modis omnibus festinare dignamini.

Bibl. *Avellana*, ed. Günther, describing this MS at Part 1, p. xxvi, where he states that it is copied from Vat. lat. 3787. It ends with Epistola 243, although the table of titles includes Epistola 244. This MS is mentioned, in connection with Vat. lat. 3787, in Maassen, *Geschichte* 787; S. Leo Magnus, *Opera*, ed. Ballerini PL 54.563; and Ballerini, *De. Antiq. coll.* PL 56.180.

The MS is written in brown ink by a single scribe using a formal notarial script. Contemporary occasional rubrics, comments, and corrections appear in the margins. The folios holding the table of titles are unnumbered, the contemporary foliation beginning with the first letter of the collection. On <I>v are the notes 'Aliud exemplar prorsus simile extat in hac bibliotheca numero 4903' and 'Autographum uero numero 4961 et 3787'. There is no decoration. The quires are marked by a capital letter in the bottom right corner of the first recto and a catchword directly below the writing space and against the inner margin line on the last verso. No watermarks are visible. The parchment binding is from the late 18th-century. <I>v and <VII>r-<IX>v are blank.

Vat. lat. 3787

saec. XIin.

antea 503.

<II> + 163 fols. + <II> memb. (chart.: fol. 113, 138) 313 (242) x 219 (172) mm, origin Italy. Quaterniones, saec. XIin.

fol. 1ra-163rb <Collectio Avellana>

(Rubrica) Continet hic codex <relegens que> creueris infra. Tabula epistolarum.
<Tabula titulorum> ... (fol. 2va) (Rubrica) In hoc codici continentur epistole
CCXLII. I. Que gesta sunt inter Liberium et Felicem episcopos. (Textus)
Temporibus Constantii imperatoris filii Constantini durior orta est persecutio
Christianorum ... (Finis) Sicima uero ad partem est aquilonis Hiericho in
occidentem uergens distans ab Hiericho milibus quinquaginta duobus ///

Ed. and Bibl. *Avellana*, ed. Günther, using this MS (siglum V), with a comprehensive description at Part I, pp. iii-xvii; O. Günther, *Avellana-Studien*, Sb. Akad. Vienna (Wien 1896) passim; Ballerini, *De antiq. coll.* PL 56.179-90; S. Leo Magnus, *Opera*, ed. Ballerini PL 54.563-66; Maassen, *Geschichte* 787-92, Maxentius aliique Scythae monachi necnon Ioannes Tomitanae urbis episcopus, *Opuscula*, ed. F. Glorie (CCL 85A; 1978) 115-21, using this MS (siglum V); *Acta conc. oecum.*, ed. E. Schwartz 4.2 pp. 44 line 10-46, line 18, using this MS (siglum V).

The manuscript was written in brown ink by nine scribes, all using variations of late Carolingian minuscule, except fol. 113 and 138 which were inserted in the 16th century to replace folios which were lost. See Günther for a detailed description of the scripts. Sparse marginalia occur; some, in a contemporary or slightly later hand, note important words or statements in the text. Others are in 16th- and 17th-century cursives. Decoration is limited to some red underlining by the first scribe, especially in the table of contents

on fol. 1r-2v, and minor penwork on the enlarged capitals which begin each letter. On <I>v a modern hand has written a note that this MS is in the inventory found in Vat. lat. 6949 (fol. 178v). On a piece of paper glued to <II>r is a 15th-century description of the MS (see Günther p.III). Below it, in a late 16th-century hand, is the notation 'Ex pluteo vii in quo exstant canoniste. In bibliotheca publica ad sinistram ingredientibus per portam maiorem bibliothecae apostolice'. The former shelfmark '503' (misread by Günther as 903) appears at the top of fol. 1r and several times on fol. 163v. Quires are normally marked by a roman numeral, usually centered on the last verso, but occasionally on the first recto. Catchwords appear, irregularly, close to the lower edge and next to the binding. The parchment was lined in dry point, and compass prickings are visible in mid-margin along the leading edge of each leaf. The red leather Vatican binding over wood boards is from the end of the 17th century. <I>r, <II>v, fol. 163v (except for the shelfmark '503'), and <+I>r-<+II>v are blank.

Vat. lat. 3788

saec. XIlin.-XIImed.

215 fols. memb. 319 (242) x 230 (163) mm; origin Italy. Quaterniones, saec. XIlin-XIImed.

fol. 1ra-4vb <**Liber pontificalis**>, fragmentum

[Zepherinus] /// Hic constituit praesentia (ut presentibus *cod.*) omnibus clericis et laicis fidelibus ... (Finis) Felix ... xvii kal. decenbris (*sic*) in pace. Et cessavit episcopatus dies xxxviii. (Ed. *Liber Pontificalis*, ed. Duchesne I 139-172, 187-205, 211.)

fol. 5ra <**Nomina pontificum romanorum**>, fragmentum (Eugenius II - **Adrianus II**)

(The names present are numbered 'CI' through 'CVIII', suggesting that at least one previous folio is missing.)

fol. 5ra-rb <**Nomina patriarcharum Constantinopolitanorum**>

(Alexander to Ignatius (+877) are listed. This and the previous fragment of a list are in the same hand.)

fol. 5va-8vb, 12ra-197va <**Pseudo-Isidorus, Decretales**> (See Vat. lat. 630 fol. 1va-309rb for

further information.) *Variants*: (fol. 5va) <Tabula> ... (fol. 12ra) (Rubrica) De diligentia corporis Domini. (Inscriptio) Clemens Romanae ecclesiae presul Iacobo karissimo et (*om. cod.*) Hierosolimorum episcopo. (Textus) Quoniam sicut a beato Petro apostolo accepimus omnium apostolorum patre ... (Finis) dominus uos custodiat dilectissimi fratres incolumes super. Data vii kal. nouembris Flauio et Stilicone uu. cc. cons. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 46-252, 449-478, 494-498, 478-494, 498-508. Most variants of this MS are characteristic of Hinschius's class A-2. The readings in this MS are closest to those designated by Hinschius as from 'Dst.'. **Bibl.** *Collectio canonum Remedio Curiensi episcopo perperam ascripta*, ed. H. John MIC, ser. B, Corpus collectionum (Città del Vaticano 1976), assigning fol. 5v-107v to his class A2_R pp. 62-64 and using this MS in his edition of the Pseudo-Remedius (siglum Vt); Fuhrmann, *Einfluss und Verbreitung* 375 n. 55; *Das Constitutum Constantini (Konstantinische Schenkung) Text*, ed. H. Fuhrmann (Fontes Iuris Germanici antiqui 10; Hannover 1968) 28, and 55-80 editing fol. 154r-156v, using this MS (siglum C_{Vat}). The table on fol. 5va-8vb originally continued into fol. 11ra, but that column has been erased and is now blank. The table now breaks off in the first letter of Damasus. As John has noted, the change of hand at fol. 107/108 is accompanied by a change of exemplar. Beginning on fol. 108ra, the text no longer follows the preceding table,

- but follows the Tradition of 'Dst.' in Hinschius's edition and includes many more letters than are listed in the table. The *De dampnatione quorundam hereticorum* is incomplete, breaking off at the bottom of fol. 192ra at 'Si quis non dixerit quod in carne quam assumpsit ///' (ed. 500.19); fol. 192rb is blank, and the first two lines of fol. 192va have been erased. The text then continues correctly with the letter of Stephan to Damasus (ed. 501). The text is heavily corrected to the more common A-2 class readings by a hand contemporary with the continuation (fol. 108ra et seq.). See John for a discussion of these textual relationships.)
- fol. 9ra-10va <**Pseudo-Clemens I**, **Epistola ad Jacobum**, fragmentum
(Rubrica) Epistola Clementis ad Iacobum. (Inscriptio) Clemens Iacobo domino (et *add. cod.*) episcopo episcoporum ... pax tibi sit semper. (Textus) Notum tibi facio domine quia Symon Petrus ... (Finis) et ciuitatem regis summi, que pax nominatur. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 30-34. Only the first 13 chapters are present. Three-quarters of fol. 10va are blank.)
- fol. 11rb-vb <**De officiis presbyteri et diaconi**>
(Rubrica) Ex dictis beati Petri apostoli ad Clementem episcopum. (Textus) Ad officium (offium^{ac}) presbyterorum pertinent ista ante omnia ... (Excerptum ultimum) Diaconi uero ecclesiae tanquam oculi episcopi sint ... (Finis) et disciplinam eius pertinent diaconis cura sit. (These four excerpts were added to previously vacant columns by a later hand than that of the *Decretales*. The first, second, and fourth are three excerpts from the first letter of Pseudo-Clement (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 32.32-37, 33.7-12, and 34.1-7 and 14-20). The third is a line from Isidore of Seville's spurious *Epistola ad Leudefredum* followed by additional material on duties of the presbyter. **Bibl.** Reynolds, 'Epistula' 265, 270 n. 81, 271, and 307-08; *Collectio canonum Remedio Curiensi episcopo perperam ascripta*, ed. H. John (MIC, ser. B Corpus collectionum 2, Città del Vaticano 1976) 74, identifying the excerpts.)
- fol. 191va-vb **Fides Damasi**
(Rubrica) Fides Niceni concilii a Damaso papa ad eundem Paulinum directa. (Textus) Credimus in unum Deum ... (Finis) hos anatematizat catholica et apostolica ecclesia. (Ed. Turner, *Monumenta* I 283. This was added by the corrector between the rescript of Jerome to Damasus and the *De dampnatione quorundam hereticorum*.)
- fol. 192ra *margin.* <**De sacerdotibus qui de ecclesiis suis ad alias migrant ecclesias**>
Eos autem sacerdotes qui de ecclesiis suis ad alias (ecclesiam *cod.*) migrauerunt ... (Finis) quamdiu successor eius quiescat in Domino. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 516. This short text was added in the upper margin by the corrector with a reference mark incorrectly placing it in the midst of the *De dampnatione quorundam hereticorum* - here incomplete.)
- fol. 197vb-198ra <**Pseudo-Stephanus, Epistola Hilario episcopo directa**>, excerptum
Infames illos esse dicimus qui pro aliqua culpa ... (Finis) nec penitentes, nec digamini, nec heretici, nec excommunicati. (Ed. Cf. *Decretales pseudo-Isidorianae*, ed. Hinschius 182 line 2 et seq., of which this is a variant. The text follows immediately after the *Decretales* collection without any change of hand or marginal note.)
- fol. 198ra-200rb <**Constitutum**> **Silvestri**

- (Rubrica) Incipiunt canones Siluestri episcopi domino Constantino augusto. (Textus) Eodem tempore cum multi nobiles (Incipiunt ... episcopi. Domino Constantino augusto eodem tempore *cod.*) ... (Finis) neque a populo (aliquo *add. cod.*) iudex iudicabitur. (Subscriptiones) Et subscripserunt cclxxxiiii episcopi et xlv presbyteri ... Domno Constantino augusto tertio (quarto *cod.*) et Prisco consulibus. (**Ed.** Mansi 2.620-32, following *editio II* with the variants of the Lucca MS. **Bibl.** Maassen, *Geschichte* 411-13.)
- fol. 200rb-207ra <**Pseudo->Hieronymus, De septem ordinibus ecclesiae**>
 (Rubrica) Incipiunt vi. (*leg.* vii.) gradus aecclesiastici beati Ieronimi (fol. 200va) presbyteri ad Rusticum Narbonensem episcopum. (Textus) Sufficere quidem fidei tue arbitror conuersationem sanctam ... (Finis) sed qualis esse, iam stilo fauente descripsi. (**Ed.** PL 30.152-167B, the MS lacks the last 25 lines of the PL edition. **Bibl.** J. Lechner, 'Der Schlußsegen des Priesters in der heiligen Messe', in *Festschrift Eduard Eichmann zum 70. Geburtstag*, ed. M. Grabmann and K. Hofmann (Paderborn 1940) 651-84 at 666(-70) n. 50. The corrector added an alternate address: 'Patroclum episcopum'.)
- fol. 207ra-208rb <**Concilium Romanum**> (595) (See Vat. lat. 1342 fol. 190r-191v for further information.) *Variants:*
 (Rubrica) Incipit decretum beati Gregorii pape urbis Rome. (Praefatio) Regnante in perpetuum domino nostro (Deo^{ac}); piissimi ac serenissimi domni (piissimi domni^{ac}) (Textus) In sancta hac (ac^{ac}); Dei *add. post ecclesia* (Finis) qui (pro *add. corr.*) diuino obsequio *pro* qui diuini obsequii <Subscriptiones desunt.>
- fol. 208rb-209va <**De separatione matrimonii**>
 (Rubrica) De his qui propinquas sanguinis uxores ducunt et separantur non eis licebit alias uxores sibi in coniugio sotiare quamdiu utrique uiuunt. (Textus) Hi uero qui uxores suas scorto in adulterio deprehendunt ... (Finis) dum nos insimul domino auxiliante conueniamus. (Colophon) Gracia Domini uobiscum. Amen. (**Bibl.** *Decretales pseudo-Isidorianae*, ed. Hinschius, xliii. The opening statement is also found at C.32 q.7 c.22.)
- fol. 209va-214rb **Gregorius <I (s.), Libellus responsionum>**
 (Inscriptio) Reuerentissimo fratri Augustino episcopo Gregorius seruus seruorum Dei. (Textus) Perdilectissimos filios meos (dilectissimum filium meum *cod.*) Laurentium presbyterum et Petrum monachum ... (Finis) captius ex dilectatione (dilectione^{ac}), quam portat inuitus. (**Ed.** MGH Epp. 2, ed. P. Ewald and M. Hartmann, pp. 332-43. **Bibl.** JE 1843; P. Meyvaert, 'Bede's text of the *Libellus Responsionum* of Gregory the Great to Augustine of Canterbury', in *England before the Conquest: Studies in Primary Sources presented to Dorothy Whitelock*, ed. P. Clemoes and K. Hughes (Cambridge 1971) 15-33; P. Meyvaert, 'Les «Responsiones» de S. Grégoire le Grand à S. Augustin de Cantorbéry', RHE 54 pt. 1 (1959) 879-94 at 881; see also Vat. lat. 619 fol. 147rb-151ra and Vat. lat. 1343 fol. 61r-65v. According to the criteria laid out by Meyvaert, this is a 'letter' version of the *Libellus* corrected to a 'question and answer' version of the insular type. As a result, the corrections at times are massive. According to P. Meyvaert (correspondence of 28 May 1986), it appears the corrections are based on a MS very close to Vat. lat. 1344, if not that MS itself. The order of responses is peculiar, with the *Obsecratio* appearing, between responses VI and IV, which are

- then followed by V, VII, and VIII.)
- fol. 214rb **Gregorius <I (s.)>, Epistola ad Leandrum**, excerptum
(Rubrica) Epistola eiusdem Gregorii papae ad [A]Leandrum Spalensem episcopum. De simpla mersione baptismatis. (Textus) De trina mersione baptismatis nichil respondi uerius potest ... (Finis) resurrectio triduanis temporis exprimatur. (Ed. MGH Epp. 1, ed. P. Ewald and M. Hartmann 57.17-20. The hand changes here. The same hand wrote this and the following two texts.)
- fol. 214va-215rb <**Concilium Romanum**> (721) (See Vat. lat 1342 fol. 191v-193r for further information.) *Variants:*
<Rubrica deest.> (Praefatio) nostro *om.* (Canones) <Rubrica deest.> (Textus) coniugium *pro* coniugio <Subscriptiones et datum desunt.>
- fol. 215rb-vb **Gregorius <VII, Concilium Romanum** (Aut. 1078), Canones> imperfecti (See Vat. lat. 629 fol. 268rb-va for further information.) *Variants:*
(Rubrica) capila (*sic*) *pro* capitula (Finis) Quod si fecerit officii sui periculum subeat /// (Ed. MGH Epp. Sel. 2.2, ed. E. Caspar, pp. 402-405. 16. Only 1(1)-8(21) and 10(26) are present. They are numbered I through VII, the last not numbered.)

Bibl. *Decretales pseudo-Isidorianae*, ed. Hinschius, xv, xlii, xlvii-xlviii, Williams; *Codices pseudo-Isidoriani* 67 (no. 71); *Collectio canonum Remedii Curiensi episcopo perperam ascripta*, ed. H. John (MIC, ser. B, Corpus collectionum 2; Città del Vaticano 1976) 62-66, 71-75, correcting Hinschius's description; Arevalo, *Isidoriana* PL 81.800-01.

The MS was constructed over an extended period of time. While the scripts are all versions of Carolingian minuscule and of Italian origin, the oldest (fol. 12ra-107vb) are from the early 11th century and the youngest (fol. 9ra-10vb) is definitely from the 12th century. The original MS is composed of fol. 5v-8v and 12r-107v, with a change of hand at fol. 85r. The remainder of the *Decretales*, as laid out in the table on fol. 5v-8v, was either lost or never completed. Several slightly younger hands finished the *Decretales*, with obvious changes of hand at fol. 147/148 (end of quire 18, the last quire numbered) and 155/156. The catalogues on fol. 5r are by an older hand than the continuation of the *Decretales*. The fragment of the *Liber pontificalis* is of separate origin and was later bound at the front of the codex. Several of the first quires have been severely disarranged. Fol. 9-10, written in a 12th-century hand, were artificially inserted at the end of the table to hold the first letter of Clement, missing from the collection in its original form. The outside leaves of quires two and six (fol. 15, 22, 47 and 54) are lost and have been replaced by modern parchment, left blank except for the modern folio numbers. Folios are also lacking, with no blank inserts, between fol. 48 and 49 and between fol. 52 and 53. For the extent of the resulting lacunae, see Hinschius, p. xlviii n. 2. The annotator who corrected the *Decretales* also corrected fol. 197vb-214rb. The ink throughout is brown, on fol. 12-107 it has often run badly. Fol. 21v is badly faded and chipped, sections have been rewritten in a 12th-century hand. The rubrics and undecorated capitals are red. Most quires are marked by 'Q' and a roman numeral. There are two numbering systems: an old system in roman numerals on the versos, which begins with 'v' and predates the loss of the folios mentioned above, and a modern arabic system on the rectos. The modern notation is followed here. The leather binding is from the 19th century.

Vat. lat. 3789

saec. IX-X

111 fols. memb. 279 (223) x 181 (130) mm, origin Italy. Quaterniones, saec. IX-X.
fol. 1v-109v **Nicolaus I, <Epistolae XV de causa Ignatii et Photii>**
(Epistola prima) (Rubrica *marg.*) Periocha I. (Inscriptio) Nicolaus episcopus

sanctae catholicae et apostolicae Romanae ecclesiae, omnibus uere religionis ministris ac uniuersis orthodoxae fidei cultoribus ... (Textus) Quae apud Constantinopolitanam urbem paulo ante gesta sint uel etiam nunc gerantur ... (fol. 109r) (Epistola ultima) (Inscriptio) Nicolaus episcopus seruus seruorum Dei singulis quibusdam senatoribus Constantinopoleos a paribus. (Textus) Fidelium relatione, qui ad sanctorum apostolorum limina orationis gratia ueniunt ... (Finis) perfrui faciat et futurae beatitudinis praemia sine fine concedat. (Ed. MGH Epp. 6, ed. E. Perels, pp. 553-55, 433-51, 556-65, 457-87, 565, 488-553, using this MS (siglum B). **Bibl.** JE 2821, 2682, 2683, 2690, 2692, 2691, 2796, 2813, 2819, 2814-18, 2820; F. Bock, 'Gregorio VII e Innocenzo III. Per un confronto dei Registri Vaticani 2 e 4-7A', *Studi Gregoriani* 5 (1956) 243-79 at 259-62; E. Perels, 'Die Briefe Papst Nikolaus' I.', NA 37 (1911-12) 537-86 at 540-41. This collection is composed of letter 98, which incorporates letters 82-86 and 88 and has appended to it letters 90-97.)

fol. 109v-111r **Concilium Romanum III (863)**

(Rubrica) De Meodensi synodo a Teutgaudo Treuerensi et Guntherio Agrippine Colonie archiepiscopis collecta (fol. 110r) penitus abolenda (De synodo in Metensium urbe a Theutgaudo et Gunthario archiepiscopis congregata penitus abolenda *ed.*). (Textus) Synodum quae nuper id est sub piissimo imperatore Ludouico (Hludouuico *cod.*) per indictionem xi. mense iunio ... (Finis) a sedis apostolicae praesule (praeside *ed.*) salubriter promulgata contempserit, anathema sit. (Ed. Mansi 15.649-52; cf. Werminghoff, NA 26.634 this text contains only five canons. cf. Werminghoff, NA 26.634)

Bibl. F. Schneider. 'Reise nach Italien', NA 28 (1903) 713-26 at 722-23.

The MS is written in light brown ink in Carolingian minuscule. There are a few scribal corrections and occasional notes and corrections in two 15th-century hands. Capitals are red. The marginal rubric on fol. 1v is red. The long inscription and opening line of text are in rustic capitals, the lines of text alternating red and ink. A similar pattern is used from the datum through the inscription at the divisions between each following letter. Fol. 1r has a 15th-century cursive title added: 'Epistolae Nicolai primi summi pontificis cum quibusdam decretis et rebus sinodalibus multum utiles.' A 15th-century hand has quoted Luke 1.30 on fol. 111v. The front modern paper flyleaf has a pencilled reference to Vat. lat. 6949. Quires are marked with roman numerals, centered on the last verso. The parchment was prepared with prickings and drypoint. The MS has a 19th-century leather and cloth binding. <I>r is blank.

Vat. lat. 3790

saec. XVI (1550)

Prov. Julius III (1550-55). **Scr.** Ferdinandus Ruano, scriptor bibliothecae apostolicae. <III> + 50 fols. + <I> memb. 328 (210) x 230 (140) mm, origin Italy (Rome).

Quaterniones, saec. XVI (1550).

fol. 1r-5v <Colloquium inter Leonem III et missis imperatoris> (JE post 2520)

(Rubrica) Incipit ratio que habita est de symbolo fidei in secretario beati Petri apostoli inter dominum Leonem sanctissimum et coangelicum papam urbis Romae et Bernarium atque Iesse episcopos seu Adalardum abbatem missos domini Caroli imperatoris per indictionem II. (Textus) Lectis a predictis missis per ordinem testimoniis atque a domno apostolico diligentissime auditis ... (Finis) sine cuiusquam fidei lesione tollatur. (Ed. MGH Conc. 2.1, ed. A. Werminghoff,

pp. 239-44, using this MS (siglum V2). **Bibl.** A. Werminghoff, 'Verzeichnis der Akten fränkischer Synoden von 742-843', NA 24 (1899) 457-502 at 478; V. Peri, 'Leone III et il "Filioque": Ancora un falso e l'autentico simbolo romano', *Rivista di storia e letteratura religiosa* 6 (1970) 268-97.

fol. 6r-50v **Leo IX <(s.), Epistolae selectae>** (JL 4302, 4295, 4305. 4304, 4297, 4332, 4333).

(Rubrica) Incipit libellus domini et reuerendissimi papae Leonis noni aduersus inauditas presumptiones et nimias uanitates Michaelis Constantinopolitani et Leonis Acridani episcoporum. Capitulum primum. (Inscriptio) Leo episcopus seruus seruorum Dei Michaeli Constantinopolitano et Leoni episcopis. (Textus) In terra pax hominibus bonae uoluntatis (Luc. 2.14). Huiusmodi exordium docuit nos ... (fol. 46v) (Epistola ultima) Quantas gratias referre ... (Finis) desiderabilis nobis in Christo fili et gloriose Auguste. Amen. (Colophon) Ferdinandus Ruano scriptor bibliothecae apostolicae scribebat. Anno iubilei 1550 et pontificatus S^{mi}.D.N. Iulii III anno primo. (**Ed.** Mansi 19.635-670. **Bibl.** E. Petrucci, *Ecclesiologia e politica di Leone IX* (Roma 1977) passim, reprinting C.J. Will's edition of the first and the last two letters at 248-359.)

Cat. Kristeller, *Iter* II 583, wrongly citing the contents as letters of Leo I. **Bibl.** T. De Marinis, *La legatura artistica in Italia nei secoli XV e XVI*, 3 vols. (Firenze 1960) I 72 no.864; A. Werminghoff, 'Reise nach Italien im Jahre 1901'. NA 27 (1902) 565-604 at 570, describing this MS, *Colophons*, ed. Bénédictins de Bouveret II 71.

The MS is written in long lines with black ink in the fine humanist bookhand of Ferdinando Ruano, canon of Badajoz, Spain, and *scriptor* in the Vatican Library. On <III>v are painted the arms of Julius III, surmounted with the crossed keys and tiara and surrounded by a delicate laurel wreath. The rubric on fol. 1r is in roman capitals, gold on a red plaque bordered in gold. A large gold initial 'L' on a square red ground with a gold filigree pattern opens the *Colloquium*. A similar initial 'T' begins Leo IX's *libellus* to Michael Cerularius and Leo of Ocrida (JL 4302), similar smaller initials begin each of its chapters and the remaining letters. The opening rubric of the *libellus* is in roman capitals, alternating red and blue; those of the other letters are in red, usually in italic script. The colophon is in red. There are no marginalia. Lightly flourished catchwords are vertical on the inner margin line. The MS retains its original blind-stamped red leather binding. <I>r-<III>r and +<I>r-v are blank.

Vat. lat. 3791

saec. XI/XII

antea 602.

III + 308 fols. + v^{a-h} - (vii-xiii) + cclxxxiii^{bis} - (xcii-ci) - (cxc-cxcix) - (ccxc-ccxcix)
memb. 252 (179) x 165 (103) mm, origin France. Quaterniones, saec. XI/XII.

fol. i^r- cclxxxiii <**Pseudo-Isidorus, Decretales**> (pars tertia)

(Rubrica) Item incipiunt capitula decretalium apostolicorum sanctæ Romanæ sedis ecclesiae. <Tabula capitulorum> ... (IIIv) (Rubrica textus) Incipiunt excerpta quædam ex sinodalibus gestis sancti Siluestri papæ capitulum. (Textus) Temporibus sancti Siluestri papæ et Constantini piissimi augusti factum est magnum concilium in Nicea ... (Finis) pro paruulorum dominorum nutrimento uitam uestram longius extendat. (**Ed.** *Decretales Pseudo-Isidorianae*, ed.

- Hinschius, pp. 449-570, 570-742, 746-47, 753-54, 742-46; this is a copy of his class A 1. **Bibl.** See Vat. lat. 630 fol. 1va-309rb; also, Wurm, *Studien* xii, 37, using this MS (siglum Yv) in the edition of the protocols of the decretals in the *Quesneliana*, cf. 240-42; idem, 'Decretales selectae ex antiquissimis Romanorum Pontificum epistulis decretalibus', *Apollinaris* 12 (1939) 40-93, using this MS (siglum Yv) in the editions of the letters of Innocent I to Exsuperus (JK 293) and of Leo I to the bishops of Campania, etc. (JK 402); *Acta conc. oecum.*, ed. E. Schwartz 4.2 pp. xxxi-ii, collating this MS for the letter of Leo I to Theodoretus (JK 496). *Avellana*; ed. Günther lx, lxxx-xi on the use of this MS (siglum i³) for ep. 37, Emperor Honorius to Bonifacius I; *Epistolae Romanorum pontificum genuinae ...* ed. A. Thiel, vol. I (Brunsbergae 1867, repr. New York 1974) xxxii, xxxix, and using this MS for the Pseudo-Isidorean form of the letters (siglum V²), S. Leo Magnus, *Opera*, ed. Ballerini (PL 54.559-62) on the tradition of Leonine letters in this collection; Ballerini, *De antiq. coll.* PL 56.244, 251-62.
- fol. cclxxxiii^{f-v} **Gregorius <I (s.)>, Epistola ad Secundinum** (JE 1673), fragmentum (Rubrica) Epistola Gregorii papae Secundino seruo Dei inclauso (reclauso *cod.*). In extremum epistole requisisti quid de his ... (Finis) premia multiplicius percipienda pertingat (**Ed.** MGH Epp. 2, ed. Ewald and Hartmann, p. 147, line 13-148, line 24 **Bibl.** p. 143, line 38)
- fol. cclxxxiii^v-cclxxviii^v **<Gregorius I (s.), Epistolae, excerpta>**
 (Rubrica) Epistolarum uerba de diuersis locis excerpta. (Textus) Ratio nulla permittit ut propriis cuiusquam usibus applicetur ... (Excerptum ultimum)
 (Rubrica) Cuius supra exempla Maurilio exprefecto. (Textus) Et ideo salutantes paterne caritatis affectu petimus ... (Finis) et ab omni aduersitate seruet illesos atque custodiat. (**Ed.** MGH Epp. 1-2, ed. Ewald and Hartmann, passim. This collection of exempla is composed of 45 excerpts from Books 5, 9, and 11 of the edition. It begins with very short excerpts, often only a phrase, and continues with increasingly longer selections. The last six are virtually complete. The first excerpt is from 9.121 (ed. = vol. 2, p. 124 lines 7-8); the last is from 9.64 (ed. = vol. 2, p. 85 lines 4-9). **Bibl.** M. Kerner et al., 'Textidentifikation und Provenienzanalyse im Decretum Burchardi', *SG* 20 (1976) 19-63 at 36 and nn. 79 and 80, and 37, listing the sources of the 45 excerpts and including in the list the fragment of the letter to Secundinus.
- fol. cclxxxviii^v-cclxxxii^f **Capitula Angilramni** (See Vat. lat. 630 fol. 310ra-312rb for further information.) *Variants:*
 (Rubrica) hic *pro* haec; sunt *om.*; quando ... agebatur *om.*; Agilramno *pro* Angilrano.
- fol. cclxxxii^v-cclxxxiii^f **Isidorus Hispalensis (s.), Epistola ad Leudefredum** (dubia vel spuria) (See Vat. lat. 1344 fol. 112va-113rb for further information.) *Variants:*
 (Rubrica) Epistola pape Spaliensis episcopi ad Laudefridum Cordubensem episcopum. <Inscriptio deest.> (Finis) luminariorum et in sacrario preparatio *pro* luminariorum in sacrario et preparatio (**Bibl.** Reynolds, 'Epistula' 265, 266 n. 46, 269 n. 70, 270 n. 84, and 288, where Reynolds identifies this copy as of the 'Norman Pseudo-Isidorean Form'.)
- fol. cclxxxiii^f-cclxxxiii^{bis}^f **Isidorus Hispalensis (s.), Epistola ad Massonam** (dubia vel

- spuria) (See Vat. lat. 1344 fol. 113rb and 46ra for further information.) *Variants:* (Rubrica) Epistola Ysidori ad Amasonem episcopum de restauratione sacerdotum. (Inscriptio) fratri Masoni *pro* fratre Masonio; episcopus *om.* (Textus) Nicena *pro* Niceto; Data ... sacerdotum *om.*
- fol. cclxxxiiibis^{r-v} <**Collectio Hibernensis, Lib. XLVI De ratione matrimonii**, excerpta> (Rubrica) De matrimonii ratione. (Textus) Hieronimus ait. Nisi matrimonium fuisset ... (Excerptum ultimum) (Rubrica) De uiris et feminis in matrimonio non recipiendis. Augustinus ait. (Textus) Vxores nolite habere uiros ... (Finis) licet nobis ducere uiro suo marito. (Ed. H. Wasserschleben, *Die irische Kanonensammlung* (Leipzig 1885; repr. Aalen 1966) 185-88, passim. The eight canons excerpted are 1, 2, 13a, 3, 4, 6, 11, and 12. **Bibl.** Mordek, *Kirchenrecht* 259.)
- fol. cclxxxiiibis^v-cclxxxvi^v **Isidorus <Hispalensis (s.), Etymologiae**, excerpta> (Lib. 8, cc. 5-6)
(Rubrica) Incipit epistola de nominibus hereticorum qui unitatem ecclesiae turbauerunt Ysidori. (Textus) Quidam etiam heretici qui de ecclesia recesserunt ... (Finis) apud hereticos et philosophos uoluntatur idem et retractatur (*sic!*) implicantur. (Ed. PL 82.298-308.)
- fol. cclxxxvi^v-cclxxxviii^f <**Cassiodorus, Historia ecclesiastica tripartita**, excerpta> (5.17) (See Vat. lat. 630 fol. 312rb-vb for further information.) *Variants:* 4 lines missing as in 630; (Rubrica) Disputatio Constantii imperatoris et Liberii pontificis urbis Romae. (Textus) Nosse te *pro* Nos, et. (Finis) est exilio.
- fol. cclxxxviii^f-cccvi^r <**Concilium Chalcedonense**, excerpta *Nonnullae sanctiones*>, imperfecta (See Vat. lat. 1344 fol. 46ra-47rb, etc. for further information.)
Variants:
(Rubrica) actionis *om.* prime (Finis) et non permisit eos spiritus Ihesu. (Ed. *Spicilegium Solesmense*, ed. J.B. Pitra IV 166a-182a. The text breaks off in the middle of c. 99. **Bibl.** K.-G. Schon, 'Exzerpte aus den Akten von Chalkedon bei Pseudoisidor und in der 74-Titel-Sammlung', DA 32 (1976) 546-57 at 548(-49) n. 18, noting that Pitra did not know of this MS when he made his edition.)
- fol. cccvi^r-cccvii^v <**De potestate et auctoritate metropolitanorum**>
(Rubrica) Potestas et auctoritas metropolitanorum qualis esse debeat. Concilio Antiocheno. Titulo viiii. (Textus) Per singulas regiones episcopis conuenit nosse metropolitanum episcopum ... (Excerptum ultimum) (Rubrica) De electione episcopi ex decretis Martini. (Textus) Non liceat electionem facere populis ... (Finis) sui prauitate habeantur. Datum id. ianuarii Asterio et Protegene uiris clarissimis aera cccclxxxvi. (There are 14 canons, mostly based on the Dionysio-Hadriana tradition. They are taken from Antioch c. 9, Nicea c. 7 (*rect.* 6), Innocent I tit. 9, Antioch c. 13, Chalcedon c. 18 (*rect.* 19), Hilary to Ascanius c. 1, Laodicea c. 12, Antioch c. 16, Celestine tit. 68 (*rect.* 17), Leo I tit. 22 (*rect.* 32), Antioch c. 11, 'ex decretis Iulii pape titulo v', Laodicea c. 12 (*rect.* 13), and the *capitula* of Martin of Braga c. 1. The *datum* is constructed from the letter of Leo I to Flavius (JW 423), cf. *Decretales Pseudo-isidoriani*, ed. Hinschius 600.)
- fol. cccvii^v-cccviii^r <**Laterculus Polemii Silvii**>
(Ed. Seeck, *Notitia Dignitatum* 254-60.)

fol. cccviii^{r-v} <**Notitia provinciarum et civitatum Galliae**>, imperfecta
(Ed. MGH Auct. Antiq. 9, ed. T. Mommsen, pp. 552-612, revised; F. Glorie CCL 175, pp. 379-406, to 404; this MS is not listed. The *Notitia* breaks off at 'civitas Vappensentium, ciuitas ///' (Prouincia Narbonensis secunda), the end of the folio. A missing final folio would complete the text.)

Bibl. *Decretales Pseudo-Isidorianae*, ed. Hinschius. xxxii-xxxiii, cvi-cvii; Williams, *Codices Pseudo-Isidoriani* 68 (no. 72). Kerner et al., op. cit. 38 n. 88.

The MS is written in a series of uneven late Carolingian minuscule scripts in chocolate brown ink by multiple scribes. The ink is often blurred, and the lines and margins are often uneven. The quire forming fol. v^{a-h} is a 14th-century replacement of the original material. There are extensive marginalia, most by one late 14th-century annotator. The foliation, in roman numerals, also appears to be from the 14th century and probably predates the replacement of fol. v^{a-h} as those folios have remained unnumbered to this day. There are also occasional notes in 15th- and 16th-century scripts. The capitals are red and ink-colored with limited decoration to fol. xlii, plain red thereafter. Rubrics are red and ink to fol. xlvi, then only red. The first three folios have capital roman numerals by a modern hand. Quires are marked with contemporary roman numerals on the last verso. At the top of fol. 1r is the former shelfmark '602'. The parchment is of poor quality, yellowish, often with holes and uneven edges. It was ruled in dry point; prickings are still visible at the edges of the folios. The MS was rebound in brown leather during the 19th century.

Vat. lat. 3809

saec. XI.2

177 fols. memb. 356 (264) x 275 (192) mm.. origin Italy. Quaterniones, saec. XI.2.

fol. 1va-2ra <**Tabula librorum Decreti Burchardi**>

Primus liber continet. De primatu sedis apostolicae ... (Finis) De pena malorum et gloria iustorum. De antichristo. De resurrectione. (Bibl. F. Pelster, 'Das Decret Burkhardts von Worms in einer Redaktion aus dem Beginn der Gregorianischen Reform', *Studi Gregoriani* 1 (1948) 321-51, with an edition at 342-43 using this MS.)

fol. 2ra-vb <**Hincmarus archiepiscopus Remensis, Vita Remigii episcopi Remensis**>, excerptum

(Rubrica) De lapsu et penitentia Genebaudi episcopi. (Textus) In castro Lauduno sanctus Remigius Genebaudum uirum carne nobilem ... (Finis) predicans cunctis, quanta illi fecerit Dominus. (Ed. MGH. *Scriptores rerum Merovingicarum III*, ed. B. Krusch, pp. 300 line 33-304 line 4. The edition begins at 'Genebaudum uirum', because the opening phrase of the MS text has been constructed out of the preceding text.)

fol. 2vb-3rb <**Pseudo**-<**Aurelius Carthaginensis, Epistola ad Damasum et rescriptum eiusdem**>

(Rubrica) Epistola Aurelii Cartaginensis archiepiscopi ad Damasum papam de canonibus apostolorum quod omni ueneratione sint colendi. (Inscriptio) Beatissimo (pape *add. cod.*) Damaso Aurelius Cartaginensis episcopus (archiepiscopus *cod.*). (Textus) Gloriam apostolicæ sedis et uestræ sublimitatis ... (Rescriptum) (Rubrica) Rescriptum beati pape Damasi Aurelio archiepiscopo directum (in quo et monet ut norma sanctorum canonum qui sunt Spiritu Dei conditi ab omnibus sciatur et diligenter tractetur *add. cod.*). (fol. 3ra) (Inscriptio) Reuerentissimo fratri et coepiscopo Aurelio Damasus. (Textus) Scripta sanctitatis

tuæ debita ... (Finis) in sedibus fideles cooperatores ostendat. Data xi k. iun., Gratiano et Siritio vv. cc. cons. (**Ed.** *Decretales pseudo-Isidorianae*, ed. Hinschius 20-21.)

fol. 3rb-177rb <**Burchardus Wormaciensis, Decretum**> (See Vat. lat. 1355 fol. 1r-310r for further information.) *Variants:*

<Praefatio deest.> (Lib. I) <Praefatiuncula ante tabulam titulorum.> (Rubrica) capitulo *om.* (Inscriptio capituli *margin.*) Ex epistola Anacleti pape ad episcopos Italiae directa. (Finis) in camino ardent illæsa uiuere potuerunt (xx. 110 ed. 1058)

READERS WILL NOT BE HAPPY WITH THSI SCANT

INFORMATION!!! (**Bibl.** Fransen, 'Decret' 9, 13 et passim; idem, 'La Tradition' 116; Pelster, 'Decret' 135-40; idem, 'Das Dekret Burkhard's von Worms in einer Redaktion aus dem Beginn der gregorianischen Reform', *Studi Gregoriani I* (1948) 321-51, using this MS to formulate the idea of a Gregorian reform version of the *Decretum*; Fuhrmann, *Einfluss und Verbreitung* 455-57 and no. 87-88, arguing against Pelster's thesis of Humbert as editor of the Gregorian version; Brommer, 'Gesetzgebung Theodulfs' 119(-20) no. 16, on the presence of the 'Admonitio synodalis'; *Coll. Farfensis*, ed. Kölzer § 49 n. 155. The text on fol. 177v (xx. 107 tunc uidens eos ... through the end) has been erased, but remnants are still visible. In addition to the preface, the *ordo synodi* and the *ordo infirmorum* are lacking. The added canons are listed and examined by Pelster, art. cit., *Studi Gregoriani I* at 326-32. Chapter numbers and inscriptions are in the margins.)

fol. 84v <**Arbor consanguinitatis**>

(**Bibl.** Schadt, *Arbores* 114.)

fol. 85r <**Arbor consanguinitatis**>

(**Bibl.** Schadt, *Arbores* 116, 118, noting that this second *arbor* is in the more typical Burchardian form.)

fol. 177v <**Pseudo-Leo IV, Admonitio synodalis**>, imperfecta (See Vat. lat. 1355 fol. 310r-311v for further information.) *Variants:*

(Rubrica) Sermo synodialis qui in singulis synodis /// rell. illegible (fol. 177v is erased, but according to Pelster, art. cit. p. 332, it contains the opening section of the *Admonitio synodalis*, ending at 'calice audeat' (ed. no. 19).

Bibl. Pelster, art. cit., *Studi Gregoriani I* (1948) 324-32 for a thorough description of the MS.

The MS is written in dark brown ink by several scribes, with obvious changes of hand at 151v/152r and 157r. Book initials are gold vine designs on red, blue, and green grounds. Chapter initials are red with gold in the full. Rubrics are red; running titles are by the scribes. The ink on some folios is badly rubbed. The folios are lined in dry point, and prickings are visible on the exterior lateral margins. The quires are both numbered on the first recto and foliated in modern pencil. The leather and cloth Vatican binding is from the 19th century. Fol. 170rb, 174r, and 175rb are erased and unreadable; fol. 84r is blank.

Vat. lat. 3827

saec. IX.3

Prov. Este family; Antonio Augustin; Beauvais, Cathedral chapter of St. Peter.

III + 208 fols. + <II> memb. (chart.: III) 328 (233) x 272 (205) mm, origin North France.

Quaterniones, saec. IX.3.

fol. 1r-125r <**Collectio Bellovacensis**>

(Rubrica) Incipiunt capituli. Constitutio sanctorum episcoporum Carpentoraten(sium) tempore Liberi papa (*sic.*), de id quod parrociānis fuerit Christianis conlatum quantum aut qualiter ab episcopo praesumatur. Explicit capitulum. (Inscriptio) Constitutio sanctorum episcoporum in ciuitate Carpentoratensium. (Textus) Licet omnia que ecclesiastica regula praecepit obseruari, in multis canonibus contineantur (**Ed.** CCL 148A, p. 48: MGH Conc. 1, p. 41) ... (Canon ultimus) (Rubrica) XVI. (Textus) Vt raptores et adulteri uel rapaces qui, sicut ait apostolus, regnum Dei non consequentur ... (Finis) quia pro talibus et Deum intellegimus in (*om. cod.*) nos esse offensum et regnum esse diuisum atque dispersum (**Ed.** MGH Conc. 3, p. 479). (**Ed.** Although not edited as a single entity, this collection of early Gallic councils has almost always been an important witness in modern editions. Editions of the 5th- century councils are in CCL 148, ed. C. Munier (siglum B); of the 6th- and 7th- century councils in CCL 148A, ed. C. de Clercq (siglum B) and MGH Conc. 1, ed. F. Maassen (siglum B); of Verneuil 755, MGH Capit. 1, ed. A. Boretius, pp. 33-37 (siglum 3); of Soissons 744 and Friaul 796, MGH Conc. 2.1, ed. A. Werminghoff, pp. 33-36 and 179-95 (both siglum V); of the *Hadrianum*, MGH Epp. 5, ed. E. Dümmler, pp. 5-57 (siglum V); of Theodulf of Orléans' First Capitulary, MGH Capit. epi. 1, ed. Brommer, pp. 103-42 (siglum V₂); of Paris 829, MGH Conc. 2.2, ed. A. Werminghoff, pp. 599-601, 606-80 (siglum V); of the Leo IV letters, 'Cognoscat prudentia' (JE 2657) and 'Quanto studio' (JE 2599), MGH Epp. 5, ed. E. Dümmler, pp. 611 and 595-96, not using this MS; and of Valence 855 and Savonnières 859, MGH Conc. 3, ed. W. Hartmann, pp. 351-65 and 458-72, 473-85 (both siglum V). Note that all editions listed here follow the old foliation; see below. **Bibl.** L. Wallach, *Diplomatic Studies in Latin and Greek Documents from the Carolingian Age* (Ithaca 1977) 172 n. 13, noting that fol. 13r-34r (old numbering) have the only known medieval copy of the *Hadrianum*; Mordek, *Kirchenrecht* passim in the *apparatus fontium* of the edition of the *Vetus Gallica*. The opening text is the synodal letter from Carpentras 527. Both the MGH edition and the CCL edition, which is based on the MGH, begin with the inscription, ignoring the long opening title and rubric. Here, the scribe treats the inscription as the beginning of the text itself.)

fol. 126r-140v **Nicolaus <I>, Epistola ad Michaelem imperatorem** (JE 2796)

(Inscriptio) Nicolaus episcopus seruus seruorum Dei piissimo et dilectissimo filio superatori gentium atque tranquillissimo imperatori Michaheli a Deo protecto semper augusto. (Textus) Proposueramus quidem, antequam Michahel gloriosus (groriosus *cod.*) protospatharius ... (Finis) quod idioma (odiuomo *cod.*) grecæ dictionis exigit uel interpretanti scientia intellegendi non tribuit, anathema sit. (**Ed.** MGH Epp. 6, ed. E. Perels, 454-87, using this MS (siglum D). Note that this letter is repeated in its proper place within the following collection.)

fol. 141r-194r **Nicolaus <I>, Epistolae XV de causa Ignatii et Photii** (See Vat. lat. 3789 fol. 1v-109v for further information.) *Variants:*

gerantur *pro* generantur (**Ed.** MGH Epp. 6, ed. E. Perels, pp. 553-55, 433-51, 556-65, 457-87, 565, 488-553, using this MS (siglum C), except for letter 88 (JE

- 2796) which has siglum E.)
- fol. 195r-208v <**Nicolaus I, Responsa capitulis 106 ad Bulgarorum consulta**>
 (Rubrica *add. man. recent.*) Nicolai papae responsa ad consulta Bulgarorum.
 (Textus) Ad consulta uestra non multa respondenda sunt nec duximus per singula ... (Finis) hanc perficiat, consolidet et usque in finem stabiliat et corroboret.
 Amen. (Ed. MGH Epp. 6, E. Perels, pp. 568-600, using this MS (siglum B). **Bibl.**
 L. Heiser, *Die Responsa ad consulta Bulgarorum des Papstes Nikolaus I. (858-867)* (Trierer Theologische Studien 36; Trier 1979).)
- fol. 208v <**Versus in mortem imperatoris**>
 Cesar tantus eras quantus et orbis ... (Finis) etc. (*recte*: et te?) Roma tuis hostibus aufer. (Ed. Ballerini, *De antiq. coll.* PL 56.158, from this MS. This poem was added by a later hand in the remaining space of the folio.)
Bibl. Ballerini, *De antiq. coll.* PL 56.157-158; Maassen, *Geschichte* 778-80, describing this MS; L. Gasparri, 'Osservazioni sul codice Vallicelliano C.24', *Studi Gregoriani* 9 (1972) 469-513 at 505-06, noting that this MS once belonged to Antonio Agustín and is no. 253 of his library; C. Leonardi, 'Per la storia dell'edizione Romana dei concili ecumenici (1608-1612): da Antonio Agustín a Francesco Aduarte', *Mélanges Eugène Tisserant* VI (Studi e Testi 236; Città del Vaticano 1964) 583-637 at 619 lists the contents of this MS (identified as Antonio Agustín's no. 253) as they appeared before the folios were rearranged; Brommer, 'Gesetzgebung Theodulfs' 17 n. 92, 18 and n. 96, and 19 (all concerned with the use of this MS by Baronius in his *Annales ecclesiastici*), and 20 n. 113, quoting the rubric to Theodulf's *Capitula* (fol. 70v; old fol. 34v); Brommer, 'Rezeption' 119, on the use of this MS by Antonio Agustín for his *Iuris pontificii veteris epitome*; Mordek, *Kirchenrecht* 72 n. 38, changing the traditional saec. X-XI dating to saec. IX.3; MGH Capit. epi. 1, ed. Brommer, pp. 94-95, where Brommer states that the present binding is incorrect.

At the time it was owned by Antonio Agustín, this MS was bound in a different order, with the 9th-century Carolingian texts preceding the early Gallic councils and the letters of Nicholas I at the end. While in this order, the folios and quires were numbered. On IIIv is a note, perhaps by Antonio Agustín, stating that this order was incorrect and that the early Gallic councils should come first. The MS had been rebound according to the note, another note on the rebinding being added below the first, by the time of the Ballerini, who describe it in its present order, as does Maassen. However, the foliation was not changed, and all but the most recent (post 1984) references to the foliation follow the old numeration. This description follows the new stamped foliation in the lower right corner: new fol. 1 = old fol. 91, new fol. 37 = old fol. 1, and new fol. 126 = old fol. 127, the new foliation continuing to be one less than the old through new fol. 208 = old fol. 209.

The MS is written in light brown ink by at least two scribes in a neat, clean Carolingian minuscule. Chapter capitals are red or ink-colored, the two which begin Nicholas I's letter to the Bulgars are decorated. Alternating lines of red and ink-colored capitals are used for the opening inscriptions and rubrics of individual texts. Internal rubrics are red. There are many marginal annotations by Antonio Agustín, mostly identification of sources. Fol. 2r (old 92r) has the 13th-century ex libris, 'Sancti Petri Belvacensis est liber iste'; an fol. 37r (old 1r) and an fol. 152r (old 153r), by the same hand 'Sancti Petri Belvacensis'. Also on fol. 37r (old 1r) is a barely legible note, in a late 16th or early 17th-century hand, which Brommer (MGH) reads as 'Illustrissimi et Reverendissimi Cardinalis Ferrariensis', q.v. p. 95. On IIIv is the title 'Concilia antiqua Gallicana', which may also be by Agustín, as well as the notes on the order of the text; see above. As noted, quires were marked with roman numerals according to the old order, i. e., fol. 8v has 'XIII', fol. 49v has 'Q. I' and fol. 208v has XXVII. Fol. 37 (old 1) has been repaired. The MS was ruled in dry point, and prickings are occasionally visible. The MS has an old leather binding stamped with a design of crowned eagles and lions and the actual shelfmark on the back. Ir-IIIr, fol. 125v (old 90v), 176v (old 177v),

194v (old 195v), and <+I>r-<+II>v are blank.

Vat. lat. 3829

saec. XII

Prov. Niccolò Ormaneto, bp. of Padua (1570-77); Verona, Chapter Library (?).

287 fols. memb. 235 (172) x 147 (92) mm, origin North Italy. Quaterniones, saec. XII.

fol. 1r-2v <Catalogus pontificum> (Marcellus I-Calixtus II)

fol. 3r <Pseudo->Clemens, **Epistola ad Jacobum fratrem Domini**, excerptum
(Rubrica) Clemens. Vt episcopo suo nemo detrahat. (Textus) Qualis
condempnatio qualis imminet maledictio eis qui in patres peccant ... (Finis) ut et
nos similiter faciamus. (**Ed. Decretales Pseudo-Isidorianae**, ed. Hinschius, p. 50.)

fol. 3r <Incertus auctor, **Nota de sacerdotibus**>

Sacerdotes autem siue quasi pietatis perfecti milites ... (Finis) nunc hiisque barbas
radunt.

fol. 3v-279v <**Collectio Vaticani latini 3829**>

(Prologus) Si difficile et ambiguum apud te ... (Deut. 17.8-13; cf. Decr. Grat. D. 74 c.1) ... (Rubrica) Decretum Lini pape. (Textus) Linus natione ytalus ex precepto beati Petri constituit ... (fol. 4r) (Epistola prima) (Rubrica) Incipit epistola sancti Clementis papae ad Iacobum fratrem Domini de sacramentis ecclesiasticis. (Inscriptio) Clemens Romane ecclesiae presul Iacobo karissimo Iherosolymorum episcopo. (Textus) Quoniam sicut a beato Petro apostolo accepimus ... (fol. 279v) (Epistola ultima) (Rubrica) Urbanus II. De ordinatis ab excommunicatis. (Inscriptio) Geboardo episcopo Constantiensi. (Textus) Vt ab excommunicatis quondam tamen catholicis episcopis ... (Finis) cum cautela est perpetua concedendum. (The collection begins with Deut. 17.8-13, followed by notes from the *Liber pontificalis* on Linus, Cletus, and Clement. For the first letter, see *Decretales Pseudo-Isidorianae*, ed. Hinschius, pp. 46-52 (shortened); the last letter is JL 5393 (cf. C.9 q.1 c.4). The collection is in roughly chronological order from Clement to Urban II, with notes from the *liber pontificalis* at the start of many sections. Fol. 185v-247v are devoted to letters attributed to Gregory I, some of which do not appear in the MGH edition by Ewald and Hartmann. Some material has been lost between fol. 267v and 268r, where there is a break in the text. The collection is considered to have been derived from several older works, notably those of Pseudo-Isidore, Anselm of Lucca, and Deusdedit. There is no complete analysis in print. **Bibl.** Fournier-LeBras, *Histoire* II 210-18; *Decretales Pseudo-Isidorianae*, ed. Hinschius p. lxxvi, describing this MS as excerpts from A1; Williams, *Codices Pseudo-Isidoriani* 87, stating that this is not a Pseudo-Isidore collection; Fuhrmann, *Einfluss und Verbreitung* 139 n. 6, 169 n. 61, 247 n. 27, 270 n. 82, Gossman, *Urban II* 47-48; Kuttner, 'Roman Manuscripts' 21-23, where this MS is mislabelled Vat. lat. 3529; J. Gilchrist, 'The reception of Pope Gregory VII into the canon law', *ZRG Kan. Abt.* 59 (1973) 35-82 at 48-49 and 73(-74) n. 46; idem, 'Die Epistola Widonis oder Pseudo-Paschalis', *DA* 37 (1981) 576-604, especially 590, using this MS (siglum V₂) to edit the text which appears on fol. 272r-273r; Brommer, 'Rezeption' 130; R. Schieffer, *Die Entstehung des päpstlichen Investiturverbots für den deutschen König* (MGH Schriften 28, Stuttgart 1981)

- 200 and n. 135.)
- fol. 280r <**Pseudo-Eugenius II**>, **Decretum** (See Vat. lat. 1351 fol. 94v for further information.) *Variants:*
 (Rubrica) Eugenius papa. Vt monachi parroechiali non agent. (Finis) respondit *add. post* synodus; Tiburtinus *om.*; respondent *pro* episcopi; ut *om.*
- fol. 280v **Decretum concilii Troiani** (1093)
 (Rubrica) <C>onuenit Troiæ in Apulia concilium episcoporum fere lxxx, abbatum xii. in quo actum est de consanguinitatis linea coniugatis. (Textus) Cum nemo tamen dictum sacramenti (impedimentum *add. ed.*) uellet assertionem firmare. Preceptum est ut episcopi ... (Finis) alia matrimonia contrahere (*sic*) non prohibeantur (**Ed.** Mansi 20.721-22.); cf. Mansi 789f, JL p. 671, D.VIII.24 nr. 76.
- fol. 280v **Zosimus papa (s.), Epistola ad Hestium** (JE 339), imperfecta
 (Rubrica) Qualiter per singulos gradus ascendat futurus episcopus. Cosimus (*sic*) episcopus urbis R<ome> Esitio episcopo Salomitano (*sic*). (Textus) Laudamus propositum constantiæ tuæ ... (Finis) probitatis stipendia anteacta testentur. (**Ed.** *Decretales Pseudo-Isidorianae*, ed. Hinschius, p. 553.)
- fol. 281r <**Concilium Romanum (1059)**>, c. 5
 (Rubrica) Vt decimæ, et primitiæ et oblationes seu uota uiuorum et mortuorum ecclesie reddantur. (Textus) Vt decimæ et primitiæ seu quecumque oblationes ... (Finis) (secundum canones distribuende) quas qui retinuerint a sanctæ ecclesie communionem separentur. (**Ed.** Mansi 19.898.)
- fol. 281v <**Paschalis II, Decretum**> (JL 661 1), fragmentum
 /// cuique conceditur suarum iudicium ... (Finis) siue in aliis religiosis locis. (Most of this folio is torn away. **Ed.** Friedberg, *Comp. antiquae* p. 34; **Bibl.** U.R. Blumenthal, 'Decrees and decretals of Pope Paschal II in twelfth-century decretal collections', BMCL 10 (1980) 15-30 at 26.)
- fol. 282r <**Concilium Lateranense**> (1110), c. 1
 (Rubrica) Ex decretis Paschalis II papae. Vt per laicum nullus clericus aliquo honore inuestiatur. (Rubrica secunda) Paschalis II .pp. dixit. (Textus) Constitutiones sanctorum canonum sequentes statuimus ut quicumque clericorum ab hac hora in antea ... (Finis) qui et manum imposuerit gradus sui periculu subiaceat et communionem priuetur. (**Ed.** U.R. Blumenthal, *The early councils of Pope Paschal II* (Toronto 1978) 119, not using this MS.)
- fol. 282r-283r <**Concilium Lateranense**> (1112), canones
 (Rubrica) Vt iniusta et exacta priuilegia dampnentur. (Textus) Anno dominicæ incarnationis millesimo centesimo tertiodecimo (*sic*) xv. kal. aprilis celebrata est synodus Laterani ... (Finis) et innumerabili multitudine tam clericorum quam laicorum. (**Ed.** MGH Const. 1, ed. L. Weiland, pp. 571-73; this MS is missing the last paragraph. **Bibl.** Blumenthal, art. cit. 28.)
- fol. 283r <**Pseudo->Leo IX, Epistola**
 (Rubrica) Ex decreto Leonis papae. (Inscriptio) Leo episcopus seruus seruorum Dei. Omnibus Christi fidelibus salutem cum benedictione apostolica. (Textus) Quotienscumque a sede apostolica aliqua constituuntur ... (Finis) iude perditio comparandus erit. (**Ed.** and **Bibl.** H. Fuhrmann, 'Ein Papst Ideo (zu *Collectio Lipsensis*, tit. 27,5)'; *Etudes d'histoire du droit canonique dédiées à Gabriel LeBras*, 2 vols. (Paris 1964) I 89-98, using this MS in the edition at 97-98.)

- fol 283v **Nicolaus I (s.), Epistola ad Brindineum episcopum** (JL 2855)
 (Rubrica) Ex decretis Nicholai ut supra. Vt accusatus presbyter canonicè
 examinetur. (Inscriptio) Nicholaus episcopus urbis Rome Brindineo Madisconensi
 episcopo. (Textus) Nouerit sanctitas tua, quia hic lator presentium Gelandus
 (Gerelandus *ed.*) ... (Finis) sicut decet, obedienter obtemperetis. (**Ed.** MGH Epp.
 VI 661-62 no. 144, and *Epistolae pontificum romanorum*, ed. S. Löwenfeld (Graz
 1959) 23-24 no. 44, neither using this MS. The *inscriptio* does not appear in either
 edition.)
- fol. 283v **Urbanus II, Epistola ad Vitalem presbyterum** (JL 5740)
 (Rubrica) In quo condescendi possit simoniacus. (Inscriptio) Idem (supra Urbani
 ii. *margin.*) Vitali presbytero Bruuiensi (*sic*) inter alia. (Textus) Porro (*om. ed.*) eos
 qui ecclesiam emerunt ... (Finis) absque tamen sanctorum canonum preiudicio.
 (**Ed.** PL 151.528-29.)
- fol. 284r-287r <**Concilium Lateranense II**> (1139) (See Vat. lat. 1340 fol. 370ra-371vb
 for further information.) *Variant:*
 <Tabula deest.>
- fol. 287r <Incertus auctor. **Epistola de materia usurae**>
 (Inscriptio) N. socio et amico G. utcumque dictus magister in Christo salutem.
 (Textus) Super quibus consuluisti, consentientibus qui peritiores apud ius ...
 (Finis) inuitis non iniurio fenus exigamus.

Bibl. Fournier-LeBras, *Histoire* II 210-18.

At the beginning (fol. 91r) of the section of Vat. lat. 4886 which was copied from this MS is the note 'Ex libro Veronensi Nic. Ormanetti'; cf. Fournier-LeBras, *Histoire* II 211.

The MS is written in brown ink by several scribes writing late Carolingian scripts, although the scribe of the lower part of fol. 93r was clearly trying to imitate a much older hand. In the *Collectio*, the initial at the start of each section is decorated with rather heavy floral ornament in red and blue, red and green, or blue and the ink of the text. Minor initials alternate in the appropriate pair of colors, rubrics are red. Fol. 39 and 133 are small pieces inserted to hold additional texts, the last letter on fol. 279v is a slightly later addition. There are scribal corrections and additions; sometimes the material from the *Liber pontificalis* is written along the inner margin. There are marginal notes in several late medieval and early modern hands and a long passage on fol. 63v *margin.*, The notes 'no. g. m.' are in the hand of Geraldus (Guillelmus?) Martinus, a 14th-century scribe in the papal chancery. (Cf. H. Hoberg, *Die Einnahmen der apostolischen Kammer unter Innozenz VI*, 2 vols. (Görres-Gesellschaft. Vatikanische Quellen zur Geschichte der päpstlichen Hof- und Finanzverwaltung 7 and 8; Paderborn 1955-73) I 285, 287.) The cross-references to Gratian's *Decretum* in the first few folios were added in the 16th century, when the MS was used by the *Correctores romani*, for whom copies were also made, wholly (Vat. lat. 5436) and in part (Vat. lat. 4886 fol. 91r-126v). Fol. 281 is badly damaged; only the last few lines of text remain. The penultimate quire (fol. 280-283) has been rearranged, as can be determined from the early modern foliation in the upper right corner. The original order was fol. 282-283, 281, 280. Prickings are often visible, as are the edges of the notes for the rubricator. The modern stamped foliation at the lower right is followed here. The MS has a 19th-century leather binding. Except for the line 'Laus Dea optimo maximoque', fol. 287v is blank; so are fol. 24v and 39r.

Vat. lat. 3830

saec. XI^{med.} and XII

Prov. Pietro di Giovanni Barachie (?), Donato di Fatio (?).

83 fols. memb. 278 (208) x 172 (115) mm; origin North-central Italy. Quaterniones, saec. XI^{med.} and XII

fol 1r-16v <**De reformatione ecclesiae canonum collectio**>, imperfecta in principio

Et cum liqueat hanc eresim ante omnes radice pestifera surrepsisse ... (Capitulum ultimum) (Rubrica) Ex concilio Romano ubi interfuit Benedictus papa cum Henrico imperatore. (Textus) Quicumque aliquid in pignus uel donum acceperit de utensilibus uel ornamentis ... (Finis) et quandiu tenuerit, communionem priuetur. (This short canonical collection of unnumbered chapters is heavily dependent on Burchard's *Decretum* und the Collection in 5 Books (cf. Vat. lat. 1339). It begins with a series of ten excerpts from the letters of Gregory I, of which the first is from JE 1747, **Ed.** MGH Epp. 2, ed. P. Ewald & L.M. Hartmann, p. 206.28-31. The last canon of the collection is from the Collection in 5 Books, Book IV 283 (Vat. lat. 1339, fol. 216r). **Ed.** MGH Const. 1, ed. L. Weiland, p. 62, as chapter 4 of the Synod of Ravenna (1014), with a rubric not included here. **Bibl.** F. Patetta, 'Contributi alla storia del diritto romano nel medio evo', *Bullettino dell'Istituto di Diritto Romano*, 3 (1890) 273-310 at 296-99, repr. in F. Patetta, *Studi sulle Fonti giuridiche medievali* (Torino 1967) 24-27, listing the 7 excerpts from the *Epitome Juliani* on fol. 4r-6r and noting that the rubrics vary from the usual, F. Kerff, *Der Quadripartitus* (Sigmaringen 1982) 69 and n. 16, identifying IV 206 and 207 from the Quadripartitus at fol. 13r. The rubrics are by the scribe: inscriptions have been added, usually in the margin, by a second hand.)

fol. 17r <**Gregorius I (s.), Moralia**, excerptum> (Lib. XXII 22med.-23 in fin.)

Sunt nonnulli qui in eo quod officium predicationis exhibent ... (Finis) Prophetare quippe omnes uoluit, qui bonum quod habuit aliis (iliis *cod.*) non inuidit. (**Ed.** PL 76.247B-D; or CCL 143A, ed. M. Adriaen, pp. 1132 line 30-1133 line 16. This excerpt lacks the first word of the sentence ('Sed sunt nonnulli ...') beginning the passage und has no sign of the break between the two chapters. Its construction suggests it was taken from a copy of the *Moralia* which followed the chapter divisions as used in the Basel 1503 edition, where the excerpt is the beginning of Lib. XXII 24 et ult., cf. PL 76.274B.)

17r-19v <Incertus auctor, forsan **Humbertus de Silva Candida, Epistola de simoniaca heresi**>

(Rubrica) (Inscriptio) Caelitus per sancti Constantinopolitani imperatoris ma(fol. 17v)iestatem Calabris assignato sancto Karl. quidam francigena catholicus fidem per uilitatem carens nomine. (Textus) Multimodas omnipotenti Deo gratias referens ... (Finis) Christi sortita thoro iugi permaneat fædere. (**Ed.** and **Bibl.** J.J. Ryan, 'Letter of an anonymous French reformer to a Byzantine official in south Italy: *De simoniaca heresi*. (MS Vat. lat. 3830)', *Medieval Studies* 15 (1953) 233-42, with edition at 239-42. This text follows immediately after the previous with only a capital to note the change. Only one line of text appears on fol. 17r.)

fol. 19v-20r <**Canones duo**>

Nulli liceat episcoporum a subiectis sacerdotibus (ad subiectos sacerdos *cod.*) quolibet ... (Rubrica) Ex concilio Cartaginensi. (Textus) Placuit ut episcopi, presbyteri (diaconi *om. cod.*), uel quicumque ... (Finis) uel successione cognationis aliquid uenerit, faciant inde quod (qui *cod.*) uelint. (**Ed.** of the first, MGH Conc. 2.2, ed. A. Werminghoff, p. 578 lines 6-10 (Concilium Romanum (826) c. 26); of the second, cf. PL 140.696 (Burchard, *Decretum* 3.120). The first canon also appears in the Collection of 5 Books, Book III 121, but in a different version. The second, Council of Carthage cap. 32, is most similar to the form in

- Burchard. These two texts follow immediately after the preceding piece with only a red capital to note the break.)
- fol. 20r-23v <**Isidorus Hispalensis (s.), Etymologiae**, excerpta> (VIII c. 5)
 (Rubrica) De heresibus Christianorum. (Textus) Quidam etiam heretici qui de ecclesia recesserunt ... (Finis) Tritheitae (Tritoiti *cod.*) uero uocati quod sicut tres personas in Trinitate, ita quoque tres adtrahunt (astruunt *ed.*) deos esse contra illud quod scriptum est 'Audi, Israel, Dominus Deus tuus. Deus unus est'. (**Ed.** PL 82.298-304C.)
- fol. 23v-24r <**Canones duo**>
 Si quis episcopus uel abbas (*abba cod.*) rem mobilem siue immobilem distraxerit ... Si quis igitur non hedificat ecclesiam Christi ... (Finis) Episcopus autem ut quidam Prudentius ait nomen est operis non honoris. (**Ed.** of the first: *Collectio canonum in V libris*, ed. M. Fornasari (CCLM 6: 1970) 287 and cf. 362. The first text is Nicea II c. 12, following the reading in the Collection in 5 Books. Book II 186 and Book III 100 (variant). The second is unidentified. These two texts were added by another hand on the last two lines of fol. 23v and the top of fol. 24r. The remainder of fol. 24r is blank.)
- fol. 24v <**Collectio canonum in 5 libris**, excerptum> (Lib. I. 188)
 (Rubrica) De medicina penitentiae qui donum Dei studet pretio mercari. (Textus) Nam de eo qui donum Dei studet pretio mercari ... (Finis) tamen ad exitum mortis pro misericordia is communicet iudicamus. (**Ed.** *Collectio canonum in V libris* (ed. cit.) 119. This single canon was added by a later hand (not that of the previous entry, but not later than early 12th century) on the bottom half of the folio, which had previously been left blank except for the quire mark 'IIII'. In the margin of the text is 'GG. Nazanzenus'.)
- fol. 25r-39r, 40r-53r (*recte* 25r-32v, 48r-53r, 40r-47v, 33r-39r) <**Julianus, Epitome Novellarum**, excerpta>
 Qui uult edificare monasterium, prius episcopum uocet ... (fol. 53r) Nemo priuatus audeat arma tenere ... si de his sunt, quos utpote seditiosos perscrutantur (prescrutantur *cod.*) magistratus populi Romani (punire *om. cod.*) ... (fol. 39r) (Excerptum ultimum) Si per publicas personas heredes ammoniti ... (Finis) liceat etiam metropolitanis huiusmodi causam diligenter inquirere. (**Ed.** *Iuliani epitome*, ed. Haenel, pp. 26-30, 30-36, 38, 39, 39-41, 43-45, 146-53, 153-57, 157-59, 159-63, 164, 166-67. 159, 167 in order of appearance in the correct order of the folios. The excerpts are Const. IV, V, VI (less c. 3), VII, VIII, XIV, XV (less cc. 2, 3, & 5), XXI, CXV (less cc. 24, 42, & 50), CXVII, CXIX.5-11, CXV.50, and CXLX.12-13. **Bibl.** F. Patetta 'Contributi alla storia del diritto romano nel medio evo', *Bullettino dell'Istituto di Diritto Romano*, 3 (1890) 273-310 at 296-99, repr. in F. Patetta, *Studi sulle Fonti giuridiche medievali* (Torino 1967) 24-27, listing the excerpts. This set of excerpts is in the same hand as that on fol. 1r-19v.)
- fol. 39v <**Pseudo-Bonifacius IV, Decretum**> (JE +1996) (See Vat. lat.. 1358 fol. 106ra-rb for further information.) *Variants:*
 (Rubrica) Ex concilio Sancti Bonifatii pape. Quorum quartus fuit a beato Gregorio quomodo liceat monachis cum sacerdotali officio ubi (ubi *repet.*) ministrare.
 (Textus) Sunt nonnulli fulti nullo dogmate audacissime quidem zelo magis ...
 (Finis) reprimantur in posterum quia quisque excellentior tanto est et in his

- potentior. (This is added in a new hand and begins with a zoomorphic letter. The original hand breaks off at the end of the writing area, at '... monachorum et abitum potentatumque euidenter considerat'. The text is completed in the lower margin, probably after the loss of the following folio, by a much younger (13th-century) hand. Next to the letter is a reference by L. Holste to Baronius's edition (see below).)
- fol. 53r-v <**Burchardus Wormacensis, Decretum**, excerpta>
 <S>i abbas in monasterium suum mulierem ingredi ... (Excerptum ultimum)
 <Q>ui recte iudicat et premium remunerationis expectat ... (Finis) <T>ales quippe ad ueritatem non iustitiæ defensio, sed amor premii prouocat. (**Ed.** PL 140.812, 910C-D, 911C-D, and 914B. The excerpts are Book 8 c. 101 and Book 16 cc. 6, 7, 13-15, and 28, the last of which has only the first third of the text present. The first excerpt is by the first scribe; the others were added by the scribe from fol. 23v-24r. The capitals are all missing and space remains for rubrics. Most of fol. 53v is blank.)
- fol. 54r-69v <**Radulfus Biturcensis, Capitula**>, imperfecta
 (Praefatio) Non latere credimus beatitudinis uestræ solertiam, quante ecclesiasticæ nobis discipline ... (fol. 54v) (Capitula) (Rubrica) Cap. I (*I om. cod.*) De fide sancte Trinitatis, qualiter a sacerdotibus est tenenda et predicanda. (Textus) Primo omnium credendum est atque omnibus generaliter predicandum ... (Finis) ad tam sacratissimum misterii munus accedere festinet immunus. (**Ed.** MGH Capit. epi., ed. Brommer, pp. 231-68, using this MS (siglum V). The opening address is lacking. **Bibl.** Arévalo, *Isidoriana* PL 81.931D-932A. This is written by yet another hand, very similar to the first in the volume. The text is marked with interlinear corrections by a third hand.)
- fol. 69v-71r <**Pseudo-Isidorus, Decretales**, excerptum>
 (Rubrica) De raptoribus rerum ecclesiasticarum. (Textus) <R>es quoque aecclesiarum (ecclesiasticarum *cod.*) uestrarum et oblationes fidelium ... (Finis) quicum<que> plebem suam contra sacrilege persuassiones (sacrilegas persuassiones *cod.*) auctores noluerit custodire. (Colophon) Data akl. (*sic*) aprls Gallo (Galo^{ac}) et Volusiano vv cc cons. (**Ed.** *Decretales pseudo-Isidorianae*, ed. Hinschius 178-80. The excerpt consists of the second half of the Pseudo-Lucian letter, 'Litteras dilectionis uestrae' (JK +123).)
- fol. 71r <**Collectio canonum in 5 libris**, excerptum> (Lib. II. c. 176)
 (Rubrica) Cap. Gregorii pape. (Textus) Vt abbas (abbatem *cod.*) in monasterio non per episcopum aut per quemlibet externum ordinetur, neque missa (misa^{ac}) ab episcopo ibi celebretur, et ut nulli ecclesiæ subiiciatur. Castorio episcopo Ariminensi. Luminosus abbas (Liminosus abba *cod.*) monasterii sanctorum Andreae et Thomæ in Ariminensi ciuitate constituti ... (Finis) cum summa deuotione perficiant. (**Ed.** *Collectio canonum in V libris* (ed. cit.) 283-84. This is Gregory I's letter to Castorio (JE 1362; cf. MGH Epp. 1, ed. P. Ewald and L.M. Hartmann, pp. 348-49), but the unusual opening and textual variants suggest its exemplar was a copy of the Collection in 5 Books. Again there is a change of hand at the beginning of this text.)
- fol. 71r-v <**Liber diurnus**, excerptum>
 (Rubrica) Eiusdem (*sic*). (Textus) Si quis autem quod non optamus nefario ausu

- persumpserit ... (Finis) et uitæ etiam ne particeps esse mereatur. (**Ed.** Cf. *Liber diurnus Romanorum pontificum*, ed. H. Foerster (Bern 1958) 166-67. **Bibl.** S. Kuttner, 'The Council of Carthage 535: A Supplementary Note', ZRG Can. Abt. 73 (1987) 346-51 at 347. This is a form of the great anathema juxtaposed with the great blessing. Although this is in the same hand as the preceding excerpt, it has not been discovered in the Collection in 5 Books.)
- fol. 71v-72r <**Concilium Carthaginense**> (535)
 (Rubrica) Eiusdem (*sic*). Felicianus episcopus æcclesie Ruspensis (Rurpensis *cod.*) dixit apud Ruspen. monasterium est a domno Fulgentio ... (Finis) fuerit, ut ita abbatum aliorum consilio siue iudicio finiatur. (**Ed.** H. Mordek. 'Libertas Monachorum. Eine kleine Sammlung afrikanischer Konzilstexte des 6. Jahrhunderts', ZRG Kan. Abt. 72 (1986) 1-16 at 13-15 (IIa-c), not using this MS, which is collated by S. Kuttner, 'The Council of Carthage 535: A Supplementary Note', ZRG Kan. Abt. 73 (1987) 346-51 at 350. In the margin is a note in Holste's hand: 'Ex concilio Carthaginen. sub Reparato a. 535'. Again the hand changes here, although it is contemporary.)
- fol. 72r-73r <**Pseudo-Isidorus, Decretales**>, excerptum
 (Rubrica) Incipiunt decreta Urbani pape de communi uita et oblationibus fidelium. (Inscriptio) Urbanus episcopus omnibus Christianis in sanctificationem (sanctificatione *cod.*) Spiritus, in obedientiam et aspersionem sanguinis Christi salutem. (Textus) Decet omnes Christianos, karissimi, ut eum imitentur cuius nomen sortiti sunt ... (Finis) et quorum retinueritis retenta sunt (erunt *cod.*). Ideo ista (iusta *cod.*) /// (**Ed.** *Decretales pseudo-Isidorianae*, ed. Hinschius 143-45. The excerpt, Pseudo-Urban I (JK +87), was continued on fol. 73r, by a later hand and it breaks off in mid-sentence at the bottom of the folio.)
- fol. 74r-75v <**Poenitentiale**>, fragmentum
 Omnes decime tærræ siue de frugibus siue de pomis arborum domini sunt ... (fol. 75r) (Excerptum ultimum) Vt in sabato sancto, hoc est in uigilia pasce ... (fol. 75v) (Finis) et diuina misteria his duobus diebus non celebrentur. (Although the first and last chapters are from Burchard, *Decretum*: III c. 130 (PL 140.698D-699A) and XIII c. 9 (incomplete: PL 140.886D), this fragment is not wholly dependent on the *Decretum*, but seems to have excerpts from several Italian penitential collections. There is a change of format and hand here, it does not resemble any other part of the manuscript and was probably added in the 12th century. The letters are much larger and heavier, and the capitals are decorated. There are no rubrics.)
- fol. 75v **Gregorius** <**VII, Concilium Romanum**> (feb.-mar. 1078), cap. 15 et 16
 (Rubrica) G(regorius) papa Romana sinodo presidens dixit. (Textus) Iterum (Nos *cod.*) sanctorum predecessorum nostrorum statuta tenentes eos ... (Finis) sed humanitatis causa aliquid [causa] dare uoluerit, fieri (*om. cod.*) non prohibemus. (**Ed.** MGH Epp. sel. 2.2. ed. Caspar, pp. 372 line 11-373 line 11. This text was added in a younger, very different looking, hand on the previously blank verso of the last original folio of the volume.)
- fol. 75v <**De ordinatione monachorum**>
 (Rubrica) Ex dicto Sancti Gregorii pape. (Textus) Si quis monachus quem elegerit congregatio ... (Finis) nisi cum satisfactione emendauerit. (**Ed.** Cf. *Collectio*

canonum in V libris, ed. cit. 289 (Lib. II c. 189), and F.W.H. Wasserschleben, *Die Bussordnungen der abendländischen Kirche* (Halle, 1851, repr. Graz 1958) 163 (*Canones Gregorii* c. 31) and 208-09 (*Poen. Theodori* 9.12-13) all of which bear a resemblance to this text. The text is again, added in a new hand.)

fol. 75v <**Oratio**>

Deus qui a principio ius (= huius) diei nos peruenire fecisti ... (Finis) nostra precedant eloquia (Added very clumsily by an untrained scribe below the writing space on what was once the last verso of the MS)

fol. 76r <**Orationes tres**>

/// qui hostiles nequitias potenter expungas ... ubique adesse dignetur. Per. (Rubrica) Oratio quando aqua aspergitur in domo. (Oratio secunda) Omnipotens et misericors Deus qui sacerdotibus tuis pre ceteris tantam gratiam contulisti ... (Oratio tertia) Via sanctorum omnium Ihesu Christe ... (Finis) mereamur aulam paradisi introire. Saluator mundi qui uiuis et regnas cum Deo patre in unitate Spiritus sancti. Per. (**Ed.** *Le Pontifical Romano-Germanique du dixième siècle*, ed. C. Vogel and R. Elze, 3 vols. (Studi e Testi 226, 227, and 269; Città del Vaticano 1963-82) II 349f for the 1st, I 133, 182, and II 367 for the second, and II 361 for the third. The quaternio fol. 76-8 all written in an early 12th-century hand, is of a different origin than the rest of the codex. There is a space of 4 lines between this text and the following excerpts.)

fol. 76r-83v <**Burchardus Wormacensis, Decretum**, excerpta>

Fecisti homicidium uoluntarie, sine necessitate non in oste ... (Finis) Caro enim leta tra<h>it ad culpam, afflicta autem reducit ad ueniam. (**Ed.** PL 140.951C-959D, 959D-960C, 965D-971C, 971D-972B, 972D-973B, 973B, 975A-C, 980C. The excerpts included most of Book 19 c. 5.) **Bibl.** Ballerini, *De ant. coll.* PL 56.325-26; H.S. Schmitz, *Die Bussbücher und die Bussdisciplin der Kirche* (Mainz 1883; repr. Graz 1958) 765; idem, *Die Bussbücher und das kanonische Bussverfahren* (Düsseldorf 1898, repr. Graz 1958) 386 and 397, all identifying and discussing the excerpts.)

Bibl. Fournier-Le Bras, *Histoire* I 453-54; J.J. Ryan, 'Observations on the pre-Gratian canonical collections: Some recent work and present problems', *Actes Louvain* 88-103 at 97-98; idem, *Saint Peter Damiani and his canonical sources* (Toronto 1956) 13 n. 24, correcting some of Fournier's description; *Collectio in V libris*, ed. M. Fornasari (CCLM 6; 1970) vii n. 4, suggesting this MS comes from Farfa; G. Mor, 'La reazione al "Decretum Burchardi" in Italia avanti la riforma Gregoriana', *Studi Gregoriani* I (1947) 197-206 at 203; P.S. Martini, *Roma e l'area grafica romanesca (secoli X-XII)* (Alessandria 1987) 259(-60) n. 149, 269 n. 173, and 315-16, assigning this MS to 'Italia centro-settentrionale', rather than Farfa (See above).

The codex is a composite MS; the last quire (fol. 76r-83v) is of different origin and is slightly smaller in size: 265 (200) x 170 (120) mm, although the sizes of the leaves vary slightly. That the two parts have been bound together from an early period is confirmed by a *probatio pennae* on fol. 76r. The space preceding the excerpts from Book 19 of Burchard's *Decretum* has been partially filled with two *probationes pennae*: the first is 'fecisti', the first word of the following work; but the second, 'Si quis monachus quem elegerit', is obviously taken from the text on the previous verso. Although that text is, itself, an addition, neither it nor the *probatio* can be later than the 12th century. Although they have been separated out above, the texts on fol. 1r-23v are by a single hand and might be taken as a collection gathered for the reform of the church,

especially with regard to simony (see Fournier-Le Bras). This hand reappears on several occasions, always with texts concerned with heresy and clerical reform. The whole volume is heavily dependent of Burchard's *Decretum* and the Collection in 5 Books. The bulk of the MS is written in several variations of Italianate Carolingian minuscule; see above for changes in hand. The ink varies from light brown to almost black. Generally, capitals and rubrics are red. The few decorated initials have been noted above. The title 'Decreta antiqua' appears twice on fol. 1r, once in a 15th-century hand and once in a 16th-century one. Along the top of the folio is the note in Italian (14th-century), 'Qui beni fa malamente he//osi fara elemoysma sempre gli seguira, contrin. cp. primo'. In the left margin are two possible ex libris: 'Pietro di Giovanni Barachie' and 'Donato di Fatio mercatante'. All three notes may be by the same hand. At the top of fol. 17r is a short comment in Italian in a red chancery script. 'Questo non è sonetto d'aver poco ... vien fallita spetialmente chi di sua vita'. At regular intervals throughout the manuscript there are marginal notes in the hand of Lucas Holste which identify the texts, including notes to the misbinding at fol. 32v, 33r and 47v, 48r. The first seven quires are marked with centered roman numerals, the first (on fol. 8v) is marked 'II', the last (fol. 47v) 'VII'. 'VI' is missing. The top of fol. 16 has been cut off. The folios are lined in dry point, and prickings are visible. Some folios have very uneven edges. The MS has a 19th-century brown leather binding. Fol. 73v is blank.

Vat. lat. 3831

saec. XIIin.

Prov. probably Sidon, monastery of Sankt Blasien, O.S.B.

151 memb. 336 (234) x 209 (131) mm, origin Italy. Quaterniones, saec. XIIin.

fol. 1ra-151v <**Collectio in 3 libris**>

(Rubrica) De primatu Romane æcclesie. Ex libro Deuteronomii. (Textus) Si difficile et ambiguum apud te iudicium esse ... (Finis) in ecclesia reliqua officia agere debeat.

Ed. Edition in preparation by G. Motta. P. Fournier, 'Une collection canonique italienne du commencement du XII^e siècle', *Annales de l'Université de Grenoble* 6 (1894) 343-438, printing the rubrics and incipits of the first and last chapter of each title from this MS and p. 365-99 further selections from specific titles. **Bibl.** FLB II 198-2??, G. Motta, 'Osservazioni intorno alla Collezione Canonica in tre libri', *Proceedings Salamanca* 51-65; idem, NEW EDITION?? p. xlv-xlv, p. xxviii n. 10; J. Erickson, 'The Collection in Three Books and Gratian's Decretum', *BMCL* 2 (1972) 67-75; G.G. Picasso, 'Testi canonistici nel Liber de honore ecclesiae di Placido di Nonantola', *SG* 20 (1976) 291-308 passim, on texts of Placidus in this collection; U. R. Blumenthal, *The early councils of Pope Paschal II, 1100-1110* (Pontifical Institute of Medieval Studies, Studies and Texts 43; Toronto 1978) 109-20, using the MS (Vc) in an edition of the Lateran council of 1100; Fowler-Magerl, *Ordo* 2, on roman law excerpts at fol. 80va-vb; eadem, 'Vier französische und spanische vor-Gratianische Kanonensammlungen', *Aspekte europäischer Rechtsgeschichte* Festgabe für Helmut Coing (Ius Commune, Sonderhefte 17; Frankfurt a.M. 1982) 123-46 at 135(-36) n. 4; Mordek, *Kirchenrecht* at 140 n. 197; Brommer, 'Rezeption' at 133; Gilchrist, 'Reception', part 1 pp. 47-48; R. Schieffer, *Die Entstehung des päpstlichen Investiturverbots für den deutschen König* (MGH Schriften 28; Stuttgart 1981) 70 n. 106, noting that JL 4406, printed by Mansi (19.907) from the Pistoia MS of the collection, is not the version in the present MS; Reynolds, 'Epistula' at 272, on the presence of an excerpt from this pseudonymous letter (in Gratian, D.25 c.12 § 12) in this collection; J. Gilchrist, 'The Gregorian reform tradition and pope Alexander III',

Miscellanea Bandinelli 257-87 at 279, 281-83, discussing the transmission of the autumn synod of 1078, using this MS: siglum 3L; T. Lenherr, *Die Exkommunikations- und Depositionsgewalt der Häretiker bei Gratian und den Dekretisten bis zur Glossa Ordinaria des Johannes Teutonicus* (Münchener Theologische Studien. III Kanonistische Abteilung 42; Sankt Ottilien 1987) 16, 135 n. 97, 157 n. 189, 159 n. 196, 170 n. 240, using this MS (siglum 3L) for the edition of C. 24; A. Maier, 'Die Handschriften der "Ecclesia Sidonensis"', *Manuscripta* 11 (1967) 39-45 at 40-41 with Adelenda repr. in: eadem, *Ausgehendes Mittelalter III* (Roma 1977) 281-28 at 282.

The text is in yellow-brown ink in a late Carolingian minuscule by a single scribe, fol. 145-47 seem to be a palimpsest. Rubrics and initials are red, some of the latter with red decorations. Books begin with large multicolored initials on a dark background. The ex libris 'ecclesie Sydonensis' written in a 14th-century cursive on the first and last folios, refers probably to Sidon (Palestine) as Maier convincingly argues. GIVE HERE REFERENCE FOR ST. BLASIEN?? This MS is no. 939 of the Avignon inventory of 1369 and no. 328 of the 1411 inventory, cf. Maier. Fol. 151r-v is badly rubbed and difficult to read. Some folio edges are uneven. Prickings are visible in the margins. Quires have been marked on the last verso with a roman numeral and catchword, perhaps by a later hand. The MS was rebound in leather in 1967.

Vat. lat. 3832

saec. XI-XII

<I> +199 fols. memb. 351 (286) x 212 (131) mm, origin in Italy (Rome). Quaterniones, saec. XI-XII.

<I>v **Leo <I>, Sermo de ieiunio decimi mensis** (19)

(Rubrica) Incipit sermo Leonis pape. De ieiunio decimi mensis (mensuum IIII *cod.*). (Textus) Cum de aduentu regni Dei ... (Finis) per omnia secula seculorum. (**Ed.**

Sancti Leonis Tractatus, ed. A. Chavasse I 76-80.)

fol. 1r-21v <**Pseudo-Isidorus, Decretales**>, excerpta

(Inscriptio) In nomine sancte et indiuidue Trinitatis Patris scilicet et Filii et Spiritus sancti, Imperator Cæsar Flavius Constantinus ... sanctissimo ac beatissimo patri patrum Siluestro urbis Romæ episcopo et papæ (*ed.* 249) ...

(Textus) Ea que saluator atque redemptor noster ... (Excerptum ultimum)

(Rubrica) Leonis pape Niceto episcopo. cap. VII. (Textus) Hi qui baptismum ab hereticis acceperunt ... (Finis) ut (*ad om. cod.*) omnium obseruantiam (*obseruantia cod.*) data prosit auctoritas (*ed.* 621). (**Ed.** *Decretales Pseudo-Isidorianae*, ed. Hinschius 31-254 and 449-661 passim. The excerpts begin with the Donation of Constantine (*ed.* 249-54), followed by the Preface to the Council of Nicea (*ed.* 254-57), then a long series of excerpts from papal letters, both apocryphal and authentic. **Bibl.** *Das Constitutum Constantini (Konstantinische Schenkung)*, MGH Fontes X, ed. H. Fuhrmann, p. 25 and n. 44, discussing the form of the Donation found in this MS and noting that a similar set of Pseudo-Isidorian excerpts exists in Assisi, Bibl. com. MS 227.)

fol. 6v *marg.* <**Pseudo-Isidorus, Decretales**, excerpta addita>

(Rubrica) Clemens papa. (Textus) Christo itaque resurgente et in cælum ascendente (*ascendente in caelum ed.*) ... (Excerptum ultimum) (Rubrica) Idem.

- (Textus) Unum (Unde *ed.*) consilium (consoilium *cod.*) dantes uestram prudentiam ... (Finis) interius (uota possint *add. ed.*) celebrare festiua. (**Ed.** *Decretales Pseudo-Isidorianae*, ed. Hinschius 37-39, 63-66 passim. These five excerpts from the Pseudo-Clementine letters have been added in the margin by a contemporary, but less formal, hand. If considered as a continuum with the Clementine excerpts which end on fol. 7r, they are identical (agreeing in readings against the edition as noted above) with Book 1.1.1-9 of the Collection in 13 Books, Berlin, Savigny MS 3 at fol. 4ra-9ra.)
- fol. 19v *margin.*, **Concilium Nicenum, cc. 8 et 16**
 (Rubrica) Ex Niceno concilio. Titulo VIII. (Textus) Et (*om. cod.*) ut episcopo Ihero-solimitano antiquitus tradita ... (Rubrica) Ex eodem titulo XVI. (Textus) Et ne (Nullus *pro* Et ne *cod.*) de ciuitate inferiori ad maiorem ecclesiam ... (Finis) siue episcopus siue etiam alius clericus. (**Ed.** Turner, *Monumenta* I 201, 223, showing that the canons are in the *versio Rufini*. These two canons have been added in a neat hand similar to that on fol. 198r-v.)
- fol. 22r-23r **Gregorius <I, Epistolae, excerpta>** (ex JE 1112, 1298, 1332, 1331, 1844, 1373, 1364)
 (Rubrica) Gregorii pape Petro subdiacono. (Textus) Cognouimus (etiam *add. ed.*) quod si quis ex familia (*ed.* I 65 line 14) ... (Epistola ultima) In lucrandis animabus ... (Finis) quos sufficientibus stipendiis institutis non esse contentos (*ed.* I 348 line 19). (**Ed.** MGH Epp. 1-2, ed. P. Ewald and L.M. Hartmann, I 65, 67, 261, 299-300, 298-299; II 325-26; I 360-61, 348. They follow the order of the excerpts, which are from I 42 (2 excerpts); IV 26 (2 excerpts run together); V 18; V 17; XI 52; V 57; and V 48. Each excerpt has an abbreviated inscription to identify it. All are concerned with the reform of the clergy and follow the theme at the end of the preceding Pseudo-Isidorian excerpts.)
- fol. 23v-99v **<Collectio in duobus libris>**
 (fol. 23va) <Tabula collectionum> ... (fol. 27rb) (Rubrica) I. De primatu Romanæ æcclesiæ in libro Deuteronomii. Cap. XIII. (Textus) <S>i difficile et ambiguum apud te iudicium ... (Finis) Itaque qui se medicis dederit sensum sibi abnegat. (**Ed.** J. Bernhard, 'La collection en deux livres, vol. I' (no further volumes), RDC 12 (1962) 25-542. The editor notes (p. 14) that the table on fol. 23v-27r lacks about two hundred items which are present in the collection and (p. 104) that the collection itself is imperfect: between fol. 32v and 33r it skips from Book 1 c. 56 in med. to Book 1 c. 197 in fine. **Bibl.** J. Bernhard, 'L'identification d'un texte du Décret de Gratien (D.96 c.11) et la "Collection en deux livres"', *Études d'histoire du droit canonique dédiés à Gabriel LeBras*, 2 vols. (Paris 1965) I 25-32, discussing his theories on the formation of the collection; J. Gilchrist, 'The collection of cod. Vat. lat. 3832, a source of the Collection in Seventy-four Titles?', *ibidem*, I 141-56, refuting many of Bernhard's theories; Fournier-LeBras, *Histoire* II 127-31 and 168; Ballerini, *De antiq. coll.* PL 56.349; Perels, 'Nikolaus', part 2 pp. 118-19, on fol. 34-35 (i.e., Nicholas I, Epistle 88); G. Picasso, *Collezioni canoniche Milanesi del secolo XII* (Milano 1969) at 273-75, with a concordance of this collection and his three Milanese collections; Mordek, *Kirchenrecht* at 139 n. 194 and 140 n. 197; R.E. Reynolds, 'Isidore's texts on the clerical grades in an early medieval Roman manuscript', *Classical Folio* 29

(1975) 95-101, at 100 n. 29, on Book 2 cc. 374-77 (*ed.* 536-38); Coquin, 'Le sort des *Statuta*' at 210, saying that Anselm of Lucca used the version of the *Statuta Ecclesiae Antiqua* found in this collection; *Avellana*, ed. Günther 369-98, edited fol. 94v-98v, the letter *Valde mirati* of Gelasius I, using this manuscript (siglum R); O. Günther, *Avellana-Studien*, Sb Akad. Vienna 134 (Wien 1896) at 102, on the same letter.

fol. 99v-194r <**Continuatio Collectionis in duobus libris**>

(Rubrica) Augustinus in Genesi ad litteram. (Textus) Cum uisus corporalibus diabolus fallit ... (Textus ultimus) Tunc si est synodus ulla estivo tempore ... (Finis) benedictus ... descendat super vos. (Colophon) Amen. (**Ed.** *Decretum Gelasianum*, ed. Dobschütz, at 17, 29-61, and 168, for the Gelasian decretals, fol. 108v-109v, using this manuscript (siglum G12); R. Schieffer, *Die Entstehung des päpstlichen Investiturverbots für den deutschen König* (MGH Schriften 28; Stuttgart 1981) 213-15 for Alexander II's investiture prohibition, fol. 119v-120r, using this manuscript (siglum V₃); J. Gilchrist, 'Die Epistola Widonis oder Pseudo-Paschalis. Der erweiterte Text'. DA 37 (1981) 576-604 at 594-604, for the *Epistola Widonis*, at fol. 183r-v, using this manuscript (siglum V₃), which is described at p. 590; PL 140.537-1062, for the excerpts of Burchard's *Decretum* on fol. 125v-193r, included are excerpts from Books 2-11 and 17-20, as well as the Council of Seligenstadt. **Bibl.** L. Fowler-Magerl, 'Vier französische und spanische vorgratianische Kanonessammlungen', *Aspekte europäischer Rechtsgeschichte*. Festgabe für Helmut Coing (Ius Commune, Sonderhefte 17; Frankfurt a.M. 1982) 123-46 at 127 n. 21. 137-38 et passim, identifying fol. 108v-122v as excerpts common to this MS and the *Collectio Sinemurensis*, and 140, where she identifies 15 canons on fol. 192r common to this MS and the Collection in 13 Books (Berlin, Savigny 3); Perels, 'Nikolaus', part 2 118-119, on Nicholas I, Epp. 106, 99, and 86 on fol. 116v and 117v, Epp. 139 on 142v, and 146 on 147r; Gilchrist, 'Reception', pars 1 p. 43 and idem, 'The Gregorian reform tradition and pope Alexander III', *Miscellanea Bandinelli* 257-87 at 279, 281-82 (siglum 2L) on the version of the Council of Rome (aut. 1078) at fol. 124v-125r; R. Schieffer, 199, names this as an example of the many Gregorian collections that preferred the investiture canon of autumn 1078 to that of 1080. Although individual texts in this section have been picked out for comment by various modern authors, the texts are treated as a continuum in the MS, all being written by the same scribe as the preceding collection, in the same format and continuing the theme of the last canons of the collection. The only notation dividing these texts from the collection is a modern marginal note on fol. 194r, next to the last canon of the collection, noting that that canon is the last mentioned in the table.)

fol. 194r-195r <**Bernoldus Constantiensis?, Libellus de lite**>

(Rubrica) Ex decretalibus Iulii pape de metropolitanis episcopis ... (Textus) Quoniam sanctam Romanam æcclesiam primatum æcclesiarum omnium ... (Finis) bene comprobatus atque conuictus. (**Ed.** J.J. Ryan, 'Bernold of Constance and an anonymous *Libellus de lite*'. AHP 4 (1966) 9-24 at 22-24, from this manuscript, suggesting Bernold as possible author.)

fol. 195r **Oratio Fulberti**

(Rubrica) Proclamatio ante altare (ante altare *om. ed.*) antequam dicatur (dicant

- ed.*) 'Pax Domini', composita a domino Fulberto pro aduersariis 'aecclesiae'.
 (Textus) In spiritu humilitatis et in animo contrito ... (Finis) visita nos in pace et
 erue (nos *add. ed.*) a presenti angustia. <Initia Psalmorum> ... (Collecta)
 Conspirantes Domine contra tuæ plenitudinis sed subdatur semper falsitas
 ueritati. P. Pax Domini sit semper uobiscum et cum spiritu tuo. (Ed. F.I. Dunod,
Histoire de l'Eglise, ville et diocèse de Besançon, 2 vols. (Besançon 1750) I pp.
 vii-ix, partially reprinted in PL 141.353-54.) Approximately one third of the folio
 remains blank.
- fol. 195v-198r <**Additiones ad Collectionem in duobus libris**>
 (Inscriptio) Gregorius Augustino Cantuariensi episcopo. (Textus) Mos apostolicæ
 sedis est ordinatis episcopis precepta tradere ... (fol. 197v) (Excerptum ultimum)
 (Rubrica) Augustinus. In libro de uera religione. (Textus) Neque in confusione
 paganorum neque in purgamentis hereticorum ... (Finis) donec talibus tegminibus
 exuantur. (Ed. of the first, which is a paraphrase of most of Question 1 of JE
 1843, cf. MGH Epp. 1-2, ed. P. Ewald and L.M. Hartmann, II 333-34, and cf. Ivo,
Panormia Lib. II c. 8 (PL 161.1084-85) and Anselm of Lucca, *Collectio canonum*
 Lib. V c. 60 (ed. Theiner) p. 257, but both are much shorter than this excerpt. The
 last is *De uera religione* V 9.35-VI 10.13. Ed. CCL 32, ed. I. Martin, p. 194.
 These are excerpts from patristic, synodal, and papal sources (including Urban II's
 letter JL 5378, at fol. 196r-v) concerning heresy and clerical morals. They have
 been added by two hands (change at fol. 196r with JL 5378) in a format similar to
 the preceding collection.)
- fol. 198r <**Canones duo**>
 <Q>uoniam uero quidam sub pretestum??? habitus ... (Textus secundus)
 (Rubrica) <L>eo episcopus Maximo Antioceno episcopo. (Textus) Illud
 dilectionem tuam conuenit precauere ... (Finis) et inferiora superioribus non
 resultent. (These two canons have been added in a different hand. The second also
 appears in the *Collectio Sinemurensis* I c. 121. Space remains for small capitals
 and, perhaps, for a rubric for the first canon.)
- fol. 198r **Concilium Constantinopolitanum** <I (381), cc. 4-5>
 (Rubrica) Ex concilio Constantinopolitano capitulo tercio (*sic*). (Textus) Episcopi
 super dioceses quæ trans fines ... (Rubrica) Item idem cap. IIII. (*sic*). (Textus)
 Episcopum tamen Constantinopolitanum habere primatus ... (Finis) quod est noua
 Roma. (Ed. Turner, *Monumenta* II 429-31, showing that these canons are in the
versio rustica.)
- fol. 198r-v **Concilium Chalcedonense**, <c. 28>
 (Rubrica) Ex concilio Calcedonensi. Capitulo XXVII (*sic*). (Textus)
 <D>efinitiones sanctorum patrum sequentes ubique regulam quæ nunc relecta est
 ... (Finis) decretis consonis secundum morem factis et ad eum relatis. (Ed. *Acta
 conc. oecum.*, ed. Schwartz, II.3.3, p. 102, showing that this canon is in the *versio
 rustica* where it is not listed in the official canons of the council.) This and the
 Constantinople canons which precede it are in the same hand and ink, different
 from that which precedes them. See also below.
- fol. 198v-199r <**Sententia excommunicationis Byzantinorum (1054) interiecta**>
 In tempore Leonis noni pape Romani et Constantini Monomachi imperatoris
 Constantinopolitani facta sunt hec. (Carta) Humbertus Dei gratia cardinalis

episcopus sancte Romane ecclesiae ... (Finis cartae) imo cum diabolo et angelis eius nisi forte resipuerint. Amen Amen Amen. Quicumque fidei sancte Romanae et apostolicæ sedis ... hereses animas, imaginem Dei extinguunt. Gratia Dei cum omnibus uobis semper. Amen. (Ed. PL 143.1002C-04C for the excommunication. **Bibl.** J.J. Ryan, 'The legatine excommunication of Patriarch Michael Cerularius (1054) and a new document from the First Crusade epoch', SG 14 (1967) 13-49, printing the rest of the text at p. 20, and discussing the diplomatic aspects of the text. Ryan has noted that the conciliar canons preceding and the letter following this text are all tied to it by theme and that, although the color of ink of the first two is distinctly different, they may all have been written as a piece.)

fol. 199r **Paschalis <II, Epistola>** (JL 5835)

(Inscriptio) Paschalis episcopus seruus seruorum Dei. Vniuersis fratribus siue filiis, episcopis ... in Asia triumphantis, salutem et apostolicam benedictionem. (Textus) Quod per prophetam populo suo Dominus pollicetur ... (Finis) exilio uestro patriam eternam retribuat. Datum (Romae *om. cod.*) IIII Kal. maii per manum Johannis diaconi. (Ed. H. Hagenmeyer, *Die Kreuzzugsbriefe aus den Jahren 1088-1100* (Innsbruck 1901; anast. repr. New York 1973) 178-79, using this MS (siglum A), see also Mansi 20.979-80 for a slightly different version. **Bibl.** J. von Pflugk-Hartung, *Iter italicum, 2 vols. in 1* (Stuttgart 1883-84) 125.)

Bibl. Thiel, *Epistolae xxxii-xxxiii*, H. Bernhard, 'La collection en deux livres, vol. I' [no further volumes], RDC 12 (1962), with a photograph of fol. 33v as the frontespiece; Ryan at 26-28.

The MS is written in varying shades of brown ink in late Italian Carolingian minuscule. A single scribe has executed fol. 1r-195r (perhaps also <I>r). Marginalia have been added by two contemporary hands, as noted above. Other hands then added the texts on fol. 195v-199r, with changes noted at 196r (?), 198r (twice), and 198v. Rubrics and capitals are red; either or both are missing in some sections, as noted above. Space remains for large capitals on fol. 1r and 27v. In the early folios, occasional marginalia in a late medieval hand identify texts common to this MS and Gratian's *Decretum*. Gatherings are signed at the end with letters. Fol. 32v is signed 'd' and fol. 40v is signed 'g', signalling the lacuna in the text and suggesting that two quaternions (16 folios) are missing. <I>v is badly worn with some loss of text. Fol. 198v-199r are faded and illegible in part. The recto of the modern guard folio at the front has a note on the lacuna in the text; the verso has further modern notes on the text. Prickings are visible in the lateral margins. Many leaves have irregular edges or holes in the text space. Some leaves have been mended. The MS has a 19th-century leather binding. <I>r is blank except for the library stamp and shelfmark; fol. 199v is blank.

Vat. lat. 3833

saec. XI-XII (1099-1118?)

Prov. Rome, Basilica of Santi Apostoli

144 fols. memb. 247 (181) x 189 (123) mm, origin France (?). Quaterniones, saec. XI-XII (1099-1118?)

fol. 1r-3r **Ordo de celebrando concilio**

(Rubrica) Incipit ordo de caelebrando concilio. (Textus) Hora diei prima ante solis ortum eiciantur ... (Finis) cum patribus xxxiii. eaque sub anathematis uinculo alligauit. (Ed. V. Wolf von Glanvell, *Die Kanonessammlung des Kardinals Deusdedit* (Paderborn 1905, repr. Aalen 1967) 618-28, using this MS.)

- fol. 3r-5r **Synodus Constantinopolitana** (448)
 (Rubrica) Incipit diffinitio synodi Constantinopolitane aduersus Euthicen.
 (Textus) Congregata rursus sancta et magna synodo ... (fol. 4v) (Finis) et ipsi
 pæne excommunicationis si qui non declinauerint confabulationes eius.
 Subscriptiones epyscoporum. Flauianus episcopus Constantinopoleos iudicans
 subscripsi ... Ianuarius Macrianensis. Timotheus Priamopolitanus. Ginetrius
 Arguius. Finiunt gesta sinodi. (**Ed.** Ed. cit. 628-35, using this MS; Mansi 6.730-
 45.)
- fol. 5r-6r **Anastasius <II, Epistola>** (JL 751)
 (Inscriptio) Dilectissimis fratribus uniuersis episcopis per Galliam constitutis
 Anastasius papa. (Textus) Bonum atque iocundum Dauiticus sermo designat
 habitare fratres in unum. (Ps. 132.1) Nam nos, licet terrarum spatia ... (Finis)
 Credimus quia in hac clarissima tuba omnis improbitas conquiescat. Deus uos
 incolumes custodiat, fratres karissimi. Data x. kal. septembris, filio Paulino uiro
 clarissimo consule. (**Ed.** Ed. cit. 635-39, using this MS.)
- fol. 6r-7r **Concilium Carthaginense** (419)
 (Rubrica) Incipit prologus Aurelii archiepiscopi totius concilii Africanæ
 prouinciæ ... in secretario basilicæ Fausti. (Textus) Cum Aurelius papa una cum
 Valentino primæ sedis prouinciæ Numidiæ ... (Finis) actis presentibus inserta
 noscuntur. (**Ed.** Ed. cit. 639-43, using this MS; *Concilia Africae*, A.345-A.525, ed.
 C. Munier (CCL 149; 1974) 89-94, with slightly different ending.)
- fol. 7r-8r **<Catalogus pontificum>** (Petrus-Paschalis II) (**Ed.** Wolf von Glanvell, ed. cit.
 643-46, using this MS.)
- fol. 8r-144v **Deusdedit <cardinalis, Collectio canonum>**
 (Inscriptio) eatissimo atque apostolico uiro pontifici domno papae Victori
 tertio ... Deusdedit exiguus presbiter ... (Praefatio) Nouit beatitudo uestra quod
 sancta Romana ecclesia ... (fol. 9v) <Tabula capitulorum totius collectionis> ...
 (fol. 16v) (Praefatio secunda) (Rubrica) Hysidorus in prefatione canonum.
 (Textus) Scire autem uos, lxxx. episcopos, qui hoc opus me incipere ... (Liber I.)
 (Rubrica) Incipit liber primus. Ex concilio Niceno Cap. VI. (Textus) <A>ntiqua
 consuetudo optinuit, ut urbis Romæ episcopus habeat principatum ... (Finis)
 subscriptiones et subscripserunt apocrisarii pape et post eos cæteri episcopi. (**Ed.**
 Ed. cit. 1617, using this, the principal MS of Deusdedit (siglum D), and
 discussing it passim, esp. xx-xxiv. Folio numbers in the margins of the edition are
 to this MS, and passages in the margins (except inscriptions) of this MS appear in
 italics. Andrieu, *Les ordines romani* IV 193-205, using this MS (siglum D), for
 2.108-113, fol. 57r-60r, as *Ordo* 36; *ibid.* II 129, under the same siglum, for
 2.114, fol. 60r, as a fragment of *Ordo* 3. **Bibl.** Fuhrmann, *Einfluss und*
Verbreitung at 524-33 and 779 n. 13, with observations on the edition's use of this
 MS at 524 n. 263; H. Foerster, 'Die Liber Diurnus-Fragmente in der
 Kanonessammlung des Kardinals Deusdedit', *Lebendiges Mittelalter. Festgabe*
für Wolfgang Stammler (Freiburg Schw. 1958) 44-54.)
- fol. 144v **<Versus>**
 Anna uiro Joachim peperit te uirgo Maria ... (Finis) sic tribus una uiris genuit tres
 - Anna Marias. (**Ed.** Wolf von Glanvell ed. cit. 617 n. 9.)
- fol. 1r-144v **<Evangelarium in palimpsesto>**

(**Bibl.** Lowe, CLA I 7, with plate of fol. 16v; Gamber, *Codices* I 453-54; *Les manuscrits liturgiques*, ed. Salmon, II 64. The palimpsest text is in a 7th- or 8th-century Italian uncial.)

Bibl. Ballerini, *De antiq. coll.*, PL 56.330-38; K. Steinacker, 'Die Deusedithandschrift (Cod. Vat. 3833) und die ältesten gallischen libri canonum', *MIÖG Ergänzungsband 6* (1901) 113-44.

The text is in a late Carolingian minuscule in brown ink, with corrections, sometimes several lines long (e.g., fol. 6r), in several contemporary hands. There is a note identifying the text in a modern hand at fol. 1r. Starting at fol. 35v, chapter inscriptions are often in the margins, usually bordered by various designs. Fol. 1r opens with a stylized acanthus initial. Space was reserved at the beginning of each book for an opening initial. Only that to Book 3, on fol. 67r, was finished. It is in an elaborate white-vine design with two animal heads and some background color. The initial to Book 2, at fol. 50v, was started by an untrained hand. Capitals are red, and the letters of the inscriptions are outlined in red. On fol. 1-7 and 140v-144v the inscriptions themselves are red. The simple running titles are the letter 'L' on the left and a roman numeral or the first letter of the numerals' word ('P. S, T, Q') on the right. Fol. 144v has a 13th-century ex libris: 'Liber basilice sanctorum apostolorum in urbe'; the Vatican inventory registers the MS only in 1620; cf. ed. cit. xx. Frequent holes have been repaired with paper. Catchwords are at the lower right. The parchment was prepared with double compass pricks. Folios in the first quire are waterstained, folios of the last quire suffer from mildew. The MS has a 19th-century parchment binding.

Vat. lat. 3845	saec. XII.2
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Prov. Barbo family.

123 fols. memb. 310 (180-190) x 203 (80) mm, origin Italy. Quaterniones, saec. XII.2.

fol. 1ra-rb <**Tabula titulorum legum Langobardorum**>

fol. 1v-123r <**Leges Langobardorum (Lombarda), recensio vulgata**> (See Vat. lat. 8782 fol. 1ra-46vb for further information.) *Variants:*

(Versus) Qui legit has leges non querat ledere reges | Num quod et ipsa docet
lectio prima nocet. <Inscriptio praem. ante rubricam.> (Rubrica) Legis
Longobardorum liber primus incipit ... (Colophon) Laus tibi sit Christe | Quoniam
liber explicit iste. (**Ed.** MGH LL (in Folio) IV ed. F. Bluhme ciii (siglum 4)
printing the verse.)

fol. 1v-122v marg. <Incertus auctor, **Glossae ad leges Langobardorum**>

(**Bibl.** D'Amelio, *Indagini* 54 n. 90; M. Bellomo, *Problemi di diritto familiare nell'età dei comuni* (Milano 1968) 5 n. 13.)

Cat. Dolezalek, *Verzeichnis* II.

The MS is written in a late Carolingian minuscule in brown ink and has extensive glosses. The siglum 'a' appears occasionally; e.g. fol. 115r, 116r et passim. Additional texts were added in the margins; e.g. fol. 55v. Fol. 1r is largely illegible, as are the notes on fol. 36v, 47r, and 50v. A primitive illumination of a crowned king in red, blue, and green appears on fol. 1va. The table (fol. 1ra-rb) is in a 13/14th-century hand. At fol. 109r the scribe added among the glosses the verse, 'O Girarde cardinalis ... Vel adminus quadraginta'. The rubrics are red. The capitals at fol. 1v-2r are red or blue. Those on later folia are red. In the 15th century the arms of the Barbo family surmounted by a cardinal's hat were added at the bottom of fol. 2r. According to Bluhme, p. ciii, the MS was already in the Vatican library in the reign of Paul V (1605-1621), was removed to Paris in 1797, and was returned to Rome after 1815. The Vatican library's stamp was superimposed on that of the Bibliothèque nationale at fol. 1r. At fol. 123v is written, in a 17th-

century hand, 'Ex pluteo vii in quo extant canonistae in bibliotheca publica a sinistra ingredientis per portam maiorem Bibliothecae Apostolicae'. 'Testus langobarde' was written on fol. 1r and 123v in a 13/14th-century hand. Catchwords, where present, are at lower right. The MS has a 19th-century leather binding, reusing parts of the 17th-century one.

(ANALYSIS OF THIS IMPORTANT MS IS INADEQUATE: 8782 NOT GOOD AS BASE; GLOSSES MUST BE DESCRIBED; BIBLIOGRAPHY IS INCOMPLETE - I COULDS DO HOWEVER NEED TIME!)

Vat. Lat. 3883

saec. XVI.1

Scr. Georges Costa; Francesco Todeschini-Piccolomini(?).

<II> + 174 fols. + 125a + 157a-d + 169a-d - 57-58 chart. (<I>: memb.) 297 (194) x 218 (124) mm, origin Italy (Rome). Seniones, saec. XVI.1.

<I>v **Alexander <VI, Epistola Nobilitas generis>**, fragmentum

(This unfinished copy of the letter *Nobilitas generis* was cut down and its blank verso used for a title page.)

<I>v <**Tabula codicis**>

(The table was added on the blank lower half of the folio. **Ed.** Celier, 'Alexandre VI et la réforme' 89-90.)

fol. 1r-11r **Nicolaus Cusanus, <De reformatione ecclesiae>**

(Rubrica) N. Cussa cardinalis pro reformatione. (Textus) Vt hæc nostra reformatio capiatur per cuiuslibet intellectum esse iusta ... (Finis) puniantur et de curia eiiciantur. (**Ed.** S. Ehses, 'Der Reformentwurf des Kardinals Nikolaus Cusanus', *Historisches Jahrbuch* 32 (1911) 274-97. **Bibl.** R. Haubet, *Studien zu Nikolaus von Kues* (Münster i. W. 1959) 10-11.)

fol. 14r-25v **Sixtus <IV, Reformationes curiae>**

(Inscriptio) Sixtus ad perpetuam rei memoriam. (Praefatio) Quoniam regnantium cura non minor est praua corrigere ... (fol. 14v) (Rubrica *margin.*) De reformatione palatii. ... (Textus) Primo igitur ut a capite edatur ratio ... (Finis) nullius sint roboris uel momenti. (**Ed.** The sections on the papal chancery, fol. 15r-16v and fol. 21r-24r, are edited in Tangl, *Päpstliche Kanzleiordnungen* at 379-85, using this MS (siglum A). **Bibl.** Tangl, 362; Celier, 93-95, on the structure of the bull v. Hoffmann II 230s dating June 1473/July 1474. The hand changes at the bottom of fol. 24v; the new scribe filled the margins of the page before continuing his text on fol. 25r-v.)

fol. 27r-50v <Auctores varii et incerti, **Documenta de reformatione poenitentiariae**>

(Textus) Maius siue principale offitium poenitentiariae quod alii audent ... (Textus ultimus) (Rubrica) Forma procedendi in rebus ... pro suis tribunalibus decernentibus, que sunt sex. (Textus) Procuratores siue sollicitatores dicti officii ... (Finis) periculum maximum immineret ei, qui illi fraudi esset etc. (This collection of materials on the Poenitentiaria was part of the documentation submitted to the commission of cardinals appointed by Alexander VI in 1496 to plan for the reform of the Curia. The contents include: two interrelated reform proposals (fol. 27r-34v, 38r-41r, **Ed.** Göller, *Päpstliche Pönitentiariae* II.2 pp. 107-33 and 101-06, from this MS; **Bibl.** F. Tamburini, 'Il primo registro di suppliche dell'archivio della sacra penitenzieria apostolica (1410-1411)', *Rivista di storia*

- della chiesa in Italia* 23 (1969) 384-427 at 408 n. 44, 416 n. 54); summaries of several papal bulls and an oath of office (fol. 37r); four papal letters: Alexander VI, *Consueverunt Romani pontifices* (1. April 1496) (fol. 42r-43r, 46r) and *Attendentes* (26. Aug. 1497) (fol. 45r-v, **Ed.** Göller, *Päpstliche Pönitentiarie* II.2 pp. 86-87, using this MS), Eugenius IV, *Ad sacram Petri sedem* (fol. 44r-v, cf. Vat. lat. 3994 fol. 83v-85r), and Innocent VIII, *Super familias* (fol. 44v-45r, cf. Vat. lat. 5424 fol. 209r-211r), notes on the faculties of the major penitentiary (fol. 49r, **Ed.** Göller, *Päpstliche Pönitentiarie* II.2 p. 1 from this MS, except for the concluding additional note); and instructions by cardinal Giuliano della Rovere (later Julius II) on the proper expediting of letters (fol. 49r-50v, **Ed.** Göller, *Päpstliche Pönitentiarie* II.2 pp. 31-34, from this MS). **Bibl.** Celier, 97, 109.)
- fol. 53r-78r <**Auctores varii et incerti, Documenta de reformatione cancellariae**> (Rubrica) Circa reformationem cancellarie. Cancellaria habet laudabiles constitutiones ... (Textus ultimus) (Inscriptio) Innocentius episcopus ... ad perpetuam rei memoriam. (Textus) Etsi de cunctis Romane curie officiis ... (Finis) suspensionem a sui officii exercitio aut emolumentorum perceptione uel alias puniatur non obstantibus, etc. ... Nulli ergo etc. Datum Rome apud sanctum Petrum anno incarnationis Dominice millesimo quadringentesimo (nonagesimo *add.ed.*) sexto decimo kal. ianuarii, pontificatus nostri septimo anno. (This collection of materials includes several reports submitted to the cardinals of the reform commission: fol. 53r-54r (**Ed.** Tangl, *Päpstliche Kanzleiordnungen* 386-88 from this MS), fol. 55r-56v (**Ed.** W. v. Hofmann, *Forschungen zur Geschichte der kurialen Behörden vom Schisma bis zur Reformation*, 2 vols. in 1 (Rom 1914; anast. repr. 1971) II 233-36 from this MS); fol. 73r-v (**Ed.** Tangl, 388-90 using this MS); fol. 74r-v (**Ed.** Hofmann II 232-33 using this MS); Eugenius IV, *Romani pontificis* (fol. 59r-62r, **Ed.** Tangl 168-75, not using this MS); instructions of Paul II on the production of apostolic letters (fol. 62r-v, **Ed.** Tangl 192-93, not using this MS); Sixtus IV, *Cum sicut frequentibus* (9 jan. 1481) (fol. 63r, **Ed.** Tangl 193-95, not using this MS) and *Cum sicut accepimus* (9 jun. 1472) (fol. 63v, **Ed.** Tangl 205-07, not using this MS); a report on the *register bullarum* and a rebuttal to it (fol. 66r-69v, 64r-65r respectively, **Ed.** Tangl 390-97, 398-400, from this MS); Innocent VII, *Etsi de cunctis* (17 dec. 1490) (fol. 70r-71v, 78r, **Ed.** Tangl, 425-28, from this MS); and an incomplete text of a protest of the *collectores plumbi* (fol. 72r-v, **Ed.** Tangl 400-02, from this MS; fol. 74, **Ed.** ZZ Hofmann II 232s, from this MS).)
- fol. 80r-83r, 84r-v <**De regulis signaturae**> (Rubrica) Regule signature gratiarum. (Textus) Multa solebant aliquando per signaturam ... (Finis) in signatura iudicabit danda; cf. ZZ Hofmann, 238.
- fol. 85r-86v <**Epitome reformationis Martini V**> (Rubrica) Epitome xxx. capitulorum reformationis Martini V que sunt in libro uiridi serici cancelarie carta 189. (Textus) Contra cardinalem qui non honeste uixerit ... (Finis) ut recipere bene tractent nihil trutinant. (The original sequence of thirty items ends on fol. 86r; the same scribe added three more entries, filling the page. The last few 16 additions are in a different hand.)
- fol. 90v-95v, 97r-103v <**Commissio de reformatione Curiae**>, **Conclusa** (Rubrica) Redditus cardinalium sex milia. (Textus) Vt circa beneficiorum

- incompatibilium multiplicatas ... (Finis) turpitudinis sit particeps (una conuenio *marg.*) applicanda. (**Ed.** of fol. 94r: Tangl, *Päpstliche Kanzleiordnungen* 404 §§ 1-8, from this MS (siglum A). Cf. Vat. lat. 3884 fol. 73r-105v. **Bibl.** Celier 117-19; F. Petrucci, DBI 19,592.)
- fol. 104v-139v <**Commissio de reformatione Curiae**>, **Proponenda**
(Tabula contentorum) Prima bulla. Papa et palatium ... reformatur clerus romane (fol. 105r) (Textus) Cum uite et moris emendatio ... (Finis) penam excommunicationis late sententie imponentes. (**Ed.** of fol. 110r-125a^r: Tangl 405-06, 418-19, 410-16, 420, 417-18, 406-12, 420-21, using this MS. **Bibl.** Celier 117-18.)
- fol. 140r <**Nota historica**>
Innocentius iii factus pontifex. In primis super omnia exosam habuit ... (Finis) ut Marchiam ei restitueret.
- fol. 141v <**Notae variae**>
Cardinalis Nicolaus Cussa, deinde Sixtus bene monent ... (Finis) secundum totam scholam theologorum et canonistarum. (**Bibl.** Celier 114-15, nn., printing part of the text.)
- fol. 142r-156v <**Memorandum de reformatione curiae**>
(Rubrica) Reformatio Romane curie que est speculum uniuersalis ecclesiae. Papa. (Textus) Quoniam reformatis operariis uinee Dominice ... (Finis) aliquo gratis dispensandum duxerit. (**Bibl.** Celier 114-16, where the opening passage is printed; extracts printed in Hofmann II 238-240 from this MS.)
- fol. 157r **Canonicus S. Petri** <**incertus, Memorandum**> **pro reparatione basilicae S. Petri in Vaticano**
(Rubrica) Pro reparatione et manutentione Basilice principis Apostolorum de Urbe. In primis. (Textus) Illustris et deuotissima Comitissa Mathildis cum suo marito ... (Finis) in locis deputatis reperiebantur quam hodierna die in anno comperiri possunt (**Ed.** Celier 111-12, from this MS.)
- fol. 158r-162v **Collegium cardinalium, Capitulationes conclavis Innocentii VIII**
(Rubrica) Capitula conclauis Innocentii viii. (Praefatio) Nos omnes et singuli S.R.E. cardinales infrascripti pro bono et foelici regimine ... (Textus) In primis iurabit et promittet, quod aduenienti casu necessitatis subueniendi fidelibus ... (Finis) nec absolutionem alicui committam. Ita me Deus adiuuet et hec sancta Dei euangelia (**Ed.** J. Burchard, *Diarium sive rerum urbanarum commentarii*, ed. L. Thuasne, 3 vols. (Paris 1883-85) II 47-54; Baronius, *Annales ecclesiastici* anno 1484 §§ 30- 41;(ed. Theiner 30.67-70), gives a slightly altered version. **Bibl.** W. Ullmann, 'The legality of the papal electoral pacts', *Ephemerides iuris canonici* 12 (1956) 3-35; Celier 96.)
- fol. 167r-v, 171r-v <**Memorandum datum papae in Sancto Petro**>
(Inscriptio) Sanctissime Pater. (Textus) Benedictus sit Deus quod sanctitatis uestre applicuit animum ad reformationem ... (Finis) et rationibus bene fundabo. (Notationes) Neapolitanus contra ... omnes conueniunt quo ad futurum. (**Ed.** and **Bibl.** Celier 105-08, from this MS.)
- fol. 168r-v, 170r-v **Sixtus IV, Const. Supernae dispositionis** (20 feb. 1480)
(Inscriptio) Sixtus episcopus ... ad perpetuam rei memoriam. (Textus) Superne dispositionis arbitrio ... (Finis) instituta possunt in reprehensibiles in ///. Nulli ergo

- ... Si quis ... Datum Rome ... 1480 undecimo kal. martii pontificatus nostri anno decimo. (**Bibl.** Celier 95, extract ZZ Hofmann II 2. These two folios are a single sheet, written in two columns; the text begins in the lower left corner of fol. 168v and ends at the end of the upper column of fol. 170v. There are numerous marginal annotations.)
- fol. 169r-169a^v, 169d^f **Franciscus Todeschini-Piccolomini, cardinalis Senensis** (postea Pius III), <**Memorandum**>
(Rubrica) De pontifice. In primis catholicam fidem omnibus uiribus defendet ... (Finis) additis nouis et necessariis prouisionibus. (**Ed.** Celier 100-03, from this MS. A note in the upper right corner reads 'a cardinale Senensi'.)
- fol. 169b^v-169c^f <**Georges Costa, cardinalis Ulixbonensis, Nota**>
Principes seculares usurpant sibi omnem iurisdictionem ... (Finis) quia clerus propterea ualde opprimitur. (**Ed.** Celier 103-04, from this MS. This is a small single sheet, bound down the center into the quire.)
- fol. 172r, 173r-v <**Memoranda varia**>
(Textus) Placet addito quod lapsu biennium ... (Finis) obtenda cum suis qualitatibus.

Cat. Kristeller II 323. **Bibl.** Tangl, *Päpstliche Kanzleiordnungen* at lxxii-lxxiii; Celier, 'Alexandre VI et la réforme' examining the manuscript in detail; ZZ Hofmann esp. II 230-240; B. Schwarz, *Die Organisation kurialer Schreiberkollegien von ihrer Entstehung bis zur Mitte des 15. Jahrhunderts* (Tübingen 1972) 70 n. 261.)

The MS is a composite, made up of documents submitted by various departments of the Curia to the cardinals of the reform commission appointed by Alexander VI in 1496, and working drafts of the commission's own proposals and observations. The texts are written in dark brown ink, in many different humanistic cursive hands. Several texts were corrected by the scribes who wrote them. Rubrics are red on fol. 14-24 (where they are written in the margins), and 90v-102r; in the rest of the MS they are in ink, as are the capitals, except for the opening letter on fol. 1r. On fol. 45v, there is the beginning of another document, the inscription of which is 'Dilectis filiis minoribus penitentiariis Basilice principis apostolorum de urbe ...'; this may be the beginning of 'Cum in principio', cf. Göller, *Päpstliche Pönitentie* II.2 pp. 88-90. There are marginal notes in several hands, and some headings and rubrics were later additions. On <II>r is the note 'Additio in generalibus in alio quinterno de uita et honestate clericorum ut per Sixtum infra 18. et s.'; cf. the note on fol. 168v: 'Omnia sunt in alia generali bulla quam dedit Senensis, et hoc mandauit Neapolitanus'. Some notations are cross references to guide the reader (e.g. fol. 43v and 102v, where the reference 'in quinterno fol. 21' may refer to fol. 122 here). On fol. 104ff many items are marked 'in conclusa', referring back to the text on fol. 90v-103v. The notes on fol. 13v and 125a^v are illegible. Some of the texts in the latter part of the MS (fol. 90-155) are very heavily emended and annotated, reflecting the deliberations of the reform commission. Fol. 169b^v-169c^f, is an autograph of Georges Costa, cardinal bishop of Albano ('Ulixbonensis'); fol. 169r-169a^v, 169d^f may be in the hand of Francesco Todeschini-Piccolomini, cardinalis deacon of S. Eustachius ('Senensis'). A note at the foot of fol. 104v reads: 'cardinal Ulixbonensis hec notauit', and an addition to fol. 167v records the reactions of members of the commission to the contents of the document. Some of the texts in the latter part of the MS (fol. 90-155) are very heavily emended and annotated, reflecting the deliberations of the reform commission. Fol. 169b^v-169c^f is an autograph of Georges Costa, cardinal bishop of Albano ('Ulixbonensis'); fol. 169r-169v, 169d^f may be in the hand of Francesco Todeschini-Piccolomini, cardinal deacon of S. Eustachius ('Senensis'). A note at the foot of fol. 104v reads: 'cardinal Ulixbonensis hec notauit', and an addition to fol. 167v records the reactions of members of the commission to the contents of the document. Some of the annotations in the MS may also have been written by senior members of the commission. Because of the nature of the MS, the quire structure is irregular. (Fol. 167-171 are separate documents which were laid one on top of the other and sewed into a quire, so portions of text occur in the wrong order.) The writing on fol. 37r is upside

down; fol. 149 precedes fol. 148. Old foliation systems appear in two sections: fol. 106-125a have the old numbers 5-15, fol. 141-155 bear the numbers 1-15. On the verso of a modern front flyleaf is a signed note in the hand of Isidoro Carini, library *custos* 19th century: 'Si averte che il presente manoscritto è da darsi in istudio con molta cautela'. Another note on fol. 56v, in the hand of Franz Ehrle, indicates that fol. 57-58 are lacking. The letters 'A' and '[A] R' on <I>r may be old shelf marks. <I>r is a title page. For the watermarks, cf. Briquet nos. 1388 and 12149. The MS has a 19th-century leather und parchment binding incorporating the 17th-century one. Folios used as dividers, usually blank except for an identifying note or some stray annotations, are: <II>r, fol. 26, 36, 48, 52, 76 (which was part of the original wrapping in which some of the documents were sent), 90r, 104r, and 157a-d (pages of coarse blue paper, some bearing notes on unrelated subjects). Fol. 11v-13r, 35r-v, 37v, 41v, 46v-47r, 51r-v, 65v, 75r-v, 77r-v, 78v-79v, 83v, 87r-89r, 96r-v, 107v-108v, 126r-127v, 140v-141r, 149v, 156r-v, 157v, 163r-166v, 167v, 169b^f, 169c^v, 169d^v, 172v, and 174r-v are blank.

Vat. lat. 3884	saec. XVI.1 (1511-13?)
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132 fols. - 18 chart. 294 (223) x 219 (131) mm, origin Italy. Quaterniones, saec. XVI.1 (1511-13?).

fol. 1r-14v <**Propositiones reformationis in concilio Constantiensi**>, imperfectae
 /// assistant non de una tantum mundi regione ... (Finis) et personis beneficiatis detur occasio uagandi et male faciendi. (Ed. Partially edited in Finke, *Acta Concilii Constanciensis* II 549-65, 622-72. **Bibl.** J. Sawicki and P. Stump, 'New evidence for the reform committee of the Council of Constance', *BMCL* 8 (1978) 50-55.)

fol. 15r-24r <Incertus auctor, **Instructiones datae legato Romae pro reformatione in concilio Basiliensi**>
 (Rubrica) Instructiones date Rome pro reformatione in concilio Basiliensi.
 (Praefatio) Aduisamenta alias facta per dominos commissarios cum aliquibus additionibus factis ... (Rubrica textus) De his que pertinent immediate ad s. d. n.
 (Textus) Quod sue intentionis est circa prouisiones ecclesiarum cathedralium ...
 (Finis) et laici uidentes clericorum honestatem eos ut patres uerebuntur. Deo gratias. (Ed. Partially edited from this MS in Tangl, *Päpstliche Kanzleiordnungen* 363-65; and more completely in J. Haller, *Concilium Basiliense* (Basel 1896; anast. repr. 1971) 164-83, using this MS (siglum V). **Bibl.** R. Haubst, 'Der Reformentwurf Pius' des Zweiten', *Römische Quartalschrift* 49 (1954) 188-242 at 194 [not seen].)

fol. 24v-26v <**Martinus V, Concordata cum natione Germanica in concilio Constantiensi**, excerptum>
 (Inscriptio) Vniuersis et singulis Ioannes miseratione diuina episcopus Hostiensis ... (Praefatio) Cum itaque nuper inter sanctissimum in Christo patrem et dominum nostrum d. Martinum ... et ... uenerabilem nationem Germanicam ...
 (fol. 25r) (Rubrica textus) De numero et qualitate cardinalium (et eorum creatione *add. ed.*). (Textus) Statuimus ut deinceps numerus cardinalium sancte Romane ecclesie (*om. cod.*) adeo sit moderatus ... (Finis) quam superius de ecclesiis cathedralibus est expressum. (Ed. A. Mercati, *Raccolta di concordati* (Roma 1919) 158.)

fol. 27r-49v <Incertus auctor, **Reformationes curiae tempore concilii Basiliensis**>
 (Rubrica) Infrascripta uel aliqua pars eorum prout melius iudicabitur a sanctissimo domino nostro et sacro collegio uidentur annectenda (anextenda

cod.) esse pro reformatione curie. De hiis que pertinent immediate ad s. d. n. (Textus) Quod intentionis sanctissimi domini nostri est circa prouisiones ecclesiarum cathedralium ... (Finis) alias disponunt iuribus canonumque statutis in suo robore permansuris. (Ed. Partially edited from this MS in Tangl, *Päpstliche Kanzleiordnungen* 366-71; this is MS V1 in Haller, loc. cit., who describes it as a version of fol. 15r-24r above; **Bibl.** C. Lefebvre, 'Le tribunal de la Rote Romaine et sa procédure au temps de Pio II', *Enea Silvio Piccolomini, Papa Pio II* ed. D. Maffei (Siena 1968) 199-211 at 206 n. 40, 209 n. 59; U. Montag, 'Ein Brigittinischer Reformentwurf für Papst und Kurie', *AHP* 11 (1973) 113-47 at 127 n. 42, dating this piece c. 1473-74.)

fol. 50r-52v **Catalogus pontificum** (Petrus-Julius II)

fol. 53r-72r <**Constitutiones sive Extravagantes**>, nominantur: **Johannes XXIII**, Const. *Rationi congrua* (fol. 63r-v); **Martinus V**, Const. *In apostolicae dignitatis* (Ed. *Bullarium Romanum* IV 680-89; Tangl, *Päpstliche Kanzleiordnungen* 133-45) (fol. 53r-60r); *Quoniam novissima* (fol. 60r-61v); *Quod antidota* (Ed. *Bullarium Romanum* IV 677-78) (fol. 61v-62r); *Damnabile* (fol. 62r-63r); *Romani pontificis*, excerptum cancellatum (fol. 64r); *Romani pontificis* (Ed. *Bullarium Romanum* IV 708-14; Tangl 146-60) (fol. 64v-72r).

fol. 64r <**Concilium Pisanum (1409)**, excerptum>

(Rubrica) Constitutio Pisana pro possessoribus. (Textus) Item ut in unione pace iam in Dei ecclesia ... (Finis) beneficia predicta sedi apostolice fuerint reseruata.

fol. 73r-109v **Alexander VI, Reformationes curiae**

(Rubrica) Constitutionum reformationis Romanae curie ab Alexandro VI^o pontifice maximo prohemium. (Praefatio) In apostolice sedis specula diuina dispositione locati ... (fol. 73v) (Rubrica textus) Sixti prohemium ad pontifices (*sic*) cappella. (Textus) Primo igitur ut a capite edatur ratio ... (Finis) que etiam in officio gesserit nullius sint roboris uel momenti etc. (This collection, which includes documents of Eugenius IV, Paul II, and Sixtus IV, is partly edited in Tangl, *Päpstliche Kanzleiordnungen* 402-15, 422-23, 415-21; W. v. Hofmann, *Forschungen zur Geschichte der kurialen Behörden vom Schisma bis zur Reformation*, 2 vols. in 1 (Rom 1914; anast. repr. 1971) II 237-38; L. Pastor, *Geschichte der Päpste*, III.2 (Freiburg i.B. 1924) pp. 1068-70 prints the preface and a list of rubrics. **Bibl.** Celier, 'Alexandre VI et la réforme' 119-20. Cf. Vat. lat. 3883 fol. 90v-95v, 97r-103v.)

fol. 110r-114v <**Oliverius Caraffa, Reformationes curiae**>

(Rubrica) Fuerunt ista composita a bone memorie reuerendissimo domino cardinali Neapolitano pro reformatione stat/// pontificis Alexandri VI et eius palatii et curie conclusa. (Textus) In primis quod cum omni humilitate et reuerentia dixerim ... (Finis) et sue salutis immemores placuit etc. (**Bibl.** R. de Maio, *Savonarola e la curia Romana* (Roma 1969) 138 n. 24; Celier, 'Alexandre VI et la réforme' 97-99 quotes briefly from the text; Extracts ZZ Hofmann II 238 ; F. Petrucci, *DBI* 19. 588-96, discussing the text at p. 592.)

fol. 118r-132v <**Sixtus IV, Reformationes curiae**> (See Vat. lat. 3883 fol. 14r-25v for further information.) *Variants*:

(Inscriptio) etc. *add.post* Sixtus ... (Finis) ut pena ipsorum sit metus aliorum. (The last paragraph here follows no. 38 of Vat. lat. 3883 at fol. 24v. **Bibl.** Hofmann,

op. cit. II 230-31.)

Bibl. Tangl, *Päpstliche Kanzleiordnungen* lxxiii; B. Schwarz, *Die Organisation kurialer Schreiberkollegien von ihrer Entstehung bis zur Mitte des 15. Jahrhunderts* (Tübingen 1972) 264; Celier, 'Alexandre VI et la réforme' 65-124 at 88 n. 1.

This MS falls into two sections: fol. 1r-114v in a cursive hand in dark brown ink, fol. 1 being the old fol. 4 of a foliation system which ends on fol. 73 (*antea* 76); fol. 118r-132v in a humanistic cursive in dark brown ink. Initials are sometimes decorated in ink, the rubrics are in the ink of the text. The quire structure is very irregular, varying from binions to senions, with a plurality of quaternions. For the watermarks, cf. Briquet nos. 6443 and 7854. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. Fol. 72v, 116r-117v (misplaced after fol. 109v), and 115r-v are blank.

Vat. lat. 3891	saec. XV
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103 fols. + 68a chart. et memb. 290 (182) x 211 (111) mm. Bifolia, saec. XV.

fol. 1r-98r <**Egidius Bellamera**>, **Consilia** (nos. 115, 123, 116. 117)

(Rubrica) Consilium centesimum quintum super quodam negotio per reuerendissimum patrem dominum Franciscum Narbonensem archiepiscopum et sedis Apostolice Camerarium nouiter michi dato, factum est tale. (Textus) Anno Domini millesimo trescentesimo nonagesimo septimo die nona ianuarii super certis controuersiis et demandis fuit factus tractatus ... (Consilium ultimum) (fol. 87r) Factum tale est: Archiepiscopus Bituricensis pretendit se habere ius primatie seu patriarchale in ecclesia, ciuitate, diocesi et provincia Narbonensi ... (Finis) tamen ipse non potest facere ea que in regula sed solum ea que in excepcione habentur etc. (**Ed.** and **Bibl.** See Vat. lat. 2344-46. H. Gilles, 'La vie et les oeuvres de Gilles Bellemère', *Bibliothèque de l'Ecole des Chartes* 124 (1966) 30-136, 382-431 at 67 n. 1.)

fol. 98v-101r <Incertus auctor>, **Consilium**

(Invocatio) Ihesus Maria. (Rubrica) Pro communitate Iudeorum Auinion ZZ contra olim Baylonos et administratores ipsius. (Inscriptio) Reuerendissime pater et domine metuendissime. (Textus) Quod Bayloni Carriere seu communitatis Iudeorum de quorum rationibus coram e. paternitati agitur fuerint in dolo ... (Finis) uidet expediens iustum et utile. ff. de hiis que in testa. delen. l. Proxime in fi. (Dig. 28.4.3) et ibi notatur. (Colophon) Que submicto correccioni et emendacioni uestre reuerende paternitatis et eius uenerabilis consilii et laciori deliberationi quia sum sine libris maxime propriis etc.

fol. 102r-103r **Clerus Carcassone, Petitio ad Carolum VII regem Franciae**

(Praefatio) Status cleri de mandato domini nostri regis in burgo Carcassone cum aliis duobus ... (Rubrica) Sequuntur dicte retenciones et qualitates. (Textus) Primo quod dictum donum soluetur in moneta alba uel nigra ... (Finis) quartus remanebit sub dispositione diocesanorum et sui cleri, et ita est concessum me presente. (Datum) Acta Carcassone anno Domini millesimo ^ciiii^c xxiii. die vi. maii. Fauerot.

Bibl. The first of Egidius's consilia is numbered '105' and is the same as '115' in Vat. lat. 2346 fol. 299rb-302vb. The second consilium, unnumbered in this MS, is no. 123 in Vat.

lat. 2346 fol. 369vb-391rb.

The MS was written in black ink in three different cursive hands (fol. 1-98r; 98v-101r; 102r- 103r). There are occasional marginalia; e.g., at fol. 98r, a note referring to cons. 117. In the petition at fol. 102r-103r the scribe wrote 'Fauerot' next to most of the articles. Capitals are missing in cons. 123, fol. 11r-55r. Each gathering, apart from an initial quinion, comprises 8 bifolios, of which the outer and inner bifolios are parchment and the others paper. This is the usual counting of the folios making up a quire (here fol. 11-18=aI-aVIII). Catchwords are centered. From fol. 11 onwards the sheets were prepared with compass pricks. For the watermarks, cf. Briquet nos. 15807 and 13262. The MS has an 18th-century parchment binding. Fol. 86v is blank except for the note 'Consilium centisimum decimum in causa Narbonensi'; fol. 8r-10v, 101v, and 103v are blank.

Vat. lat. 3934	saec. XV
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antea E.N.11.

<I> +181 fols. chart. 304 (157) x 209 (112) mm, saec. XV.

fol. 1r-v <Incertus auctor, **Consilium de antipapa Petro de Luna**>

(Rubrica) Ita respondi domino cardinali sancti Marcelli 1428 Rome 20 augusti. Istud est consilium an si papa Petrus de Luna ... (Invocatio) In nomine indiuidue Trinitatis. Amen. (Textus) Quorundam curiositas potius ad sue ostentacionem quam utilitatem ... (Finis) edificat ad Gehennam de simo. Per tuas (X 5.3.35).

fol. 2r **Concilium Constantiense, c. *Frequens***

(Rubrica) Constitucio Constanciensis concilii. (Textus) Frequens generalium conciliorum celebracio agri Dominici precipua cultura est ... (Finis) ut ad ipsum concilium celebrandum predicti possint statuto termino conuenire. (Ed. P. Prodi in *Conc. oecum. decreta*, pp. 438-39)

fol. 2r-3r, 9r-10r, 11r-v, 41r-46v, 48r-53r <**Concilium Basiliense, Acta et documenta, excerpta**>

(Textus) Sicut unica est ecclesia sancta catholica ... (fol. 48v) (Excerptum ultimum) (Rubrica) Supradicte cedulae sacrum Basiliense concilium in modum qui sequitur respondet. (Textus) Cuperet hec sancta synodus uobis dilectis ecclesie ... (fol. 53r) (Finis) uobiscum omnem honestam et rationabilem uiam concordie. (This group of excerpts contains: *Sicut unica* (*Conc. oecum. decreta*, ed. J. Alberigo, pp. 464-65) (fol. 2r-v); <**Adnotationes de sessionibus XI, XIX, XXV et XXVI**> (fol. 2v-3r); <**Petitio principum ad concilium Basiliense**> (fol. 9r-10r); c. *Prospexit Dominus* (Mansi 29.179-81) (fol. 11r-v); *Sessio I* (*Conc. oecum. decreta*, ed. J. Alberigo, pp. 455; Mansi 29.5 no. 2-12 no. 9, 13 no. 11-21 no. 21) (fol. 41r-46v); <**Nicolaus de Albergatis et Johannes Cervantes, Proposita ad concilium Basiliense**> (Mansi 29.282-88) (fol. 48v-53r).)

fol. 5r-7r <Incertus auctor, **Consilium de petitione regis Aragonum**>

(Rubrica *margin.*) Casus. (Textus) Inclitus Aragonum rex Alfonsus petit a domino nostro papa ... (Finis) secundum Deum iura et bonam conscientiam petitionem domini regis insuper exaudire. (Ed. Finke, *Acta Concilii Constanciensis* IV 220-28, from this MS.)

fol. 12r <Incertus auctor, **Conclusiones Basilienses cum refutationibus**>

(Rubrica) Conclusio Basiliensis. (Textus) Veritas de potestate concilii generalis supra papam ... (Rubrica refutationis) In oppositum. (Refutatio) Hec assertio

- concilium generale est supra papam simpliciter prolata ... (Finis) tenetur obuiare et repugnare.
- fol. 14r-33v <**Carolus VII rex Franciae, Sanctio pragmatica Bituricensis**> (1438)
 (Inscriptio) Karolus Dei gracia Francorum rex (Francorum rex *rep. cod.*) ...
 (Praefatio) Inscrutabilis diuine prouidencia altitudinis per quam reges regnant ...
 (Textus) Frequens generalium conciliorum celebratio agri precipua cultura est ...
 (fol. 32v) (Finis) et super hoc conficere pragmaticam sanctionem. (Epilogus) Ea propter nobis humiliter supplicarunt memorati archiepiscopi ... (fol. 33v) sigillum nostrum presentibus litteris iussimus (duximus *ed.*) apponendum. Datum Biturii septima die mensis iulii anno Domini Millesimo cccc^o tricesimo octauo et regni nostri decimo sexto. (Per regem in suo magno consilio ... et seculares quamplurimi erant. *add. ed.*). (**Ed.** *Sanctio pragmatica cum glossis d. Cosmas Guismier ...* (Parisiis 1613). **Bibl.** N. Valois, *Histoire de la Pragmatique Sanction de Bourges sous Charles VII* (Paris 1906).)
- fol. 37r-38r, 56r-59v, 60r-67v, 69v-71r **Eugenius IV, Epistolae**
 (Epistola prima) (Rubrica) Bulla dissolutionis concilii Basiliensis. (Inscriptio) Eugenius etc. ad futuram rei memoriam ... (Textus) Quoniam alto et unico prehensibili Domino reddere constituimus ... (fol. 71r) (Epistola ultima) (Rubrica) Bulla quod non expiret potestas presidenti etc. per aduentum legatorum etc. (Inscriptio) Eugenius episcopus seruus seruorum Dei ... (Textus) Cum alias pro presidentibus in concilio Basiliensi ... (Finis) proponatur tractetur concludatur ordinetur et fiat. Datum Rome apud sanctum Petrum anno Dominice incarnationis millesimo quadringentesimo tricesimo tercio septimo idus maii pontificatus nostri anno tercio. (Subscriptiones) Ia. de Langusco. L. de Venetiis. (The following letters appear: *Quoniam alto* (Mansi 29.564-67) (fol. 37r-38r); *Ad sacram Petri sedem* (Mansi 29.569-71) (fol. 56r-v); *Postea quam statuimus* (Mansi 30.541-43) (fol. 57r); *Postea quam statuimus (rep.)* (fol. 58r-v), *Inscrutabilis diuinae prouidentiae* (Mansi 29.79- 81) (fol. 59r); *In arcano nostrae mentis* (Mansi 29.81-82) (fol. 59v), *Postea quam statuimus (rep.)* (fol. 60r); *Ad sacram Petri sedem (rep.)* (fol. 61r-62r); *Inter omnes curas* (Mansi 30.508-09) (fol. 65r-v), *Nulla maior cura* (fol. 65v-66v); *Romani pontificis circumspectioni* (Mansi 30.512) (fol. 66v-67r); *Cum vos ad congregationem* (fol. 67r-v); *Sedis apostolice circumspecta* (Mansi 30.510-11) (fol. 67v); *Postea quam statuimus (rep.)* (fol. 69v); *Cum ex certis* (Mansi 30.540-41) (fol. 69v-70r). *Alta nos cura* (Mansi 29.575) (fol. 70r-v); *Dudum ex certis* (Mansi 30.540-41); *Cum alias* (fol. 71r).)
- fol. 38v-41r <Incertus auctor>, **Responsio ad rationes bullae dissolventis concilium**
 (Rubrica) Sequitur responsio ad rationes bulle dissolventis concilium etc. (Textus) Dicitur quod in partibus Basilee propinquis aliqui oppidani heresim Husitarum insequentes ... (Finis) absit quod hec infamia sanctitatis sue futuris seculis et posteris relinquatur.
- fol. 54r-v <**Ludovicus XI rex Franciae, Littera ad principes electores et eorum responsa**> (1470)
 (Textus) Quoniam plura uident oculi quam oculus et ut inquit sapiens ubi multa consilia ibi salus christianissimus Francorum rex ... (fol. 54v) (Responsum primum) (Rubrica) Responsa in dieta prima Bacheracensi data oratoribus regis Francorum per oratores archiepiscopi Maguntini. (Textus) Cum regis

- christianissimi ac serenissimi oratores ... (Responsum secundum) (Rubrica)
 Responsum quatuor electorum transmissum regi Francorum. (Inscriptio)
 Serenissime princeps rex christianissime domine et amice carissime. (Textus)
 Quemadmodum pridem uestra serenitas seruos ad nos transmisit ... (Finis) id
 deferre ad aures sue maiestatis prout celerius intendimus. Datum. (The date 1470
 at the conclusion of the first response suggests that these documents pertain to
 Louis's XI conciliar agitation in 1469-1470; H. Jedin, *A History of the Council of
 Trent*, tr. E. Graf, 2 vols. (London 1957) I 56.)
- fol. 59v <Incertus auctor, **Rationes contra decreta Basiliensis concilii**>
 (Rubrica) Causa quare pretensa decreta nuper in Basilia edita sunt nulla ...
 (Textus) Primo quia Basilie congregati auctoritate apostolica ... (Finis) est
obiendum prout iura et doctorales auctoritates cantant.
- fol. 69r, 71r-v, 73r-v <**Epistolae concilio Basiliensi spectantes**>, nominantur: Franciscus
 Condulmarus (**Ed.** *Concilium Basiliense*, ed. J. Haller, 8 vols. (Basel 1896-1936;
 anast. repr. 1971) I 311-12 no. 26, 314-15 no. 28, 313 no. 27, from this MS) (fol.
 69r, 71r-v); Sigismundus imperator (**Ed.** *Deutsche Reichstagsakten unter Kaiser
 Sigismund*, ed. H. Herre, IV (Deutsche Reichstagsakten 10; Gotha 1906) 696,
 using this MS: siglum V) (fol. 69r); Christophorus de S. Marcello (fol. 71v);
 Incertus auctor (**Ed.** *Concilium Basiliense*, ed. Haller 251-53 no. 16, from this
 MS.) (fol. 73r-v).
- fol. 72r <Incertus auctor, **Creatio cardinalium**> (1426)
 (Rubrica) Copia cedula. (Textus) Anno Domini millesimo quadringentesimo
 uigesimo sexto ... presentibus omnibus cardinalibus qui erant in curia ... (Finis)
 sicut superius est expressum. <Subscriptiones cardinalium> (**Ed.** *Monumenta
 conciliorum generalium seculi decimi quinti. Concilium Basiliense, Scriptorum
 tomus primus* ed. Caesareae Academiae Scientiarum socii delegati, 4 vols. in 8
 (Vindiboniae 1857-1935) II.1, p. 255.)
- fol. 77r-80v <**Petrus Corsinus, Simon de Borsano et Jacobus de Ursinis, Casus trium
 cardinalium italicorum super facto schismatis**>
 (Rubrica) Casus trium cardinalium Italicorum datus Nicie per duos ex eis quatuor
 cardinales infrascriptos in fine. (Textus) Cum (Dum cod.) sancte memorie
 dominus Gregorius papa XI die xxvii marcii obiisset in Roma ... (Finis) et tunc
 uenit ad ciuitatem Tiburtinam populo Romano subiectam. (Attestatio) Anno
 Domini M^o ccc^o lxxx^{mo} die [vii] xvii nouembris in ciuitate Nicie ... ipsum
 quaternum <...> recipientibus. <Subscriptiones> (**Ed.** L. Gayet, *Le Grand
 Schisme d'Occident*, 2 vols. (Florence 1889) II, Pièces justificatives 1-20, 21.)
- fol. 82r-86v <**Petrus Bertrandi, Consilium de schismate**>
 (Rubrica) Hec sunt puncta formata per dominum nostrum papam. I. (Casus)
 Vtrum in presentis schismatis diuisione aliqui uere scismatici ab ecclesia
 censeantur ... (Textus) Ad primum dico quod ad esse scismatici requiritur ... (fol.
 86r) (Finis) ut foris fieret necesse fuit vii q. i factus (C.7 q.1 c.5). (Subscriptio)
 Predicta omnia subicio determinacioni domini nostri pape et ecclesie sacrosancte.
 (fol. 86v) (Colophon) Magistri Petri Bertrandi.
- fol. 87r-88r <Incertus auctor, **Nota de responso regis Franciae de concilio generali**>
 Au demeurant quant au frait du concille universel ... (Finis) que lon ne pouroit
esperet sinon bone et perfait yssue. (On fol. 88v is written: 'Risposta dal

- christianissimo al /// circa il concilio.’)
- fol. 90r-96r <Incertus auctor, **Allegationes pro papa et contra rebellantes per quemdam venerabilem doctorem**> (probably Petrus de Luna)
(Praefatio) Quia ut audio per quosdam rebellionis scimatice defensores contra papam obiciuntur ... (Textus) Verum antequam ad executionem predictorum accedam ... (Finis) de quibus agitur crimen periurii incurrerunt. (Ed. Partially edited by F. Ehrle, ‘Die kirchenrechtlichen Schriften Peters von Luna (Benedikts XIII.)’, *Archiv für Literatur- und Kirchengeschichte des Mittelalters* 7 (1900; anast. repr. 1956) 515-75 at 554-71.)
- fol. 99r-130v <**Depositiones testium electionis Urbani VI**>, nominantur: Egidius Sancti Munionis (fol. 99r-101v); Guillelmus Morerii (fol. 102r-108v); Luppus Enect de Uxue (fol. 109r-111r); Catherina de Suecia (fol. 115r-116v); Thomas de Acerno (fol. 116v-120r); Bartholomaeus de Bononia (fol. 120v-122r) cum subscriptionibus notariorum (fol. 122v); Adam de Estone (fol. 125r-126r); Franciscus de Theobaldeschis (fol. 126r-127r) cum subscriptionibus notariorum (fol. 127r-128r); Alphonsus Pecha (fol. 129r-130r) cum subscriptione notarii (fol. 130r); Adam de Estone (fol. 130v).
(Ed. M. Seidlmayer, *Die Anfänge des grossen abendländischen Schismas* (Spanische Forschungen der Görresgesellschaft ser. 2,5; Münster i. W. 1940) 325-26 [Egidius Munionis]; Gayet, op. cit. I, Pièces justificatives 114-18 [Bartholomaeus de Bononia]. **Bibl.** Seidlmayer, op. cit. 210-11, 208-10.)
- fol. 131r-133v <**Advisamenta ambassatorum regis Romanorum in dieta Francofordiae**> (1446)
ZZ(Rubrica) Auisa super petendis (a *om. cod.*) s. d. nostro. (Textus) Primo quod sanctissimus dominus noster in uno ex quinque locis sue sanctitati nominatis ... (Finis) sed cum honestis (*ed.* 393) et aptis uerbis materiam. Quod quoque supradictum (dictum *ed.*) est de ecclesia Frisingensi, similiter in controuersia Osiliensis ecclesie obseruetur (*ed.* 391). Datum Frankfordie die quinta octobris anno Domini Millesimo quadringentesimo quadragesimo sexto. (Colophon) Auscultata est hec presens copia ab originali per me Iacobum Widerl registratorem litterarum imperialium que concordat omnino cum originali. (Ed. W. Rossmann, *Betrachtungen über das Zeitalter der Reformation* (Jena 1858) 389-93. The last line of this text appears in the midst of the version in the edition. The edition lacks the colophon.)
- fol. 135r-136 **Petitio Frederici III imperatoris ad Paulum pp II** (post 1469 jan. 18)
(Praefatio) Nuper in conuentu Noremburgensi ut christifideles perfidis Turchis et hereticis commodius resistere possent ... (Textus) Petitur itaque ut sanctissimus dominus noster in hiis prouidere ... (Finis) et calamitate bellorum quibus ille terre uastantur. (Ed. I. Most-Kolbe, in: *Dt.RTA XXII,1* (Göttingen 1973) p. 53-55 n. 17)
- fol. 137r-143r **Thomas de Corcellis, Propositio in dieta Norimbergensi** (1438), imperfecta
(Rubrica) Propositio magistri (*ed.*) T(homas *sup. lin.*) Corserii ad dominos congregatos in dieta Nuremburgensi pro parte illorum qui in Basilea sunt. (Textus) Explicaturi que nobis a sancta synodo iniuncta sunt ... (Finis) se determinauit alterum pretensum concilium contra uerum concilium erigere

- disponens /// (ed. 800 line 4) (After the end is the note: 'Hic deficit ultra unam cartam.' **Ed.** *Deutsche Reichstagsakten unter König Albrecht II*, ed. G. Beckmann I (Deutsche Reichstagsakten 13; Stuttgart - Gotha 1925) 785-807.)
- fol. 145r-152r <Incertus auctor, **Advisamenta de concordiiis Norimberga facta**>
 (Rubrica) Auisamenta super concordiiis estate preterita in Nuremberga factis.
 (Textus) Prima concordia facta est inter serenissimum dominum imperatorem et illustrem ducem Ludewicum ... (Finis) qui hominibus placet quantum Deus spreuit eos etc. (This work treats the obligations of Ludwig of Bavaria-Landshut under agreements made at Nuremberg in 1459; cf. *Defensorium obedientiae apostolicae et alia documenta*, ed. H. A. Oberman et al. (Cambridge, Mass. 1968) 16-25.)
- fol. 153r-163r <Incertus auctor>, **Capitula conventus Ratisponensi de vulgari in Latinum interpretata** (PROBABLY REICHSTAG VON REGENSBURG 1454; THE RTA SECTION (XIX.1) IS INCOMPLETE TO THIS DAY!)
 (Rubrica) Capitula huius magni Ratisponensis conuentus de uulgari in Latinum interpretata. (Praefatio) Notate ordinem quem sacra imperialis maiestatas ad laudem omnipotentis Dei ... (Textus) In primis quod imperiali celsitudine ab omnibus electoribus ... (fol. 162r) (Finis) ab omnibus commune presidium siue auxilium impartiat. (fol. 162v) (Epilogus) Reuerendissime pater ad intelligendum ea que uidentur ... (fol. 163r) per imperium [seruandum] per capita ut supra continentur. (This text mentions at fol. 158v Aeneas Sylvius Piccolomini as cardinal of Siena, placing this 'conuentus' in 1456-58 cf. K. Eubel, *Hierarchia catholica medii [et recentioris] aevi* ... , 7 vols. (Monasterii, 1898-1968) II 12.) INADEQUATE; BETTER DROP IT!
- fol. 166r-170v **Concilium Magdeburgense**
 (Rubrica) De concubinariis. Acta concilii prouincialis Magdeburgensis.
 (Inscriptio) Nicolaus etc. reuerendissimo ZZ ac reuerendis in Christo patribus et dominis Frederico archiepiscopo ... (Textus) Quamuis sancti patres diligentissima cura conati sint ... (Finis) ut ad omnium noticiam deducatur faciat isque eam ab omnibus inuiolabiliter obseruari. Datum in Halberstat sub nostro sigillo die lune quinta iulii anno a natiuitate Domini millesimo quadringentesimo quinquagesimo primo pontificatus sanctissimi in Christo patris et domini nostri domini Nicolai diuina prouidencia pape quinti anno quinto. (**Bibl.** D. Sullivan, 'Nicholas of Cusa as Reformer: the Papal Legation to the Germanies, 1451-1452', *Medieval Studies* 36 (1974) 382-428 at 401-03; K. J. von Hefele - H. Leclerq, *Histoire de conciles...*, 2nd ed., 12 vols. (Paris 1916) VII.2 p. 1213. n. 2 wrongly citing this MS as Vat. lat. 3904.)
- fol. 171r-180v <**Concilium Saltzburgense**>
 (Rubrica) Statuta prouincialia reuerendissimi in Christo patris et domini Eberhardi archiepiscopi Salczburgii apostolice sedis legati edita sub anno Domini M^o cccc^o xvii^o mensis (*sic*) nouembris <in ci>uitate Salczburgensi. (Inscriptio) Eber<har>dus Dei et apostolice sedis <g>ratiarchie<piscopu>s Salczburgensis ... (Praefatio) Deus o<mniu>m creatorum fabricator Post inf<inita> secula creaturas ... (fol. 171v) (Rubrica) De summa Trinitate et fide katholica ex concilio domini Eberhardi (supradicti add. cod.). (Textus) De summa Trinitate que <prop>ter sui exquisitissimam (equitissimm cod.) et probatissimam perfectionem

... (Finis) quibus hanc sanctionem faciant exactissime obseruari etc. Deo gratias.
(Amen *pro* etc. Deo gratias cod.) (Ed. Mansi 28.977-1006.)

Bibl. Finke, *Acta Concilii Constanciensis IV* xxi.

The MS is a composite collection of materials of diverse origin (largely Germanic) in a variety of cursive scripts in brown ink. The cancelled numeration 362-372 on fol. 153-163 suggests that part of this collection may be derived from a larger one. Several of the texts have been annotated. Rubrics and capitals at fol. 171r-174v are orange. Other rubrics thereafter have been underlined in orange, and some capitals have been decorated in orange. The old shelf mark 'E. N. 11' appears inside the front cover. <I>r has an incomplete index of the MS. For the watermarks, cf. Briquet nos. 3298, 5202, 11881, 6077, 6271, 11656, 6394, 3612, 13000, 2401. 8615, 793, 14802, 14857, and 14840. The MS has an old parchment binding. The following are blank except for notes on the contents: fol. 36r, 86v, 88v, 89r, and 165r. <I>v, fol. 3v-4v, 7v-8v, 10v, 12v-13v, 34r-35v, 36v, 47r-v, 53v, 55r-v. 60v, 62v-64v, 68r-v, 72v, 74r-76v, 81r-v, 89v, 96v-98v, 134r-v, 136v, 143v-144v, 152v, 163v-164v, 165v, and 181r-v are blank.

Vat. lat. 3937	saec. XIV.1
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V + 165 + X fols., memb., 332 (215) x 235 (147), saec. XIV.1.

**ZZ Registrum processuum haereticae pravitatis contra Matthaeum
Vicecomitem, ducem Mediolani, et filios eius**

Register of the heresy processes commissioned by John XXII and conducted by the archbishop of Milan, 1321 ss.

Bibl. F. Bock, QF 26 (1935/6) 21-142; L. Besozzi, *Archivio Storico Lombardo* 107 (1981) 235-45.

Fair copy, arranged in 2 books with ca. 50 + 100 documents.

(I THINK WE SHOULD HAVE THIS; SUMMARY TREATMENT IS POSSIBLE; I
COULD DO, HOWEVER NEED SOME TIME!)

Vat. lat. 3940	saec. XV
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207 fols. + 19a + 169a + <IV> chart. (memb.: <+II>-<+IV> 302 (205) x 222 (148) mm, origin Germany. Seniones, saec. XV.

fol. 1r <**Tabula rubricarum**>

fol. 2r-207v <**Urbanus VI, Bonifacius IX, Innocentius VII, Gregorius XII, Alexander V**

et Johannes XXIII, Formularium diversarum bullarum>

(Rubrica) De diuersis formis [et exhib///]. (Inscriptio) Venerabili fratri episcopo Fulginatensi salutem etc. (Textus primus) Exhibita nobis (*super lin.*) nuper pro parte dilecti filii magistri Iacobi Ciccarelli de Fulgineo ... (Textus ultimus) Et nichilominus ut christifideles ipsi ad cappellam ipsam ... (Finis) per presentes indulgemus perpetuis temporibus durantis. Nulli ergo etc. Datum. (Colophon) Qui scripsit scripta sua dextra sit benedictum.

<+II>r-<+IV>r **Bonifacius <IX, Epistolae tres>**

(Rubrica) (Epistola prima) (Inscriptio) Bonifacius episcopus seruus seruorum Dei dilecto filio magistro Bartholomeo Francisci preposito ecclesie sancti Stephani Pratenis Pistoriensis diocesis notario nostro salutem et apostolicam benedictionem. (Textus) Sedis apostolice circumspecta benignitas iusta petencium ZZ congruo fauore prosequitur ... (<+IIv>) (Epistola secunda) (Inscriptio) Bonifacius episcopus seruus seruorum Dei dilecto filio archidiacono in Ragensen (?) in ecclesia Verdensi salutem et apostolicam benedictionem. (Textus) Dignum arbitramur et congruum ut illis se reddat ... (<+IV>r) (Epistola tertia) (Inscriptio) Bonifacius episcopus seruus seruorum Dei uenerabili fratri episcopo Ciuitatis Castelli salutem et apostolicam benedictionem. (Textus) Ex suscepte seruitutis officio /// ... (Finis) in eisdem spiritualibus et tempo ///

Bibl. *Repertorium Germanicum*, ed. G. Tellenbach (Berlin 1961) 2.1 p. 17; A. Esch, *Bonifaz IX und der Kirchenstaat* (Tübingen 1969) 57, 107.

The MS is in several cursive hands in brown ink, except that the documents at <+II>r-<+IV>r are in chancery cursive. Summaries and cross references have been added in the margins. Rubrics have red paragraph signs; capitals at fol. 2r-4r and at the heads of the later sections are red with red decoration. Blank spaces for capitals have been left at the heads of some letters. Gatherings are numbered in a modern hand at the bottom of their first folio. Fol. 19a is an insert. A letter in Italian was begun on fol. 59r. Notes on the feasts of St. John the Baptist and St. Michael appear on fol. 200r-v. An incipit was cancelled on fol. 203r. <+I>r-v is a coarse, gray sheet of paper covered with *probationes pennae*, including (on verso) the name Heinreke Hunt. <+IV> is a fragment glued to <+II-III>. For watermarks, cf. Briquet no. 11719. The MS has a 19th-century parchment binding. Fol. 1v, 19a^v, 59v-62v, 84r, 99v-103v, 114r-125v, 144v-147v, 153v-158v, 168r-169v, 190v-191v, 194v, 205v-206r, 207r and <+IV>v are blank.

Vat. lat. 3942	saec. XVI
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180 fols. chart. 332 (251) x 233 (148) mm, origin Italy (Rome), saec. XVI.

fol. 1r-153v **Innocentius III, Registrum**, <excerpta>

(Inscriptio) Domino sancto meritoque beato, praedicatori ... (Textus) Cum aliqua tibi, beatissime Paule, uas electionis ... (fol. 153r) (Epistola ultima) (Salutatio) Multas inclinationes et multas sanitates a me, Basilio humili Bulgarorum ... (Textus) Notum sit ergo uestrae magnae sanctitati quoniam Leo cardinalis ... (Finis) enim Dominus (*cod.* Deus) sanctitatem uestram per multa et longuea tempora. (Ed. PL 214.972- 215.554, passim. The letters of this collection are drawn from the fifth, sixth, and seventh books of Innocent's register: book V nos. 20, 26-8, 38, 49-50, 68, 84-7, 89, 103, 106, 114, 121, 124-5, 134, 164; book VI nos. 29, 85-6, 88, 129, 140-1, 149, 155, 160, 163, 181-2, 194, 212, 230, 235; book VII nos. 18, 49, 52, 55, 79, 115, 126-9, 133, 149, 186, 206-7, 226, 229-31. The letters are not in numerical order; the first is book VI no. 88, the last, book VII no. 231.)

fol. 161r-171r Innocentius VIII, <**Confirmatio professionis religiosae dominae Joannae**>

(Rubrica *marg. al. man.*) Confirmatio cuiusdam sententiae latae inter Ferdinandum Aragonum et Castelle regem, et Ioannem Portugalliae regem. (Inscriptio) Innocentius episcopus, seruus seruorum Dei ad futuram rei

memoriam. (Textus) Debitum pastoralis officii sui meritis licet insufficientibus ... (fol. 165r) (Textus instrumentorum) In Dei nomine Amen. Manifestum sit omnibus praesentibus inspecturis, quod in monasterio sanctae Clarae ciuitatis Columbriae ... (Finis) mandati, concessionis, et uoluntatis infringere, etc. Si quis, etc. Datum Romae apud Sanctum Petrum, anno incarnationis dominicae millesimo quadringentesimo octauagesimo septimo decimo, Kal. Iulii, pontificatus nostri anno tertio. (Subscriptio) Al. Ioannes. (**Ed.** *Documentos referentes a las relaciones con Portugal durante el reinado de los reyes catolicos*, ed. A. de la Torre y L. Suarez Fernandez, 3 vols. (Valladolid 1960) II 335-39, 130-36 (the texts regarding the profession are printed in Spanish). **Bibl.** Q. Aldea, 'Juana de Castilla', *Diccionario de historia eclesiastica de España*, 4 vols. (Madrid 1972) II 1252-1253.)

fol. 173r-180v **Innocentius III, Registrum**, <excerpta>

(Rubrica) Incipit quintus liber registorum domini Innocentii pape III. Episcopo Pistoriensi. (Textus) De monialibus (*add. cod.*) nobis tua fraternitas requisiiuit ... (Epistola ultima) (fol. 180r) (Inscriptio) Rauennatensi archiepiscopo. (Textus) Cassa<ta> quondam tam postulatione tua quia fuerat ... (Finis) pontificalis officii mitteremus. Licet autem predecessores tui /// (**Ed.** PL 214.945-956, book V nos. 1-6, the last ending in mid-letter and mid-sentence.)

The MS is written in several Italic cursive hands, in brown ink. In the first section of Innocent III's letters, the scribes usually began a new sheet for each letter, and opening initials are sometimes decorated with pen flourishes. The *confirmatio* of Innocent VIII was copied by one of the scribes of the first section, the final cluster of Innocent III's letters is in a rougher, somewhat earlier hand, the letters copied one after another without intervening space and set off only by paragraph signs and the numbers in the margins. The first section is systematically annotated in two hands. The first, a neat, minute script (perhaps that of Pedro Chacón of the *Correctores Romani*?) is seen in the identification 'ex libro quinto registorum domini Innocentii iiii ex bibliotheca Vaticana' in the upper left corner, the folio number in the left margin of each new letter, and in occasional notes. The second annotator, from the 17th-century, writing a larger, rather sprawling hand, usually noted the book and number identification of each letter in the right margin, occasionally referring instead to the edition of Rinaldi and to the *Gesta Innocentii*, and sometimes added notes on the correspondence of the text to Rinaldi's edition. On fol. 1r, his cross-reference is to the *Bullarium Cassinense* (ed. Margarinus, 1650). Annotations cease after fol. 161r, where the first annotator wrote a cross-reference to Innocent VIII's register (fol. 570) and apparently copied a note (rather misleading, out of context) on the *confirmatio*. Catchwords occasionally appear at the lower right; quires are numbered in pencil in the lower left corner of the first recto. For the watermarks, cf. Briquet 4835 and 6097; another, a coat of arms with a stag, has not been traced. The MS is in a mid-19th-century leather and cloth binding. Fol. 9r-10v, 12v, 15v-21v, 26v, 30v-32v, 35v-36v, 39v-40v, 43v-44v, 50v-54v, 57v-59v, 61r-v, 66v-67v, 72v-74v, 86v, 93v, 95r-96v, 103r-108v, 110v. 114v-120v, 121v, 122v, 124v, 125v-130v, 132v, 135v, 137r-142v, 147v, 149v-151v, 154r-160v, and 171v-172v are blank.

Vat. lat. 3975	saec. XIV.1
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(SEE TYPED DESCRIPTION - ERSETZEN!)

Scr. Johannes; G. de Bordis.

I + 350 fols. memb. 413 (313) x 271 (188) mm, origin South France (Avignon?).

Quiniones, saec. XIV.1.

fol. 2ra-21vb <**Tabula rubricarum formularii**>

fol. 22r-145r, 150r-325v, 330v-348v <**Pseudo-Marinus de Ebolo, Formularium**>

- secundum stilum Romanae curiae**, recensio secunda (See Vat. lat. 3976 fol. 25r-150v, etc. for further information.) *Variants*:
 (Rubrica) i. liber *om.*; recipiat *pro* suscipiat. (**Ed.** and **Bibl.** C. Erdmann, ‘Zur Entstehung der Formelsammlung des Marinus von Eboli’, QF 21(1929-30) 176-208 passim, editing texts from fol. 73r-v, 174v, 175r, 182r, and 259r at 201-8, using this MS (siglum B); on fol. 264r-265ra, G. Barraclough, ‘The chancery ordinance of Nicholas III’, QF 25 (1933-34) 192-250, describing the MS at 202 and using it in the edition at 236-50 (siglum C1); Herde, *Audientia* I 65-66 on the small formulary ‘Optime conclusiones’ at fol. 143v-145r; F. Schillmann, *Die Formularsammlung des Marinus v. Eboli* I (Rom 1929; anast. repr. 1971. No more published.) 5-6. (The scribe has partly repeated no. 3441 after the last text, no. 3451; cf Schillmann 394-95.)
- fol. 145v-148r **Marinus de Ebolo**, <**Tractatus de revocatoriis**> (See Vat. lat. 3976 fol. 150v-153r for further information.) *Variants*:
 (Rubrica) Martini *pro* Marini (Praefatio) inperferiores *pro* per inferiores (Textus) inciatur *pro* incipiatur; interporatur *pro* interponitur. (**Ed.** and **Bibl.** Herde, ‘Marinus von Eboli’ using the MS in the edition at 196-229: siglum β.)
- fol. 148r-150r <**Marinus de Ebolo, Tractatus**> **de confirmationibus** (See Vat. lat. 3976 fol. 153r-155r for further information.)
 (**Ed.** and **Bibl.** Herde, ‘Marinus von Eboli’, using this MS in the edition at 230-50, siglum β.)
- fol. 325v-330v <**Gerardus Blancus Parmensis, Formularium**> (See Vat. lat. 3976 fol. 366r-368v for further information.) *Variants*:
 (Inscriptio) G. *pro* Gerardus (Textus) <Puncti desunt.> (**Ed.** and **Bibl.** P. Herde, ‘Ein Formelbuch Gerhards von Parma mit Urkunden des Auditor litterarum contradictarum’, *Archiv für Diplomatik* 13 (1967) 225-312 at 264-99, using this MS: siglum B.)
- fol. 349r-350r **Bonifacius VIII**, <**Const.**> *Rex pacificus*
 (**Ed.** *Les registres de Boniface VIII*, ed. G. Digard, 4 vols. (BEFAR ser. 2 IV.8; Paris 1907) IV 847-64 no. 5348.)
- fol. 350r-v **Clemens V**, <**Epistola**> *Dudum oblata*
 (**Ed.** *Registrum Clementis papae V*, ed. monachi O.S.B., 8 vols. (Romae 1888) VIII 317-18 no. 9722.)

This MS is written in several chancery cursives in brown ink. Two of the scribes identified themselves: fol. 24vb, ‘Explicit iste liber completus pontificatus sanctissimi patris domini Benedicti xii^m anno secundo. Est liber nunc scriptus Iohannes sit benedictus.’; fol. 350v, ‘Inter litteras communes domini Clementis pape V ad numerum vi^o lxx. Sumptum de registris per me G. de Bordis de mandato sanctissimi domini nostri.’ Capitals are red with violet or blue with red decoration. Rubrics are red. Paragraph signs are red or blue. Catchwords are framed and centered, tending toward the lower right in the later part of the MS. On <I>v a Vatican librarian has written ‘Ex pluteo vii in quo extant canoniste in bibliotheca publica ad sinistram ingredientibus per portam maiorem biblithece (sic) Apostolice’ <I>r bears the modern shelfmark and traces of glue. The MS has a 19th-century parchment binding. Fol. 1r-v and 265v are blank.

Vat. lat. 3976	saec. XIV.2
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(SEE TYPED DESCRIPTION – ERSETZEN!)

antea 48.

381 fols. memb. 447 (312) x 297 (192) mm, origin South France (Avignon?). Seniones, saec. XIV.2.

fol. 1r-24vb <**Tabula rubricarum formularii**>

fol. 25r-150v, 155r-366r, 369r-380v <**Pseudo-Marinus de Ebolo, Formularium**>

secundum stilum Romanae curiae, recensio secunda

(Rubrica) i. liber. In isto libro est collectio diuersarum licterarum et formarum ac processuum secundum stilum Romane curie. (De summa Trinitate et fide catholica *add. ed.*) Exortatio ad soldanum ut suscipiat fidem Christi. (Inscriptio) Alexander episcopus seruus seruorum Dei magnifico uiro soldano Persarum ueritatem agnoscere et agnitam custodire. (Textus) Ex licteris tuis et nunptiorum (*sic*) tuorum fideli relatione cognouimus ... (Textus ultimus) Attendentes olim quod dil. fil. Osmirus ... (Finis) collacio pertinet conferendi ea personis ydoneis et ecclesie Romane deuotis liberam facultatem etc. (Colophon) Finito libro referantur gratie Christo. Amen. Amen. Amen. Explicit totus liber. (**Ed.** and **Bibl.** C. Erdmann, 'Zur Entstehung der Formelsammlung des Marinus von Eboli', QF 21 (1929-30) 176-208 at 202-3, editing texts from fol. 79v-80r, 180r, 180v, 190v-191r, and 287v at 201-08, using this MS (siglum A); of fol. 295r-296v, the ordinance of Nicholas III, G. Barraclough, 'The chancery ordinance of Nicholas III', QF 25 (1933-34) 192-250, describing the MS at 202-03 and using it in the edition at 236-50 (siglum C2); **Bibl.** F. Schillmann, *Die Formularsammlung des Marinus von Eboli* I (Rom 1929, anast. repr. 1971. No more published.), citing this MS (siglum A); Herde, *Audientia* I 65- 66, on fol. 148v-150v, the small formulary 'Optime conclusiones'.)

fol. 150v-153r **Marinus de Ebolo**, <**Tractatus de**> **revocatoriiis**

(Rubrica) Incipit opus magistri Marini de Ebolo sancte Romane ecclesie uicecancellarii super reuocatoriiis. (Praefatio) Cum per inferiores iudices aliquid iniuste uel improuide agitur ... (Rubrica textus) Cum a diffinitiuua appellatur. (Textus) Et ut a leuioribus incipiatur cum a diffinitiuua interponitur ... (Finis) pro sua industria fraudem uel iusticiam impetrantis. (**Ed.** and **Bibl.** Herde, 'Marinus von Eboli', using this MS (siglum α) in the edition at 196-229.)

fol. 153r-155r <**Marinus de Ebolo, Tractatus**> **de confirmationibus**

(Rubrica) De confirmationibus. (Praefatio) Sicut ea que iniuste aut minus prouide facta sunt ... (Rubrica textus) De confirmatione rerum. (Textus) Cum confirmantur res plerumque confirmatio simpliciter conceditur ... (Finis) si qui fuerit de plenitudine potestatis. (**Ed.** and **Bibl.** Herde, 'Marinus de Eboli' at 230-50, using this MS: siglum α .)

fol. 366r-368v **Gerardus** <**Blancus Parmensis, Formularium**>

(Rubrica) Cautio super hiis que de bonis in maiori forma. (Inscriptio) Omnibus presentes litteras inspecturis Gerardus magister scolarium Parmensis ecclesie ... salutem in Domino. (Textus) Noueritis quod cum ... procurator pro ipso impetraret litteras apostolicas ... (Finis) pecuniam in iam dicte ecclesie Morinensis utilitatem conuersam fore probandi necessitas non incumbat. Datum Viterbii xiii kal. martii pontificatus nostri anno primo. Explicit secundus (VI *corr. al. man. sup. lin.*) liber. Deo gratias. (Benedictus Deus in domis suis et sanctus in operibus suis *add. marg. inf.*) (**Ed.** P. Herde, 'Ein Formelbuch Gerhards von Parma mit

Urkunden des Auditor litterarum contradictarum', *Archiv für Diplomatik* 13 (1967) 225-312 at 264-99, using this MS. siglum A.)
fol. 381r-v **Johannes** <**XXII, Epistola**> *Prophanus hostis* (17 dec. 1321)
(**Bibl.** F. Schillmann, *Die Formularsammlung des Marinus v. Eboli* I (Rom 1929; anast. repr. 1971. No more published.) 4; cf. G. Mollat, *Jean XXII lettres communes*, 16 vols. (BEFAR, ser. 3; Paris 1921-46) 4.169 no. 16195, referring to this letter.)

Bibl. F. Schillmann, *Die Formularsammlung des Marinus v. Eboli* (Rom 1929; anast. repr. 1971. No more published) 1-4, and calendaring the entire MS at 80-395.

The MS is written in a chancery cursive in dark brown ink. Large initials open major divisions within the text. Capitals are red with violet or blue with red decoration. Rubrics are red. Paragraph signs are red or blue. Framed catchwords are at lower right at the beginning, but most of the later ones are centered. From fol. 14va to 24vb the table, which was begun in one column, is in two columns. The MS has been trimmed, mutilating many of the notes at the bottom of folios. Additional rubrics and notes in several hands appear in the margins. Among these are modern notes by Giacomo Grimaldi on defects in the texts at fol. 369v, 370v, 377v, 378v, 379v. (The papal letter at fol. 381r-v was added in another hand.) The old shelfmark '48' is at the top of fol. 1r. The MS has a 19th-century leather binding.

Vat. lat. 3977	saec. XIV
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Prov. Avignon, Papal Library.

187 fols. memb. 379 (282) x 282 (194) mm, origin South France. Seniones, saec. XIV.

fol. 1r-173v **Berardus de Neapoli, Dictamina** seu <Epistolae notabiles>

(Rubrica) <I>ncipiunt dictamina magistri Berardi de Neapoli domini pape notarii. Exhortatio ad regem ut Sarracenos de terra sua expellat, Iudeis publica officia non committat et blasphemias eorum compescat, ecclesias et ecclesiasticam libertatem non opprimat et ecclesiam de nouo fundatam doceat. (Inscriptio) Regi Anglorum illustri. (Textus) <A>git nec inmerito mater ecclesia dum letanter sua magnifica gesta commemorat ... (Finis) (fol. 173r) Clemens etc. Etsi in temporalium dispositione quod eciam sigilli quo utebatur olim Burdegalensi ecclesie presidentes fecimus apprehensione muniri. Datum Burdegal. pridie kl. augusti pontificatus nostri anno primo.

fol. 173v-187v <Incertus auctor, **Additiones ad dictamina Berardi de Neapoli**>

(Inscriptio) <C>lemens etc. ad perpetuam rei memoriam. (Textus) In omnem terram uocis apostolice sonus egreditur ut clamor patris a filiis audiatur ... (Rubrica penultima) (fol. 187r) littera coronationis domini Benedicti. (Textus) Benedictus etc. Carissimo in Christo filio C. Sicilie regi illustri. Dominus ac Redemptor noster ... (Rubrica ultima) Super eodem prohemium ... (Finis) habens ad singula tanquam palmo concludens omnia potestatem. Sane etc.

Bibl. F. Kaltenbrunner, 'Actenstücke zur Geschichte deutschen Reiches', *Mitteilungen aus dem Vaticanischen Archive I* (1889), editing many of the individual documents using this MS (siglum DV); idem, 'Römische Studien', *MIÖG* 7 (1886) 2-118, 555-635 esp. 70-76 (siglum DV); H. Otto, 'Berardus Studien', *MIÖG* 22 (1901) 247-68 (siglum V); D. Lohrmann, 'Berard von Neapel, ein päpstlicher Notar und Vertrauter Karls von Anjou',

Adel und Kirche, Gerd Tellenbach zum 65. Geburtstag dargebracht von Freunden und Schülern, ed. J. Fleckenstein und K. Schmid (Freiburg 1968) 477-98; Maier, 'Katalog' 166 no. 583.

The texts at fol. 173v-187v are treated by Kaltenbrunner as additions to the original collection. Fol. 1r-173v were written in one chancery cursive in dark brown ink, fol. 173v-187v in another gothic cursive hand in dark brown ink. Later notes were added in the margins, e.g. fol. 172r. Rubrics are red, as are the capitals at fol. 2r-v. Most of the MS has blank spaces left for capitals. Catchwords are framed at lower right on fol. 1-48 and fol. 59-165. The MS has a 19th-century leather binding.

Vat. lat. 3978	saec. XIV.2
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Prov. Avignon, Papal Library, Pope John XXII.

92 fols. memb. 427 (315) x 283 (197) mm, origin France. Biniones, saec. XIV.2.

fol. 1ra-13rb <**Constitutiones sive Extravagantes**>

nominantur: **Bonifatius VIII**, Const. *Detestandae* (Extrav. comm. 3.6.1) (fol. 1ra-va); *Unam sanctam* (Extrav. comm. 1.8.1) (fol. 1va-2rb); [Clemens V *cod.*] *Debent superioribus* (Extrav. comm. 1.7.1) (fol. 4rb-5ra); *Rem non novam* (Extrav. comm. 2.3.un.) (fol. 5ra-va), *Clericis laicos* (Sext. 3.23.3) (fol. 8va); *Super cathedram* (Extrav. comm. 3.6.2) (fol. 9va-11rb); *Antiquorum* (Extrav. comm. 5.9.1) (fol. 11rb-va); *Provide* (Extrav. comm. 5.10.2) (fol. 12ra-rb); *Iniunctae* (Extrav. comm. 1.3.1) (fol. 12rb-vb); **Benedictus XI** [Bonifatius VIII *cod.*], Const. *Sancta* (Extrav. comm. 1.3.3) (fol. 2rb-va); *Si religiosus* (Extrav. comm. 1.3.2) (fol. 2va-vb); [Clemens V *cod.*] *Dudum* (Extrav. comm. 5.4.un.) (fol. 3va-4rb); *Inter cunctas* (Extrav. comm. 5.7.1) (fol. 6rb-8va); *Quod olim* (Extrav. comm. 3.13.1) (fol. 8va-9ra); *Ex eo* (Extrav. comm. 5.3.1) (fol. 9ra-va); **Clemens V**, Const. *Quia nonnulli* (Extrav. comm. 5.10.4); *Ex superna* (Extrav. comm. 3.2.2) (fol. 2vb-3va); *Meruit* (Extrav. comm. 5.7.2) (fol. 4rb), *Dudum Bonifacius* (Clem. 2.1.1) (fol. 5va-vb); *Etsi in temporalium* (Extrav. comm. 3.2.3) (fol. 5va-6rb); *Quoniam ex constitutione* (Clem. 4.17.un.) (fol. 9ra); *Ex frequentibus* (Clem. 5.10.1) (fol. 12vb-13rb). (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' at 140-41.)

fol. 13rb-vb **Henricus VII**, <**Const.**> *Reddentes honorem*

(Inscriptio) Henricus septimus diuina fauente clemencia Romanorum imperator semper augustus ad perpetuam rei memoriam. (Textus) Reddentes honorem et debitam reuerenciam ... (Finis) sub debita rubrica uolumus inseri et mandamus. Datum in urbe etc. (**Ed.** MGH Const. 4.2, ed. J. Schwalm, p. 800, using this MS (siglum 2). **Bibl.** Dondaine, 'Manuel de l'inquisiteur' 140-41.)

fol. 13vb-14ra **Henricus VII**, <**Const.**> *Ad reprimenda* (See Vat. lat. 1437 fol. 67ra-71rb for further information) *Variants*:

(Rubrica) clemencia *pro gratia*; et *om.* (Finis) temporis *add. post alterius* (**Ed.** MGH Const. 4.2, ed. J. Schwalm, pp. 965-66, using this MS (siglum 3). **Bibl.** Dondaine, 'Manuel de l'inquisiteur' 140-41.)

fol. 14ra-rb **Henricus VII** <**Const.**> *Quoniam nuper* (See Vat. lat. 1437 fol. 71rb-72va for further information.) *Variants*:

<Rubrica deest> (Inscriptio) Henricus etc. ad perpetuam rei memoriam. (Finis) rebellandi *pro* rebellando; incursum *pro* incurrisse (Datum) Anno a nat. domini

M^o CCC^o XIII^o *add. post primo*. (Ed. MGH Const. 4.2, ed. J. Schwalm, pp. 966-67, using this MS (siglum 5). **Bibl.** Dondaine, 'Manuel de l'inquisiteur' 140-41.)
fol. 17ra-19rb <**Tabula manualis inquisitionis**>
fol. 19rb-38ra <Incertus auctor, **Manuale inquisitionis**>
(Inscriptio) Clemens episcopus seruus seruorum Dei ... (Textus) Cum aduersus hereticam prauitatem quondam Fredericus olim Romanorum imperator ... (Finis) pro locorum consuetudinibus prout prelatus indixerit. (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 141-46 (Manual 5) providing a detailed analysis.)

(WHY ALL THOSE DETAILS FOR THE CONSTITUTIONS OF HENRY VIII, WHICH ARE FAMILIAR TO EVERYBODY, BUT ONLY AN INSIGNIFICANT INC./EXPL. FOR THE MANUALE (FOL. 19-38) WHICH IS MUCH MORE IMPORTANT!)

fol. 38rb-47rb <**Alexander IV, Gregorius X, Epistolae XIII de inquisitione**>
(Epistola prima) (Inscriptio) Gregorius episcopus seruus seruorum Dei. (Textus) Turbato corde audiuius et narramus ... (Epistola ultima) (Inscriptio) Alexander episcopus. (Textus) Sicut nobis significare curasti nonnulli clerici tue ciuitatis ... (Finis) contradictores per censuram ecclesiasticam compescendo. Darum Viterbii xii kal. iulii pontificatus nostri anno quarto. (Only the first one of Gregory (P 20798), the rest of Alexander; see Dondaine, 'Manuel de l'inquisiteur' 146-47 for analysis.)
fol. 47rb-49vb <**Responsa II de inquisitione**>, nominantur: **Comes cardinalis tit. ss. Marcellini et Petri** (fol. 47rb-48vb); <Incertus auctor> (fol. 49ra-vb) (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' at 148.)
fol. 50ra <Incertus auctor>. **Errores Valdensium et Roncarolorum**
(Rubrica) Errores Valdensium et Roncarolorum. (Textus) Quod ecclesia Romana non est ecclesia ... (Finis) quod quilibet homo bonus potest conficere heucharistiam. (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 148.)
fol. 50va-51rb <Incertus auctor, **Formulae inquisitionis**>
(Rubrica prima) Consilium diocesanum super penitentia hereticis imponenda. (Textus) <V>niuersis presentes litteras inspecturis talis miseracione diuina talis loci episcopus salutem etc. Cum talis frater ordinis predicatorum ... (Rubrica ultima) De penitentia imposita hereticis. (Textus) <T>alis inquisitor omnibus et singulis cappellanis talis diocesis ... (Finis) ecclesiarum uestrarum in caudis sequentibus annotanda. Datum etc. (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 148-49 with further details.)
fol. 53ra **Principia euangeliorum ad iurandum et ferendum sententias**
(Rubrica prima) Principia euangeliorum ad iurandum et ferendum sententias. Secundum Matheum. (Textus) Cum natus esset Ihesus in Bethleem (Mt. 2.1) ... (Rubrica ultima) Secundum Iohannem. (Textus) In principio erat Verbum et Verbum erat apud Deum (Jn. 1.1) ... (Finis) et tenebre eam non comprehenderunt (Jn. 1.5) (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 149.)
fol. 53ra-54rb <Incertus auctor, **Formulae ad interrogandum et recipiendum hereticos**>
(Rubrica prima) Interrogatoria ad hereticos. (Textus) Examinandus de fide sua

non terreatur sed dulciter promittatur ei quod si penitet ... (Rubrica ultima) Hec est forma hereticandi et hereticorum recipiendi (Textus) Ille qui maior est inter eos dicet ita credenti qui uult hereticari ... (Finis) et portat quaecumque uult uel potest habere indumentum. (Bibl. Dondaine, 'Manuel de l'inquisiteur' 149 indicating editions.)

fol. 54rb-58va **Raynerius <Sacconi> O.P., Summa de Catharis** (See Vat. lat. 2648 fol. 73rb-76rb, 66vb-67rb for further information.) *Variants:*

(Rubrica) Incipit summa fratris Raynerii de ordine fratrum predicatorum de Catharis et Leonistis seu pauperibus de Lugduno *add.* (Finis) saluabantur *pro* saluantur. (Colophon) discretum *pro* dictum

fol. 58va-59rb <Incertus auctor, **Errores Valdensium**>

(Rubrica) Quatuordecim errores communes pauperibus Lumbardis et pauperibus de Lugduno siue citramontanis (Textus) In hoc concordant pauperes de Lugduno cum pauperibus Lumbardis ... (Finis) quod nullus saluatur nisi in secta eorum.

(Bibl. Dondaine, 'Manuel de l'inquisiteur' 150 indicating editions.)

fol. 59rb-71vb <**Georgius**>, **Disputatio inter catholicum et paterinum haereticum**

(Rubrica) Incipit disputatio catholici contra hereticos super articulis fidei et aliis capitul<is> que inferius subscribuntur. (Textus) Vergente mundo ad occidium (*sic*) et instantibus periculosis temporibus ... (Finis) stulti, solus Christus est hostium per quem solum intratur in regnum celorum, ad quem nos etc. (Bibl. Dondaine, 'Manuel de l'inquisiteur' 150, 174-180.)

fol. 71vb-72va <**Moneta de Cremona O.P., Summa aduersus Catharos et Valdenses**, excerptum> (5.2)

(Rubrica) Extractum est hoc de summa fratris Yuoneti (*sic*) v^a parte capitulo .ii^o.

(Textus) Viso quod Ecclesia Romana a Christo uelut (a *add. cod.*) capite suo sumpsit exordium ... (Finis) item Valentiniani (Valentiniari *cod.*) a Valentino dicti sunt qui Christum dixit nichil de uirgine assumpsisse. (Ed. Moneta

Cremonensis, *Aduersus Catharos et Valdenses libri quinque*, ed. T.A.

Ricchinius (Romae 1743; anast. repr. Ridgewood, NJ 1964) 408-11.) **Bibl.**

Kaeppli, *Scriptores* III 139 no. 3025; Dondaine, 'Manuel de l'inquisiteur' 150.)

(WHY HERE EDITION?)

GAP

fol. 72ra-76vb <**David Augustensis O.F.M.(?)**, **De inquisitione haereticorum**> (See Vat. lat. 2648 fol. 67rb-71va for further informtion.) *Variants:*

(Rubrica) Lugduno *pro* Luduno (Textus) povre de Lyun *pro* paubre de Leon

(Finis) au chiep dou septime iour vos reposerez cest nostre creance. (Bibl.

Dondaine, 'Manuel de l'inquisiteur' 151 and 180-83 could be added, but may be too buXXXX?; for the controversial authorship see most recently P. Segl, *Ketzer in Österreich. Untersuchungen über Häresie und Inquisition im Herzogtum XXXX?*

fol. 76vb-82rb <Incertus auctor, **Excerpta de inquisitione et haeresibus**>

(Rubrica prima) Statuta regis Francie contra hereticos. (Textus) Statuimus quod

heretici, qui a fide catholica deuiant, quocumque nomine censeantur ... (fol. 81va)

(Textus ultimus) Creditur criminosis contra socios criminosos in exceptis

criminibus ... (Finis) de probationibus Proposuisti (X 2.19.4), xxx. q.ii., extra eodem(?).

(**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 151-53.)

fol. 82vb-87va <Incertus auctor, **Doctrina de modo procedendi contra haereticos**>
(Rubrica) Isto modo procedunt inquisitores in partibus Carcassonensibus et Tholosanis. (Textus) Qui ueniens iura (? CF. DONDAINE). Primo accusatus uel suspectus de heresi citatur ... (Finis) super crimine heresis et super contingentibus ipsum crimen puram et plenariam ueritatem. Datum etc. (**Bibl.** Dondaine, 'Manuel de l'inquisiteur' 153, 108-111.)

fol. 87va-88rb <Incertus auctor, **Adnotationes de Inquisitione**>

fol. 88rb-va <**Formula condemnationis in inquisitione**>

fol. 88va-91rb <**Adnotationes de haereticis**>

fol. 91rb-92va <**Formulae variae de sententiis in inquisitione**>

Bibl. Dondaine, 'Manuel de l'inquisiteur' 140-154, Maier, 'Katalog' at 135, A. Maier, 'Zur Geschichte eines berühmten Manuskripts (Vat. lat. 3978)', RSCI 13 (1959) 355-68, repr. A. Maier, *Ausgehendes Mittelalter* II (Roma 1967) 14-56 with Addenda at 498-500; Maier shows that the MS has been written for and annotated by pope John XXII.

The MS is written in a gothic cursive bookhand in gray-black ink. Capitals are red with violet or blue with red decoration. Rubrics are red. Paragraph signs are red or blue. The prickings on the leaves have been damaged by trimmning. Catchwords are framed at lower right. The MS has a 19th-century parchment binding. Fol. 14v-16v and 51v-52v are blank.

Vat. lat. 3979

GAP
saec. XVI

<II> + 93 + II fols. chart. 294 (243) x 213 (180) mm. Quaterniones, saec. XVI.

On fol. Ir (front) and IIv (back) are pasted some small parchment strips from an Italian legal MS, saec. XIII/XIV.

fol. 1r-2v **Urbanus V**, <**Acta in professione fidei Iohannis imperatoris Constantinopolitani**>

(Invocatio) In nomine Domini. Amen. (Praefatio) Nouerint uniuersi praesentes litteras et instrumentum publicum inspecturi ... (Inscriptio) Vrbanus episcopus seruus seruorum (Dei *om.*) uenerabili fratri Gregorio (Guillelmi *ed.*) episcopo Hostiensi, ... (Textus) Cum magnificus princeps Iohannes imperator Graecorum illustris ... (Finis) et bulla aurea munitum. (Datum) Scriptum in antiqua Roma anno ab incarnatione Domini M.ccc. lxxix^o indict. vii mensis octobris, presentibus reuerendo patre domino Paulo patriarcha Constantinopolitano, domino Nicolao episcopo

GAP

Aurenopolitano et religioso uiro fratre Antonio de Athenis interpretibus ad premissa exponenda electis nostris reuerendiossimis cardinalibus ad praemissa authorizantibus, dictoque imperatore ab ipsis ad osculum pacis recepto, et gremio S. R. ecclesiae aggregantibus, ut uero catholico christiano. Scriptum de registris

- papalibus. (**Ed. imperfecta** A. L. Tautu, *Acta Urbani pp. V (1362-70)* (Fontes iuris canonici orientalis ser. III vol. XI; Città del Vaticano 1964) n. 168. **Bibl.** W. M. Peitz, *Das Originalregister* p. 14.
- fol. 4r-66v **Gregorius VII, Epistolae** (See Vat. lat. 4907 fol. 1r-225r for further information.) *Variants:*
 <Invocatio, rubrica, praefatio et epistola prima desunt.> (Epistola secunda) (Rubrica) Ex primo libro. (Inscriptio) Gregorius in Romanum pontificem electus Gisulpho Salernitano principi salutem in Christo Iesu. (Textus) Dominus noster Alexander papa mortuus est, cuius mors ... (Lib. IX ep. 13) (Finis) nullam exinde lesionem faciatis uel fieri permittatis.
- fol. 68r-83v <**Tabula epistolarum**> (see Peitz 15 n. 1)
- fol. 84-93r **Tabula alphabetica notabilium gestorum Gregorii VII** (see Peitz 15 n. 1)
- fol. 93r-v **Dubia de officio Mozarabico** (See Vat. lat. 4906 fol. 37v-38v for further information.)

Bibl. ADD TYPED NOTES (a) and (b) FROM PRINTOUT 4579

Nota bene: This is not a version, nor very similar to 4906, nor systematic, nor a collection! In fact it is one of the two complementary selections from Reg. lat. 2 (the famous 'Originalregister'), which have been labelled 'Auszug A' and 'Auszug B' by Peitz and following him by Caspar. Both of them erroneously classified VL 3979 and 4579 as 'Auszug B', whereas in both cases the selection from book I of the register corresponds to the list given by Peitz for 'Auszug A' (both MSS adding 40.41!).

Anyway, all these MSS are definitely derivations from the Register; they are therefore without any critical value and should be treated as succinctly as possible (no listing of letters!).

The MS. was written in many 16th-century cursive hands in dark brown ink with no decoration. At fol. 68r an older numeration (cancelled) begins (1-26). For the watermarks of the first part, cf. Briquet no. 7112; for the second part, cf. Briquet no. 12235. The 19th-century leather and parchment binding makes use of a 17th-century one. Fol. <I> is blank except for the shelfmark on the recto; fol. 3r-v and 67r-v are blank.

Vat. lat. 3980

**GAP
saec. XIV.1**

antea 115. **Prov.** Honoratus Columbi. **Scr.** Honoratus Columbi.

II + 172 fols. memb. 384 (350) x 242 (226) mm, origin Italy. Quaterniones, saec. XIII.2.

IIva-b <**Tabula rubricarum Librorum Feudorum**>

fol. 1ra-b <**Honoratus Columbi, Tabula decimarum papalium Niciensis diocesis**>

(Honoratus, a notary, wrote this table when he owned the MS; see his concluding note at fol. 1rb dated April 30, 1457.)

fol. 2ra-7rb <**Tabulae peciarum glossarum ordinariorum Digestorum, Codicis et Decretalium**>

(**Bibl.** G. Battelli, 'Le pecie della Glossa ordinaria al Digesto, al Codice e alle Decretali in un elenco bolognese del Trecento', *La critica del testo. Atti del secondo congresso internazionale della Società italiana di storia del diritto* 2 vols. (Firenze 1971) 69-88, repr.: G.B., *Scritti scelti. Codici. Documenti (?)*)

- Archivi* (Roma 1975) 397-4(?), identifying the meaning of this table and describing these folios in detail; Savigny, *Geschichte* VII 91, where he credits Merkel with first recognizing this table.)
- fol. 7va-9rb **Nicolaus <III, Collectio constitutionum>**, imperfecta
 (Inscriptio) Nicolaus episcopus seruus seruorum Dei ad perpetuam rei memoriam.
 (Textus) Cupientes ecclesiarum uacationibus periculosus occurrere ac malignantium subterfugas ... (Finis) ad alia per prestationem iuramenti huiusmodi non teneri. Nulli ergo ... Si quis autem ... Data Rome apud sanctum Petrum XV kal. Aprilis pontificatus nostri anno tercio. Amen. (**Bibl.** This MS contains nos. 1-3 (Sext. 1.6.16 - 2.11.1) in J.F. Schulte, 'Die Dekretalen zwischen den "Decretales Gregorii IX" und "Liber VI Bonifacii VIII"' Sb. Akad. Vienna 55 (1867) 701-69 at 719; and see Vat. lat. 2622 fol. 1ra-vb.)
- fol. 7va-11vb **<Johannes Garsias Hispanus, Apparatus in Const. Cupientes Nicolai III>**, imperfectus
 (Invocatio) In nomine Domini. Amen. (Praefatio) Licet ad occurendum ecclesiarum uacationibus essent certa (incerta^{ac}) remedia ... (Textus) *Cupientes* etc.: Hec decretalis ualde utilis est quoad expeditionem ecclesiarum ... (Finis) que incontinenti fiunt in /// (**Bibl.** See Vat. lat. 2622 fol. 1ra-vb, 2ra for further information.)
- fol. 12ra-39rb **<Consuetudines feudorum, recensio vulgata>** (See Vat. lat. 1433 fol. 234ra-254vb for further information.) *Variants:*
 (Rubrica) Quibus modis feudum aquiratur et retineatur. (Finis) ut in Lumbarda qualiter quis se defenderet, l. Si contingerit (Lomb. vulg. II 55.7). (This version resembles that in Vat. lat. 1435 fol. 208ra-va.)
- fol. 12ra-39rb **<Accursius, Glossa ordinaria in Consuetudines feudorum>** (See Vat. lat. 1433 fol. 234ra-254rb for further information.) *Variants:*
 ///omitio et constituit feudum ueluti quibus modis feudum aquiratur et retineatur *pro lemma primum* (Textus) ita *pro* istam (Finis) notarum *add. post finem.*
 <Colophon deest.> (**Bibl.** A. Rota, 'L'apparato di Pillio alle *Consuetudines feudorum*', *Studi e memorie per la storia dell'Università di Bologna* 14 (1938) 1-170 at 2-4.)
- fol. 39va-vb **<Guillelmus Panzonus, Casus Authentici>**, fragmentum
 <I>mperator Iustinianus dum esset occupatus circa curam Romani imperii cogitans ... (Finis to Nov. 2 §1) si mater premoriatur/// (**Bibl.** Coing, *Handbuch I* 222.)
- fol. 40ra <Incertus auctor, **Tractatus de instrumentorum editione**>, fragmentum
 (See Vat. lat. 1435 fol. 225va-226ra for further information.) *Variants:*
 (Textus) /// alicui exempta aut alio quolibet modo iniuste
- fol. 40ra **Anselmus de Orto, Tractatus de precariis**> (See Vat. lat. 1435 fol. 226ra-rb for further information.)
- fol. 40ra **<Anselmus de Orto, Tractatus de libello>** (See Vat. lat. 1435 fol. 226rb for further information.) *Variants:*
 (Textus) uidere *add. post* ergo (Finis) autem *add. post.* uendere
- fol. 40ra-va <**Tabula titulorum Authentici**>
- fol. 40va-41rb <**Tabula titulorum Trium librorum**>
- fol. 42ra-78va **<Bernardus Compostallanus junior, Commentaria in Decretales>**

- (Praef.; X 1.1-1.7.2 (See Vat. lat. 2548 fol. 1 ra-32rb for further information)
Variants: (**Praefatio**) (Textus) **Queritur pro** Quero (Colophon) Gratias agamus domino Deo nostro. (**Bibl.** G. Barraclough, 'Bernard of Compostella', *English Historical Review* 49 (1934) 487-94 at 488 n. 3. The text of fol. 42ra was washed off and has partially been restored by a 15th c. reader.
- fol. 78va-vb, 80vb <**Moralia**> saec. XIV.2
- fol. 80va <Incertus auctor, **Prognostica hiemis**>
 Propheta Hedras in templo Ierusalem inuenit et testatur esse scriptum ... (Finis)
 flumina in multis locis habundantur.
- fol. 80va <**Nota de artifice**>
- fol. 80va <**Notae medicinales**>
- fol. 81ra-89va <**Guizardinus, Libellus**> **de causis et litibus**
 (Invocatio) <I>n nomine Patris et Filii et Spiritus sancti. (Rubrica) Incipiunt /// ///
 /// de causis et litibus. (Praefatio) <H>ec (Siquidem cod.) arbor duos habet ramos
 ... (Rubrica *marg.*) <De iudic>is aditione. (Textus) Sub (Super cod.) hac rubrica
uidendum est circa iudicem adire oporteat ... (Finis) ex qua (his cod.) notant supra
 de paulina. (**Ed.** *Scripta Anecdota Glossatorum*, ed. J.B. Palmieri, 3 vols.
 (Bononiae 1901; anast repr. 1962) III 17-68, editing this as a work of Pilius. **Bibl.**
 Fowler-Magerl, *Ordo* 134-36.)
- fol. 89va-91rb <**Jacobus Balduini, Libellus instructionis advocatorum**>
 <L>audabile aduocationis officium quod circa interponendas interponitur actiones
 ... (Finis) et ff. de lib. agnos. l. Si quis a liberis Si parens (Dig. 25.3.5.8). (**Bibl.**
 Fowler-Magerl, *Ordo* 147-48)
- fol. 91rb-va <**Roffredus Beneventanus, De bonorum possessione**>
 Cum essem accinctus (*sic*) in studio et considerarem quod tractatus de bonorum
 possessione esset difficilis ... (Finis) una extraordinaria bonorum possessio unde
 cognati olim erat. (**Bibl.** Coing, *Handbuch* I 196).
- fol. 92ra-97vb **Innocentius IV, <Novellae, Collectio III cum extravagantibus>**
 (fol. 92rb *marg.*) <Tabula titulorum> ... (fol. 92ra) (Rubrica) Incipiunt noue
 decretales domini Innocencii pape. iiii. (*marg.*) De rescriptis. (Textus) <C>um in
 multis iuris articulis infinitas reprobetur ... (Finis) per declarationem autem huius
 nolumus aliis defensionibus (defentoribus cod.) seu iuribus partium derogari
 (errogari cod.). (Colophon) Expliciuunt nouelle decretales domini Innocentii quarti
 pape. (**Ed.** Böhmer II 349-67. **Bibl.** Kessler, 'Untersuchungen' at I 279 n. 351 and
 284-85, noting that this version includes the extravagantes *Si defunctus* and *Non
 solum* (fol. 95vb-96ra). c.8.7. are inversed.
- fol. 98ra-113vb **Bernardus Compostellanus junior, Apparatus in Novellas Innocentii
 IV, Recensio II** (See Vat. lat. 1365 fol. 586va-591va for further information.)
Variants:
 (Rubrica *om.*, indication of pecia I-III in upper margin (Lemma primum) *iuris*
 add. post *multis* (Lemma ultimum) (Sext. 5.12.1) *aliis defensionibus* ... (Finis)
 quare non deberet ualere. (Subscriptio) B. (Colophon) Explicit apparatus
 nouellarum constitutionum. Deo gratias. (**Bibl.** G. Ancidei, ZZ 'Un *Exemplar* dell'
Apparatus novellarum Innocentii IV di Bernardo di Compostella', in
Palaeographica, Diplomatica et Archivistica: Studi in onore di Giulio Battelli I
 (Roma 1979) 333-41 at 334-37, 340-41.)

fol. 114r-115rb <**Tabula registri Nicolai III**>

fol. 116r-170v **Nicolaus III, Registrum**

(Invocatio) In nomine Domini. Amen. (Rubrica) Incipit registrum litterarum domini Nicolai pape iii. inceptum anno Domini millesimo CC^o lxxviii^o pontificatus sui anno primo. (Inscriptio) Nicolaus episcopus seruus seruorum Dei dilecto filio S. tituli sancte Secilie (*sic*) presbitero cardinali apostolice sedis legato salutem et apostolicam benedictionem. (Textus) Nuper audiuius et audiendo mirati sumus ... (Finis) et apostolice sedis indignationem et temporalis uindictę censuratum merito poterit formidare. Datum Suriano xiii kal. septembris.

(Inscriptio of next letter, which was no more copied) Nicolaus et cetera. (**Ed. J. Gay, *Les registres de Nicolas III* (Paris 1898-1938) n. 681-861. The MS is a copy from ASV Reg. Vat. 40. A missing gathering has been supplied: n. 796-833 at fol. 154r-164v in a late 16th c. hand which annotates the text, e.g. fol. 129r. This replacement was made after the addition of the old numeration, which is 11 folia shorter than the new.)**)

Bibl. *Consuetudines feudorum ... accedunt capitula extraordinaria*, ed. K. Lehmann (Gottingae 1892-96), rev. ed. K.A. Eckhardt (Biblioteca rerum historicarum, Neudrucke 1; Aalen 1971) pars 3, p. 109 and Kuttner, ZRG kan. Abt. 26 (1937) 452 n. 1, Battelli C.c. 6-7, repr. 402-403, Weimar, RIDC 1 (1990) 63 Nr. 13?, for a brief description of this MS.

This is a composite MS with two main parts: (1) II-fol. 41; (2) fol. 42-170. These were united when the old numeration was made, but before the modern insertion at fol. 154-164. The first part is a composite of several earlier pieces. (a) Iir-fol. 1v, partly erased leaves from a notarial register, Avignon 1344 (See fol. 1v), to which tables have been added at Iiva-vb, fol. 1ra-rb; (b) fol. 2ra-7rb, which overlaps the next section: (c) fol. 7va-11vb (mutilated at

Angabe des Korrektors: fehlt seite 72 der vorlage, bis hier hin korrigiert

end); (d) fol. 12ra-39rb, to which has been added (e) fol. 39va-vb, 40ra-41rb (lacking a folio between 39 and 40). Each section is in a gothic bookhand in brown ink, except the tables at fol. 40ra-va, which are in cursive. There are additions in the margins of the *Consuetudines feudorum*. The second part is marked 'Compostellanus' at fol. 42rb *marg.*; and it is of different size. It too is composed of several earlier units: (a) fol. 42ra-78va; (b) fol. 81ra-91va; (c) fol. 92ra-113vb; (d) fol. 114r-170v, including the insertion at fol. 154r-164v. This last may be yet a third discrete part. Each of these sections is in a gothic bookhand in brown ink. Cursive notes have been added at fol. 78va-vb, 80va-b. 'Corr.' is marked at fol. 113va *marg.* There are additions at fol. 42va-43va. Capitals are red or blue to fol. 153. Those to fol. 31 have blue decoration; thereafter, decoration is in the contrasting color. The capitals at fol. 165-170 are red. Rubrics are red, except in the modern insertion. Paragraph signs are red or blue through fol. 78vb; those from fol. 92r onward are red. Framed catchwords are initially at lower right, centered at fol. 115-153, and missing thereafter. Honoratus Columbi signed the table at fol. 1ra-rb. He also signed fol. 113vb *marg.* 'H. Columbi' with the number 115 and a drawing of his arms. The MS has a 19th-century leather binding. Fol. 79r-80r, 114v, 171r-172v are blank.

Vat. lat. 3981

saec. XIV.1

<I> +32 fols. + <I> memb. 302 (221) x 235 (159) mm, origin Germany. Quaterniones, saec. XIV.

<I> <Recepta>

(One of these sets of recepta begins, 'Pillule magistri Petri episcopi Maguntini...'; the other says '...cum pillulis magistri Nicolai quorum receptam habetis', see Schmidt 462n.)

fol. 1ra-28rb **Clemens V**, <Constitutiones Clementinae> (See Vat. lat. 1401 fol. 1ra-60rb for further information.) *Variants*:

(Inscriptio) Auinione *pro* Bononie (Rubrica textus) Rubrica *om.* (Textus) (Finis) et *pro* etiam <Colophon deest.> Bibl. Tarrant 122 and 14

fol. 28va-29ra <**Bonifacius VIII**, **Const. Iniunctae nobis** (Extrav. commun. 1.3.1)

fol. 29va-31rb **Johannes Andreae**, <**Novella in Decretales**, excerptum> (X 3.6.6)

(Lemma) *Consultacionibus adhibentis* (sic!): Quia in tribus capitulis huius tituli de coadiutore tractatur ... (Finis) ut in (*om. ed.*) predicta decretali Nemo deinceps de eltane (*sic*). libro VI^o (Sext. 1.6.15). (Colophon) Explicit glosa magistralis super titulo et materia de clerico egrotante composita a magistro et domino Iohanne Andree decretorum doctore eximio de Bononia. (Ed. Johannes Andreae, *In quinque decretalium libros novella commentaria* (Venetiis 1581; anast. repr. 5 vols. in 4, Torino 1963) III fol. 43va-44va

fol. 31va-32vb **Bonifacius** <**VIII**, **Const.**> *Declarationes*

(This copy, addressed to the bishop of Bologna, lacks the clause 'provisio ... extendatur' found at the end of Extrav. commun. 3.7.un. This version is dated 'Laterani XIX kal. februarii pontificatus nostri anno iiii' rather than Anagni? III kal. oct. p.n.a. VII as in Reg. ed. Digard n. 4131 and in Friedberg II 1277 with note 13

Zweite Bemerkung: Ab hier (wohl wieder eingesetzt, jedoch auch Korrekturen zwischendrin gemacht)

<+I>r **Documenta** IV producta in causa, quae anno 1320 de provisione ecclesiae S.Crucis de Northusen (Thuringia) fuit agitata (ed.Schmidt 493-98 n. II-IV)

Bibl. T. Schmidt, Die Propstei von Nordhausen im Jahre 1320 zwischen päpstlichem Besetzungs- und königlichem Vorschlagsrecht, DA 38 (1982) 460-98, giving a careful description of the MS at p. 462s; J.Tarrant, The Manuscripts of the Constitutiones Clementinae. Part II: Napoli to Zwettl, ZRG kan. Abt. 71 (1985) 76-146 giving a brief description of the MS at p.122.

The main body of the MS is written in two gothic textuales of German origin (fol.1r-29r and fol.29v-31r); fol.Iv, 31v-<I>r are written in various small chancery cursives in brown inks. The rubrics, when finished, capitals, and paragraph signs are red. The capitals on fol. 1ra-rb have red decoration. Gatherings are numbered on the first folio recto, beginning with '2' on fol. 1r. <+I> is numbered '6'. The MS has a 19th century cloth and leather binding. <I>r and <+I> are blank.

Vat. lat. 3982

saec. XIVmed.

Prov. 'Libreria papae'; Gaufredus.

<I> + 44 fols. chart. 325 (241) x 240 (190) mm, origin Spain. Biniones et terniones, saec. XIVmed.

fol. 1r-44v <**Constitutiones sive Extravagantes**>, nominantur:

Bonifacius VIII, Const. *Provide* (Extrav. comm. 5.10.2) (fol. 5r), *Iniunctae* (Extrav. comm. 5.7.1) (fol. 5r-v), *Detestandae* (Extrav. comm. 3.6.1) (fol. 5v-6r), *Rem non novam* (Extrav. comm. 2.3.1) (fol. 23r-v); **Benedictus XI**, Const. *Si religiosus* (Extrav. comm. 1.3.2) (fol. 22v), *Ex eo* (Extrav. comm. 5.3.1) (fol. 27v); **Clemens V**, Const. *Etsi <in> temporalium* (Extrav. comm. 3.2.3) (fol. 8v-9v), *Meruit* (Extrav. comm. 5.7.2) (fol. 23r); **Johannes XXII**, Const. *Etsi gratum* (fol. 1r), *Per vestras postulastis* (fol. 1r-v), *Cum nonnullae* (Extrav. comm. 3.2.11) (fol. 1v-2r), *Cum nonnullae personae* (Extrav. comm. 3.2.12) (fol. 2r-v), *Antiqua concertatione* (fol. 2v), <*Quia*> *cunctos* (Extrav. comm. 1.5.1) (fol. 3r), *Ex debito* (Extrav. comm. 1.3.4) (fol. 3r-4r), *Sedes apostolica* (Extrav. Ioan. XXII 4.1) (fol. 4r), *Perlectis litteris* (fol. 4r-v), *Habito consilio* (fol. 4v), *Gravis et dolore Innocentii IV* (fol. 4v), *Cum ad sacrosanctae* (fol. 6r-7r), *Nuper certis ex causis* (Extrav. comm. 3.2.6) (fol. 7r-v), *Nuper ex certis causis* (Extrav. comm. 3.2.7) (fol. 7v), *Si fratrum* (Extrav. Ioan. XXII 5.1) (fol. 7v-8v), *Super gentes* (Extrav. comm. 1.1.1) (fol. 9r), *Quia in futurorum* (Extrav. Ioan. XXII 9.1) (fol. 9r-v), *Copiosus* (Extrav. Ioan. XXII 8.1) (fol. 9v), *Suscepti* (Extrav. Ioan. XXII 1.2) (fol. 9v-10r), *Execrabilis* (Extrav. Ioan. XXII 3.1) (fol. 10r-11r), Declaratio extravagantis *Execrabilis* (**Ed.** Corpus iur. can. glos. 3.[4], fol. 23rb-24rb) (fol. 11r-v), Const. *In delictorum* (Extrav. comm. 2.2 un.) (fol. 12r-v, ending on 30r), *Dat vivendi* (**Ed.** N. Zacour, 'Papal Regulation of Cardinals' Households in the Fourteenth Century', *Speculum* 50 (1975) 434-55 at 447-49) (fol. 14v-15r), *Domine (?) apostolice* (fol. 15r), *Ut quos* (Extrav. comm. 1.7.2) (fol. 15r-v), *Dispendiis* (Extrav. comm. 1.2.1) (fol. 15v), *Malitiis* (Extrav. comm. 1.4.1) (fol. 15v-16r), *Ut praelatorum* (Extrav. comm. 1.8.2) (fol. 16r), *Etsi deceat* (Extrav. comm. 1.8.3) (fol. 16r-v), *Sancta Romana* (Extrav. Ioan. XXII 7.1) (fol. 16v-17r), *Dierum crescente* (Extrav. Ioan. XXII 12.1) (fol. 17r-18r), *Quorundam exigit* (Extrav. Ioan. XXII 14.1) (fol. 18r-20r), *Postulasti* (Extrav. comm. 3.2.10) (fol. 20r-v), *Ecclesiae Romanae* (Extrav. Ioan. XXII 2.1) (fol. 20v-21r), *Dignum arbitantes* (Extrav. comm. 5.2.2) (fol. 21r), *Ad apostolatus* (Extrav. Ioan. XXII 4.2) (fol. 21r-v), *Vas electionis* (Extrav. comm. 5.3.2) (fol. 21v-22r), *Quia nonnumquam* (Extrav. Ioan. XXII 14.2) (fol. 22r-v), *Cum inter nonnullos* (Extrav. Ioan. XXII 14.4) (fol. 22v), *Prodiens* (Extrav. Ioan. XXII 10.1) (fol. 23v), *Salvator noster* (Extrav. comm. 3.2.5) (fol. 23v-24v), *Romanus pontifex* (fol. 24v-25v), *Nuper ex certis rationabilibus* (Extrav. comm. 3.2.8) (fol. 25v-26r), *Ad universalis* (fol. 26r-v), *Docta sanctorum* (Extrav. comm. 3.1.1) (fol. 26v), *Ad nostrum* (Extrav. comm. 3.8.2) (fol. 27r), <*Quia*> *quorundam* (Extrav. Ioan. XXII 14.5) (fol. 27v-29v, ending on 12r), *Spondent* (Extrav. comm. 5.6.1) (fol. 30r-v), *Ratio recta* (Extrav. comm. 3.9.1) (fol. 30v-31r), *Cum Matthaeus* (Extrav. comm. 5.3.3) (fol. 31r), *Frequentes* (Extrav. comm. 2.1.1) (fol. 31r-32v), *Discipulorum* (Extrav. comm. 3.11.1) (fol. 32v-33r); **Benedictus XII**, Const. *Vas electionis* (Extrav. comm. 3.10.un.) (fol. 33r-35r), *Ex cotidiana instancia nobis* (fol. 35r-v), *Ex cotidiana instancia* (fol. 35v-36r), *Attendentes* (fol. 36r-v), *Ex puncto* (fol. 36v-37r), *Dudum foelicis recordationis* (fol. 37-v), *Circa confovendum* (fol. 37v), *Ad regimen* (Extrav. comm. 3.2.13) (fol. 37v-38v), *Regularem vitam* (**Ed.** *Bullarium Romanum* IV 328-29) (fol. 38v), *Benedictus*

Deus (**Ed. Bullarium Romanum** IV 345-47) (fol. 38v-39v), *Caeca cordis* (fol. 39v-40r), *Super grege* (fol. 40r), *Exigit apostolatus* (fol. 40r-v), *Dudum nos* (**Ed. Bullarium Romanum** IV 390) (fol. 40v-41r), *Pastor bonus* (**Ed. Bullarium Romanum** IV 326-28) (fol. 41r-42r), *Excommunicamus* (fol. 42r-v).
(Rubrica, in red) Hic incipiunt extravagantes domini Iohannis bone memorie pape uicesimi secundi
fol. 43v-44rb ZZ <**Stephanus archiepiscopus Arelatensis, Epistola** (1348)

Bibl. *Extravagantes Ioannis XXII*, ed. Tarrant 105.

The collection is divided into three parts. The first (fol. 1r-33r) ends, 'Hic finiunt extrauagantes domini Iohannis pape XXII cuius anima requiescat in pace'. The second (fol. 33r-42v) begins, 'Incipiunt extrauagantes domini Benedicti pape XII et primo que sequitur de procuracionibus uisitancium' and ends, 'Expliciunt xvi extrauagantes facte per dominum papam Benedictum XII ac per dominum Egidium Martini archidiaconum Beatien. (in *om. cod.*) ecclesia Gienen. rubricate'. The last (fol. 42v-44v) appears to be an addition to the collection. It contains letters addressed specifically to bishops or episcopal vicars in Castile.

The MS is written in a single gothic cursive hand in brown ink. From fol. 30r capitals are red with decoration in brown ink. Rubrics and paragraph signs are red. The paper is in bad condition, and restoration has made identification of quires difficult. ZZ On <I>v are written 'Iste liber est de libreria pape' and 'Gaufredus'. Fol. 12 belongs after fol. 29. Catchwords are framed and centered at fol. 13v and 29v. The MS has a 19th-century parchment binding. <I>r is blank.

Whatever VP standards may impose, chronological listing of single pieces is completely inadequate in this case. The description obscures the clear and skillful structure of the collection in this MS, which may be important for the history of the 'Extravagantes Communes'. The first rubric has been dropped without reason, the other main rubrics are relegated into the discursive description forcing the reader to reconstruct laboriously the clear and simple setting of the collection. The individual rubrics demonstrating the professional skill of the compiler are not mentioned at all.

I include a description of my own, neglecting certain VP formalities which I do not like:

Vat. lat. 3982

saec. XIVmed.

Prov. 'Libreria papae'; Gaufredus.

<I> + 44 fols. chart. 325 (241) x 240 (190) mm, origin Spain. Biniones et terniones, saec. XIVmed.

GAP, GALLEY PROOFS ARE MISSING

fol. 1r-44v <**Johannes XXII et Benedictus II, Collectio constitutionum ab Aegidio Martini Hispano redacta**>

(Rubrica, in red) Hic incipiunt extravagantes domini Iohannis bone memorie pape uicesimi secundi. (Rubrica of first const., in red) Arguit papa collectores suos qui

- nichil beneficantis (sic) pro sua substentatione relinquunt ... (Constitutio prima) Etsi gratum, 9-VI-1318. (fol. 32v-33r) (Constitutio ultima) Discipulorum Christi gesta, 20-VI-1328 (Extrav. comm. 3.11.1). (Colophon, in black) Hic finiunt extrauagantes domini Iohannis pape XXII di cuius anima requiescat in pace.- (Rubric in red) Incipiunt extrauagantes domini Benedicti pape XII, et primo que sequitur de procurationibus uisitantium. (Constitutio prima) Vas electionis, 18-V-1336 (Extrav. comm. 3.10 un.). (fol. 42r-v) (Constitutio ultima) Excommunicamus, 25-III-1339. (fol. 42v) (Colophon, in red) Expliciunt XVI extrauagantes facte per dominum papam Benedictum XII ac per dominum Egidium Martini archidiaconum Beatien. (in *om. cod.*) ecclesia Gienen. rubricate.
- fol. 42v-43v (first addition; rubric in red) **Benedictus XII papa, Littera Conchen. et Aiolen. episcopis directa, Exultamus in karissimo filio**, 7-III-1340. Hic concedit papa cruciatam domino Alfonso regi Castelle ad tres annos ... (in black)
- fol. 43v-44r (second addition) **Stephanus archiepiscopus Arelatensis, camerarius pape, Littera clero regni Castiliae directa, Quia pium et rationi debitum**, 12-XI-1348 et transsumpta a magistro Didaco notario ecclesiae Cordubensis, 24-I-1349.
- fol. 44v (third addition) **Clemens VI, Littera episcopo Gienensi directa, Quamuis fidelium**, 20-IV-1352.

The first part of the Collection (Johannes XXII) consists of about 60 constitutions, most of which are part of the wellknown collections of 'Extravagantes Johannis XXII' and 'Extravagantes Communes', but including also some texts of earlier popes (e.g. fol. 4r-v the widely circulating extravagantes Perlectis, Habito cum fratribus, Gravis et dolore of Innocent IV). On the contrary, only two of the 16 constitutions of Benedict XII appear also in the 'Communes' (3.10 un., 3.2.13). Almost every single text is preceded by an individual, often elaborate rubric due to the compiler Egidius Martini (See the subscription fol.42v as quoted above). The entire collection, including the three additions (fol. 42v-44v) is written in an even cursive hand in grey ink and carefully rubricated by the same scribe, who may have been Egidius Martini himself. Smaller initials in red occur throughout the MS, more elaborate initials in red pen work are on fol.42v and 44r. Certain passages have faded away and are consequently hard to read. The paper is of a strikingly unrefined quality without any discernable watermarks. Originally the MS was made up of quaterniones, partially decomposed by modern restoration. Fol. 12, to be read from verso to recto, belongs after fol. 29. On fol. <1>v is the name 'dominus Gaufredus' and the note 'Iste liber est de libreria pape', both of 14th c. hands. <1>r is blank. The MS has a 19th c. parchment binding.

Vat. lat. 3983

saec. XV.1

- 169 fols. chart. 294 (197) x 222 (130) mm., origin Germany. Septeniones, saec. XV.1.
- fol. 1r-14v <**Constitutiones sive Extravagantes**>, nominantur: **Johannes XXII**, Const. *Ratio iuris* (fol. 1r-5r); **Benedictus XII**, Const. *Decens et necessarium* (fol. 5v-8r); **Gregorius XI**, Const. *Quamvis felicitis recordationis* (fol. 8r-9v); **Martinus V**, Const. *In apostolicae* (fol. 9v-14r), *Quoniam novissima*, imperfecta (fol. 14v) (Ed. see Vat. lat. 2665 fol. 108r-131v.)
- fol. 15r-50v <**Johannes XXII; Benedictus XII; Clemens VI; Innocentius VI; Urbanus V; Gregorius XI; Urbanus VI; Bonifacius IX; Innocentius VII; Gregorius XII et Alexander V; Regulae cancellariae apostolicae**> (Rubrica) Iohannes xxii. (Praefatio) Infrascripte sunt regule restrictiue tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut (quod *cod.*) sumus omnes

- actenti ... (Finis) uult uti secundum formam in cancellaria declarandam et (declarandam et *om. cod.*) consuetam. (Ed. Ottenthal, *Regulae* 1-162 no. 10 except 12 no. 4, 54 nos. 35-36, 81 no. 87, 84 no. 7-9, 169 no. 28-170 no. 31, 161 no. 6, and 162 no. 10, using this MS (siglum B). At xxxi, the editor notes that this MS has the original versions of the protocols of several of Gregory XI's rules.)
- fol. 35^{rb} <Incertus auctor, **Forma supplicationis ad papam pro provisione**>
(Inscriptio) Beatissime pater. (Textus) Vacante plebanatu plebis sancti etc. diocesis etc. ... (Finis) de nouo gratiose dignemini prouidere.
- fol. 52r-85^{rb} <**Clemens VII et Benedictus XIII, Regulae cancellariae apostolicae**>
(Rubrica) Regule domini Benedicti pape XIII^{mi} in cancellaria date de eius mandato per reuerendum patrem dominum Iohannem cardinalem tituli sancte Anastasie Viuariensem (Vibariensem *cod.*) uulgariter nuncupatum (Sancte Romane ecclesie *add. cod.*) uicencellarium (De reseruacionibus *add. cod.*). (Praefatio) Sanctissimus in Christo pater et dominus noster dominus Benedictus diuina prouidentia papa xiii ... (Textus) In primis fecit similes reseruaciones illis que in constitutione domini Benedicti pape xii ... (fol. 84^v) (Finis) illam fecimus presentibus annotari. Nulli ergo etc. Nostre annotationes infringere etc. Datum Auinione iiii kalendas marcii anno iiii^o. (Ed. Ottenthal, *Regulae* 124-141 no. 113, 94-115 nos. 19-22, 24-25, 28, 30, 34, 40, 42 in med.-in fin., 44-47, 49, 52-53, 55, 60, 68, 70, 82, 86-87, 89, 110-111, followed at fol. 69r-v by two unprinted texts, the first ending 'Continetur datum Auinione xv. kalendas februarii anno ix^o', then pp. 142-58 no. 172a (with a text inserted at fol. 77^v-78^r between nos. 155 and 156), the next texts (fol. 82^v-84^v) are unedited, then p. 159 no. 174 appears on fol. 84^v. At fol. 85^r the materials at fol. 59^v-60^r [Ottenthal 134 no. 67 in med.-135 no. 70 in prin.] are repeated.)
- fol. 86r-90r, 116^{rb} <**Constitutiones sive Extravagantes**>, nominantur: **Johannes XXII**, Const. *Ratio iuris*, imperfecta (See above fol. 1r-5r) (fol. 86r-88r); **Johannes XXIII**, Const. *Rationi congrua* (fol. 116r); **Martinus V**, Const. *Quod antidota* (Ed. *Bullarium Romanum* IV 667-68) (fol. 89r), *Damnabile* (fol. 89^v-90r)
- fol. 90^v-111^v **Concilium Constantiense**, (1414-1418), <excerpta> (See Vat. lat. 2665 fol. 132r-147^v for further information.) *Variants*:
(Rubrica) Capitula Narbonensia.
- fol. 111^v-116^r **Martinus V**, <**Reformationes curiae**> (See Vat. lat. 2665 fol. 156r-160^v for further information.) *Variants*:
(Colophon) Constitutiones me presente in cancellaria *add. post* predictae; die xvi mensis *om.*; in audientia ... nostri *om.*
- fol. 116^v <**Concilium Pisanum (1409)**, excerptum> (See Vat. lat. 3884 fol. 64r for further information.)
- fol. 118r-125^{rb} <**Martinus V, Const. Romani pontificis**>
(Ed. *Bullarium Romanum* IV 708-14; Tangl, *Päpstliche Kanzleiordnungen* 146-60.)
- fol. 127r-169^v <**Martinus V et Eugenius IV, Regulae cancellariae apostolicae**>
(Praefatio) Ad illius cuius perfecta sunt opera et a quo eius in terra (terris *cod.*) uicario ... (Textus) In primis enim (etiam *cod.*) nonnullorum suorum predecessorum donec super hiis ... (fol. 169^r) (Finis) omissis ac ualoribus et qualitatibus earundem etc. (Colophon) Placet a x kal. aprilis usque ad x kal. maii

- dummodo supplicationes sint signate manibus referendariorum nostrorum. Die xxvii marcii lecte et publicate fuerunt in cancellaria. Die decima (mensis add. cod.) aprilis fuerunt publicate omnes supradicte constitutiones in audientia contradictarum presente me Fernando Lucensi episcopo contradictarum auditore. Ponatur in libro. Blasius Gradensis (Ponatur ... Gradensis *om. cod.*). (Ed. Ottenthal, *Regulae* pp. 187-222 no. 136, p. 225 no. 150, p. 226 no. 152 (=fol. 127r-139v), fol. 139v is unprinted = *Taxationes cancellariae sub Martino V*; then p. 223 no. 137, p. 226 no. 152 (=fol. 140r-145v), p. 226 no. 153, p. 236 no. 204 (=fol. 148r-161r), fol. 161 is unprinted = *De quinquenio* (13-IV-1425), then pp. 238-51 no. 93 (=fol. 163r-169r), p. 252 Colophon (=fol. 169r), p. 238 no. 1-1a in med. [repeated], p. 254 no. 107 (fol. 169v).)
- fol. 145v-147v <**Universitas studii Parisiensis, Rotulus presentatus Martino V**> (1424) (Praefatio) Ad uestre sanctitatis celsitudinem pater beatissime presentem rotulum supplicationum ... (Textus) Primo dignetur e.s. (u. *add. cod.*) presentem rotulum et contenta in eo solito more ... (Finis) absque tamen preiudicio doctorum et magistrorum infrascriptorum. Fiat si alias fuerint exempti O. (Colophon) Publicate et michi tradite in cancellaria die 'xv' que fuit idus may anno septimo. M. de Nouaria. ZZ (Ed. *Chartularium Universitatis Parisiensis*, ed. H. Denifle, 4 vols. (Parisiis 1897) IV 430-31 no. 2237.)
- fol. 162r-v **Collegium cardinalium, Ordinationes in conclavi** (1430), imperfectae (Rubrica) Copia ordinationum editarum per collegium dominorum cardinalium existencium in conclavi per (*sic*) electione futuri Romani pontificis ... (Praefatio) Nos omnes et singuli sancte Romane ecclesie cardinales (uidelicet Iordanus etc. *add. cod.*) iuramus et uouemus Deo ... (Textus) Item in primis quod curiam Romanam in capite et (in *add. cod.*) membris reformabit ... (Finis) nec approbabit sine eorumdem dominorum cardinalium consilio et consensu (eorumdem consilio et assensu *cod.*) (Ed. Baronius, *Annales* an. 1431 §§6-8k (Ed. Theiner 28.89-90).)
- fol. 169v **Rodericus Gundissalvi, <Petitio ad papam in causa archidiaconatus Palentuelae>**

Bibl. Ottenthal, *Regulae* at xxxviii-xl.

This composite collection is in several cursive hands in brown ink of varying shades. See Ottenthal, *Regulae* at xxxix for a discussion of the hands. The main sections are indicated by capitals in a contemporary hand: B at fol. 15r; C at fol. 52r; D at fol. 86r; F at fol. 118r; G at fol. 126r. There are sporadic marginalia in several hands. The irregular gatherings, in which septenions predominate, are indicated by a variety of catchwords. For the watermarks, cf. Briquet nos. 11728, 11867, and 3644. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. Fol. 51r-v, 85v, 88v, 117r-v, 126r-v except for a title on the recto, and 161v are blank.

Vat. lat. 3984

saec. XIVex./XVin.

Prov. Johannes <XXIII>(?); L. de Temperiis; Johannes Conradi de Totnang. **Scr.** L. de Temperiis.

146 fols. chart. (memb.: fol. 1, 42-46, 80-81, 104-105, 112, 118-119, 126); 293 (211) x 210 (145) mm, origin Germany. Octoniones, saec. XIVex./XVin.

fol. 1r **Epigramma**

- (Rubrica) Tullius de amicitia. (Textus) Quid dulcius quam habere aliquem in quo omnia audeas sic loqui ut tecum. (**Bibl.** Cf. Walther, *Initia* no. 2500/OB.)
- fol. 1ra-rb <Incertus auctor, **Grammatica**, excerptum>
 ZZ (Textus) Ab adolor hec adulteri et inde hec adulterare ... (Finis) et componit cupis idest aues capiens.
- fol. 1rb <Incertus auctor, **Versus**>
 ZZ (Textus) Sanus eo cubitum sed lesus uado cubarum ... (Finis) sub ipsis retine pullos. (**Bibl.** Cf. H. Walther, *Proverbia sententiaeque latinitatis medii aevi*, 5 vols. [Göttingen 1963-67] IV no. 27507.)
- fol. 2r-31r **Johannes XXII; Benedictus XII; Clemens VI; Innocentius VI; Urbanus V; Gregorius XI; Urbanus VI; Bonifatius IX; Innocentius VII et Gregorius XII; Regulae cancellariae apostolicae**
 (Rubrica) Regule date in uicecancellaria per dominum Iohannem papam xxii^{um} (Praefatio) Infrascripte sunt regule restrictiue tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut (quod *cod.*) simus omnes actenti ... (Finis) et uoluit quod data tertie apercionis esset kal. februarii. (**Ed.** Ottenthal, *Regulae* 1-86 no. 8 with no. 3 in the *regulae* of Boniface IX before no. 1 at fol. 19r. The editor uses this MS: siglum C.)
- fol. 43r-45rb <**Tabula libri II cancellariae**>
 (The table basically matches the table at Barb. lat. 2825 fol. 2r-8r. There are 156 items in the table, three beyond the *Liber II Cancellariae* as defined by Tangl; the numbering in the table only extends to CXI, although all 156 are numbered in the *Liber* itself. The table is in a different hand from the preceding *regulae* and from the *liber*; it appears to have been added after the latter was completed.)
- fol. 45v-48rb <**Constitutiones sive Extravagantes**>, nominantur: **Bonifacius IX, Const. Provisionis nostrae** (fol. 45v), **Benigno sunt** (fol. 47v-48r); **Urbanus V, Const. Intenta semper** (fol. 46r); **Urbanus VI, Const. Viri sacre lectionis** [Robertus Bede O.P.] (fol. 46r-v), **Sedes apostolica** (fol. 46v-47v).
 (These have been added in a neat chancery hand in space originally reserved for the continuation of the preceding table. Similar texts appear in the additions to the *Liber II cancellariae* in Barb. lat. 2825, q.v.)
- fol. 48r-77v, 81r-108r **Liber II cancellariae** (See Barb. lat. 2825 fol. 15r-101r for further information.) *Variants:*
 (Rubrica) nostre *add. post* domini (Datum) pont. nostri *om.* <Colophon deest.>
 (**Ed.** and **Bibl.** Tangl, *Päpstliche Kanzleiordnungen*, editing selected texts using this MS (siglum V), and, at lxii, stating that this is a copy of Barb. lat. 2825 (cited as XXXV.69). It is, in fact, almost the same, including the corrections made to the latter's description. However, there are some important differences. Aside from the intrusions in formerly blank spaces (see below), major differences from Barb. lat. 2825 are: Benedictus XII, Const. *Regularem vitam professis* is missing; at fol. 67v, an extra formula 'Sincere devotionis affectus' has been added after Tangl's formula CLXVIII; while both Urbanus V, Const. *Paterna caritas* and *Ex paterna caritate* appear, here *Paterna caritas* comes first. The blank spaces at fol. 78v-80v, 95r and 96v were later filled with documents from the chancery of John XXII or from the Council of Constance. Another document from Constance was copied at fol. 110r, and others from the pontificate of Martin V were added at fol.

- 110r-111v. For all of which, see below.)
- fol. 77v-78r **Johannes XXII, Const. Suscepti regiminis** (Extrav. commun. 3.3.1)
- fol. 108r-109v <**Liber II cancellariae, additiones**>
 ZZ (This includes four texts, numbered CLIII to CLVI and included in the preceding table, and two unnumbered texts which the scribe meant as a continuation of the *Liber*. Included are: Urbanus VI, Const. *Dudum omnia* (fol. 108r); Innocentius VI, Const. *Apostolice sedis providentia* (fol. 108r-v) (**Bibl.** Tangl, *Päpstliche Kanzleiordnungen* Const. XIX, note only); a *Forma iuramenti* which abbreviates that of ‘Mattheus archiepiscopus’ to a pope of the Roman obedience, execrating the memory of Clement VII (d. 1394) (fol. 108v-109r); Urbanus VI, Const. *Viri sacre lectionis* [Beltrandus de Parma O.F.M.] (fol. 109r-v); an extended version of Tangl’s formula CVI from the time of Martinus V (cf. Tangl, *Päpstliche Kanzleiordnungen* 307-08) (fol. 109v); and a formula ‘Prohemium pulcrum pro littera apostolica’ (fol. 109v)
- fol. 78v-80v, 96v, 110r-111v <**Epistolae tempore concilii Constantiensis**>, nominantur: **Johannes XXIII** (fol. 79r-80r, 96v); **Concilium Constantense (1414-1418)** (fol. 78v, 80v, 110r); **Martinus V** (fol. 110r-111v)
- fol. 80r-v <**Iuramentum in cancellaria apostolica**>
 (The oath abbreviates that of Nicolaus abbot of S. Maria de Canneto in the pontificate of John XXIII)
- fol. 113ra-re <**Catalogus pontificum**> (Petrus - Honorius IV)
- fol. 113va-vb <**Bonifacius VIII, Liber sextus**> (Regulae iuris)
 (fol. 113v) (Rubrica) Regule iuris sexti decretalium. (fol. 113va) (Textus) Beneficium ecclesiasticum non potest licite sine institutione canonica obtineri ... (Finis) infamibus porte non pateant dignitatum. (Colophon) Explicunt regule iuris sexti decretalium. (**Ed.** Friedberg II 1122-24. This copy reverses the order of the last two *Regulae*.)
- fol. 114ra-121vb **Provinciale <cancellariae apostolicae>**
 (Rubrica) Incipit prouinciale. (Textus) In ciuitate Romana sunt quinque ecclesie que patriarche dicuntur (patriarchales *pro* que ... dicuntur cod.) ... (Finis) que similiter protenditur per dietam et plus (amplius cod.). (**Ed.** Tangl, *Päpstliche Kanzleiordnungen* 3-32.)
- fol. 121vb-122rb <**Provinciale cancellariae apostolicae, additio**>
 Et est (*sup. lin.*) sciendum quod in primitiua ecclesia fuit assignatum ... (Finis) ordo milicie de Alcantara in Ispania. (**Ed.** This addition is partially edited in *Tractatum ex variis iuris interpretibus collectorum ...*, 17 vols. (Lyons 1549) XIV fol. 387ra-rb. **Bibl.** H. Börsting, *Das Provinciale Romanum ...* (Lengerich i. W. 1937) 8, 67 (siglum E2), saying that this redaction of the Provinciale was made by L. de Temperiis.)
- fol. 122rb-123ra <Incertus auctor, **Tractatus de coronatione imperatoris**>
 ZZ (Praefatio) Quia dictum est supra de nominibus dignitatum et prelacionum ... (fol. 122va) (Textus) Sciendum est (enim add. cod.) quod duo sunt imperatores Christianis seu (Christianis seu om. cod.) Christianorum ... (Finis) rex Sardinie rex Vngarie rex Anglie. (Et sic est finis. add. ed.) (**Ed.** A. Werminghoff, ‘Ein Tractatus de coronatione imperatoris aus dem vierzehnten Jahrhundert’, ZRG Germ. Abt. 24 (1903) 380-90 at 381-85, without the preface.)

- fol. 123rb-va <Incertus auctor, **De ordinatione iudicum in litteris apostolicis**>
 (Rubrica) De ordinatione iudicum qui ponuntur et dantur in litteris apostolicis.
 (Textus) Nota quod iudices qui ponuntur et dantur in litteris apostolicis ... (Finis)
 in litteris apponatur et detur etc. Amen. (This work is followed by [Isti sunt qui
 debent venire ... singuli.] with the marginal note: 'Partum? est superius per
 optime.')
- fol. 123vb-124rb <Incertus auctor, **Chronica mundi usque ad Sylvestrum I**>
 ZZ (Textus) Postquam Dominus creavit mundum uidelicet celum et terram ...
 (Finis) et ibi sunt cum multis aliis reliquiis reclusa.
- fol. 124rb-126vb <**Constitutiones sive Extravagantes**>, nominantur: **Bonifacius VIII**,
 Const. *Provide attendentes* (Extrav. comm. 5.10.2) (fol. 126vb); **Benedictus XI**,
 Const. *Quod olim* (Extrav. comm. 3.13.un.) (fol. 124rb-va), *Inter cunctas* (Extrav.
comm. 5.7.1) (fol. 125ra-126va); **Clemens V**, Const. *Pastoralis* (Extrav.
 commun. 3.13.un.) (fol. 124va), *Ne Romani* (Clem. 1.2.3.) (fol. 124va-125ra).
- fol. 127r-142rb <**Petrus de Pratis, Taxationes <cancellariae apostolicae sub Johanne
 papa XXII**>
 (Praefatio) Infrascripte sunt taxationes litterarum apostolicarum facte et ordinate
 per dominum Petrum Penestrinum episcopum ... (Textus) Et primo ordinavit et
 precepit quod in similibus ... (Finis) in eisdem taxationibus Romaninus pro
 Turonensi ponatur. (Ed. M. Tangl, 'Das Taxwesen der päpstlichen Kanzlei vom
 13. bis Mitte des 15. Jahrhunderts', MIÖG 14 (1892) 1-106 at 77-103, using this
 MS: siglum V.)
- fol. 142r-144rb <**Constitutiones sive Extravagantes**>, nominantur: **Johannes XXII**,
 Const. *Pater familias* (fol. 142r-143v); **Clemens VI**, Const. *Ad universitatis* (fol.
 143v); **Gregorius XI**, Const. *Statutum per felicitis recordationis* (*Bullarium
 Romanum* IV 565) (fol. 144r).
- fol. 145r-v <**Iuramenta in cancellaria apostolica**>
 (Ed. Tangl, *Päpstliche Kanzleiordnungen* 39-41; these are Tangl's Iuramenta VI d
 and VI c. **Bibl.** B. Schwarz, *Die Organisation kurialer Schreiberkollegien von
 ihrer Entstehung bis zur Mitte des 15. Jahrhunderts* (Tübingen 1972) at 246, 250:
 siglum V.)
- fol. 145v-146rb <**Formulae cancellariae apostolicae**>, nominantur: **Johannes XXIII**
 (fol. 146r); Incertus auctor (fol. 145v-146r)

Bibl. Ottenthal, *Regulae* xxiv and xl-xli, describing this MS; Tangl, *Päpstliche
 Kanzleiordnungen* at liii n. 2 and lxxi; B. Schwarz, *Die Organisation kurialer
 Schreiberkollegien von ihrer Entstehung bis zur Mitte des 15. Jahrhunderts* (Tübingen
 1972) at 244, 264.

The MS is a composite collection which falls into three main sections: fol. 2r-31r; fol. 43r-111v; fol. 113ra-
 146r. The MS is in several cursive hands in brown ink. The chief of these in the third part of the MS is that
 of L. de Temperiiis, according to Börsting. The capitals from fol. 50r-77v have red decoration, while the
 paragraph signs of the same section are red. The rubric on fol. 50r is red. The few catchwords are framed at
 lower right. Fol. 146v has pen trials, accounts and 'Iste liber cancellarie est domini nostri Iohannis', possibly
 a reference to John XXIII. There are many erased notes in multiple hands from the first half of the 15th
 century on fol. 1r. They include the ex libris 'Iste (?) liber est L. de Temperiiis' and 'Iohannes Conradi de
 Totnang' and the inscription of a papal letter of John (XXIII?) as a probatio pennae. For watermarks, cf.
 Briquet no. 11689. Fol. 1, 42-46, 80-81, 104-5, 112, 118-19, 126 are made of parchment, often serving as

the inner and outer leaves of the irregular gatherings, among which octernions DOES THIS WORD EXIST IN ENGLISH? predominate. The MS has an 18th-century parchment binding. Fol. 1v, 31v-42v, 112r-v, and 144v are blank.

Vat. lat. 3985

saec. XIV

54 fols. + <I> memb. 159 (94) x 111 (71) mm. Quaterniones, saec. XIV.
fol. 1r-8r **Johannes <XXII, Const.>** *Ad conditorem* (Extrav. Joan. XXII 14.3)
fol. 8r-v **Johannes <XXII, Const.>** *Cum inter nonnullos* (Extrav. Joan. XXII 14.4)
fol. 9r-54v <Michael de Cesena, O.F.M. (?), **Appellatio contra Johannem XXII**>
(Inscriptio) <V>niuensis Christi fidelibus presentes litteras inspecturis humiles Christi pauperes fideles et catholici oppressi pro defensione ueritatis fideique Christiane salutem et pacem in eo, qui cum esset diues pro nobis pauper factus est, et tradidit semetipsum pro nobis, et lauit nos a peccatis nostris in sanguine suo. (Textus) Veritatem sapientis animus non recusat, nec fides recta patitur quamcumque (quamque *ed.*) iacturam ... (Finis) Cui cum Patre et Spiritu Sancto in Trinitate perfecta omnis sit laus honor (*om. ed.*) et gloria in secula seculorum. Amen. (Ed. E. Baluze, *Miscellanea novo ordine digesta*, ed. J.D. Mansi, 4 vols. (Lucca 1762) III 341-355.)

The MS was written in gray ink in a gothic bookhand by a single scribe. Space has been left for an initial at the beginning of each section. On <+I>v is the note: 'Privilegium quoddam fratrum minorum <e>t multi errores.' The MS has a modern leather and cloth binding. Fol. <+I>r is blank.

Vat. lat. 3986

saec. XIV.2

24 fols. memb. 273 (198) x 187 (134) mm, origin France, saec. XIV.2.
fol. 1r-11v **Johannes XXII; Guido de Baysio; Bertrandus de Deucio; Beltraminus Paravicini; Johannes Jofredi, Constitutiones audientiae litterarum contradictarum**
(Rubrica) Constitutio felicitis memorie domini Iohannis pape xxii super obseruanciis audientie litterarum contradictarum. (Inscriptio) Iohannes episcopus seruus seruorum Dei ad perpetuam rei memoriam. (Textus) Qui exacti temporis gesta recenset ac eorum rationes aduertit ... (Finis) ab auditorio sui auditoris et a palatio predicto expellantur. (Colophon) Finiuntur constitutiones palatii causarum. (Ed. of fol. 1r-2v: Tangl, *Päpstliche Kanzleiordnungen* 111-15, const. 13 (the MS lacks §§ 13-19); of fol. 2v-8r: J. Teige, *Beiträge zur Geschichte der Audientia Litterarum Contradictarum* (Prague 1897) I-XV, using this MS (siglum B); of fol. 8r-11v: Tangl, *Päpstliche Kanzleiordnungen* 83-90, const. 11 (the MS lacks §§ 43-45 and the concluding formulae).)
fol. 11v-17rb <Provinciale cancellariae apostolicae> (See Vat. lat. 3984 fol. 114r-121vb for further information.) *Variants:*
<Rubrica deest.> (Textus) In ciuitate Romana sunt v ecclesie principales et sunt hee (*sic*) ... (Finis) qui *pro* que
fol. 17rb-18ra <Additio ad provinciale cancellariae apostolicae> (See Vat. lat. 3984 fol. 121vb-122rb for further information.) *Variants:*
(Finis) ut in primo folio codicis ubi dicitur omnia que uidemus nostra continetur.

(Versus) Inuidia Romanorum ... Luxuria Sarracenorum. (Colophon) Et est sciendum quod episcopatus suprascripti singuli uidelicet sub diuersis prouinciis reperiuntur. Amen. (This version of the addition differs from that in Vat. lat. 3984, giving materials concerning the Holy Roman Empire on fol. 17va-18va instead of the list of religious orders in Vat. lat. 3984 fol. 122ra-rb. The verse resembles one in University of Chicago MS 689 fol. 115v.)

fol. 18v-24v <**Formulae audientiae litterarum contradictarum**>

(Rubrica of first form) Forma conventionis (Inscriptio) Omnibus. (Textus) Noueritis quod cum inter magistros G. de ... uenerabilium uirorum capituli ecclesie de ... in Romana curia procuratorem (*ed.* p. 51) ... (Finis) non satisfaceret litteras ipsas lacerauimus iuxta consuetudinem (*ed.* p. 55).

(**Ed.** Teige, *Geschichte der Audientia* 19-60, where most of these texts are edited, passim, using this MS.)

fol. 24v <**Adnotationes de morte Urbani V et de electione Gregorii XI**> (1371)

Bibl. H. Börsting, *Das Provinciale Romanum* ... (Lengerich i. W. 1936) 7, 56-57 (siglum D3); Liotta, 'Appunti' 30 n. 124, 41-50; Teige, *Geschichte der Audientia* 16; Herde, *Audientia* I 23 n. 16, 30 n. 56; idem, 'Ein Formelbuch Gerhards von Parma mit Urkunden des Auditor litterarum contradictarum aus dem Jahre 1277', *Archiv für Diplomatik* 13 (1967) 225-312 at 226 n. 9.

The MS consists of an octernion (fol. 1-16) and a quaternion (fol. 17-24) written in a single gothic cursive bookhand in grey ink. Some major initials are missing on fol. 1-11. The notes on fol. 24v establish a *terminus ante quem* of 1370 for the copying of the main texts. The MS has a modern parchment binding.

Vat. lat. 3987

saec. XVin.

Scr. Johannes Clareti.

73 fols. chart. 213 (167) x 144 (96) mm, origin France (Avignon). Quiniones, saec. XVin.

fol. 1r-66r **Johannes XXII; Benedictus XIII; Clemens VII; Innocentius VI; Urbanus V; Gregorius XI; et Benedictus XIII, <Regulae cancellariae apostolicae>** (Rubrica) Regule date in uicecancellaria (*sic*) per dominos Iohannem papam xxii, Benedictum xii, Clementem vi, Innocentium vi, Urbanum v, Gregorium xi et Clementem vii. (Praefatio) Infrascripte sunt regule restrictiue (*om. cod.*) tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut simus omnes actenti ... (Finis) qui in officio precesserunt fieri consueta facere absque alio specialiori mandato. (**Ed.** Ottenthal, *Regulae* 1-44 no. 90, 90-141 no. 112. The *regulae* of Gregory XI on fol. 26r-27v are unprinted.)

fol. 66v-72rb <**Petrus de Fetenhiaco (card. 1383-1392), Testamentum**> (Avignon; 5-X-1392)

fol. 72v-73rb <**Johannes Clareti, Legata recepta ex testamento Petri de Fetenhiaco**> (14-XI-1410)

(The greatest part of this list is in provençal, signed 'Iohannes scripsit.' Pen trials follow.)

fol. 73r <Incertus auctor, **Versus**>

Taurus eques pastor sol seruus femina doctor ... (Finis) radiis pede dante flagellis - Bene. (Subscriptio) Iohannes scripsit. (The first line is repeated twice; the whole

poem is repeated on fol. 73v. The complete copy ends 'Gute scripsit.').
fol. 73v <Incertus auctor, **Versus**>

ZZ (Textus) Dilige luxuriam uitium (ueneremur cod.) cole destrue sanctos ...
(Finis) numquam [mala] bona (*super lin.*) morte peribis. (Subscriptio) Gute
scripsit. (**Bibl.** Walther, *Initia* no. 4490. The first line is repeated in the right hand
margin; pen trials follow the last line. The tearing away of part of the bottom of
the leaf has partially removed a notice in a cursive hand which was written with
the sheet upside down.)

Bibl. Ottenthal, *Regulae* at xli (siglum D).

Johannes Clareti, the scribe, identifies himself at fol. 72v: 'Anno Domini mccccx et xiiii die mensis
nouembris ego Iohannes Clareti canonicus et procurator ecclesie sancti Desiderii Auinionensis confiteor me
habuisse et recepisse a domino Petro, uidelicet ...' He wrote a cursive hand in darkbrown ink. The first three
gatherings, among which quinions predominate, begin with a letter (A - C) in the lower margin of the first
leaf. Fol. 13-22 are also numbered i-x, with the Roman numeral written over or cancelled. For the
watermarks, cf. Briquet nos. 5593, 6553, and 9031. The MS has a 19th-century leather and parchment
binding incorporating the 17th-century one.

Vat. lat. 3988

saec. XIV

<II> + 30 fols. + <II> - 2 memb. 212 (163) x 160 (114) mm, origin France. Quaterniones,
saec. XIV.

<I>r-<II>v <**Fragmentum** (In festo S. Sebastiani)>
(This leaf is in a late 12th-century bookhand)

fol. 1r-30v <**Constitutiones** sive **Extravagantes**>, nominantur: **Innocentius III**, Const.
In singulis (X 3.35.7) (fol. 25r); **Honorius III**, Const. *Ea quae* (X 3.35.8) (fol.
25v-26r); **Bonifacius VIII**, Const. *Praesenti* (Sext. 1.16.9) (fol. 26r); **Benedictus
XII**, Const. *Summi magistri* (**Ed. Bullarium Romanum** IV 347-87) (fol. 1r-24r,
cum tabula fol. 24v), *Vas electionis* (Extrav. comm. 3.10.un.) (fol. 26r-v), *Dudum
pro bono* (**Ed. Bullarium Romanum** IV 462-67) (fol. 26v-30v).

These texts are badly corrupted, and extensive corrections have been made. The MS is in a gothic cursive
in red-brown ink. Rubrics, capitals, and Paragraph signs are red. The roman numeration on the verso of
each leaf is correct, however the arabic numeration on the rectos, which skips from fol. 1 to fol. 3, is
followed here. Catchwords are at the lower right. The MS has a 17th-century leather and parchment
binding incorporating an older one. <+I>r - <+II>v are blank.

Vat. lat. 3989

saec. XIV

antea 1380. **Prov.** Gregorius M.

104 fols. chart. 303 (218) x 225 (167) mm, origin South France (?), saec. XIV

fol. 1ra-rb <**Tabula Constitutionis Summi magistri**>

fol. 1v-30v **Benedictus** <**XII**, **Const.**> *Summi magistri*
(**Ed. Bullarium Romanum** IV 347-87.)

fol. 31r-32v **Benedictus** <**XII**>, **Const.**> *Dudum pro bono*
(**Ed. Ed. cit.** IV 462-67.)

fol. 33r **Thomas Aquinas O.P.** (s.), **Sermo de festo Corporis Christi**

- (Rubrica) Sermo sancti Thome de Aquino de festo corporis Christi habitus in consistorio pleno. (Textus) Hodierne festiuitatis ac celebrationis patres reuerendissimi (karissimi *cod.*) memoria letabunda nos admonet ... (Finis) cuius uirtus et imperium sine fine permanet in secula seculorum. Amen. (Ed. Thomas Aquinas, *Opuscula omnia*, ed. P. Mandonnet (Parisiis 1927) 477-80. **Bibl.** J.B. Schneyer, *Repertorium der lateinischen Sermones des Mittelalters* (Münster i. W. 1969-) pt. 5, p. 580 no. 13.)
- fol. 35ra-95va **Guillelmus de Monte Lauduno, Sacramentale** (See Vat. lat. 1005 fol. 1ra-103vb for further information.) *Variants:*
 <Rubrica prima deest.> (Inscriptio) Noua *pro* Muro (Textus) etc. *pro* lumen ... Domine (Colophon) Explicit summa que uocatur sacramentale edita per uenerabilem uirum dominum Guillelmum de Monte Lauduno doctorem iuris canonici excellentissimum. Deo gratias.
- fol. 95va-98rb **Bonaguida de Aretio, <Tractatus de dispensationibus>** (See Vat. lat. 2661 fol. 95va-98rb for further information.) *Variants:*
 (Rubrica *margin.*) In quibus casibus possint episcopi dispensare. Rubrica. (Praefatio) Aixdem *pro* Aretio <Rubrica textus deest.> (Textus) enim *pro* episcopi; de *pro* que licet (Finis) enim hic libellus sit breuis ipsius cum potest dici. Ortus iste breuis dulcia poma gerit. *add. post finem.* (**Bibl.** Izbicki, 'Problems in TUI' 485)
- fol. 98va-99rb <**Johannes Andreae, Summa de sponsalibus et de matrimoniis**>, imperfecta (See Vat. lat. 1452 fol. 157ra-159ra for further information.) *Variants:*
 <Rubrica deest.> (Praefatio) reuerentiam *pro* reuerendissimi (Textus) ergo *pro* igitur,
 et *om.* (Finis) Cognatio legalis /// (Ed. Ed. cit. to fol. 3ra.)
- fol. 100r-103r **Petrus de Braco, Repudium ambitionis**
 (Rubrica) Repudium ambitionis contra miseros cardinalium seruitores. Rubrica. (Textus) Quid mihi et tibi ambitio ... (Finis) queritur regnum Dei extra de tempo. or. (et *cod.*) Ad aures (X 1.11.5). (Colophon) Explicit compendiosum (compendiolum *cod.*) repudii ambitionis contra miseros dominorum cardinalium seruitores compositum per dominum Petrum de Braco sacri palatii auditorem et domini pape capellanum. (Ed. N.P. Zacour, 'Petrus de Braco and his *Repudium ambitionis*', *Medieval Studies* 41 (1979) 1-29, using this MS: siglum V1.)

Bibl. A. Maier, 'Zu einigen Handschriften der päpstlichen Bibliothek von Avignon', *AHP* 2 (1964) 323-28 at 324-25.

The MS is in six different cursive hands in brown ink: fol. 1ra-30v; fol. 31r-32v; fol. 33r-34r fol. 35ra-98rb; fol. 98va-99rb; fol. 100-103r. Notes appear in the margins of the first and fourth sections. The first section begins with a red capital with violet decoration (fol. 1v) and ends with a note on Benedict XII followed by a notary's sign (fol. 30v). That section has red rubrics, capitals, and paragraph signs. The gatherings are of irregular construction, and there are no catchwords. For the watermarks, cf. Briquet nos. 796, 2364, and 75. The MS has a late 19th-century parchment binding. Fol. 34v, 99v, and 103v-104v are blank.

antea 1380. **Prov.** Gregorius XI.

104 fols. chart. 303 (218) x 225 (167) mm, origin South France (?), saec. XIV.

fol. 1ra-rb <**Tabula Constitutionis Summi magistri**>

fol. 1v-30v **Benedictus** <**XII, Const.**> *Summi magistri*
(*Ed. Bullarium Romanum* IV 347-87.)

fol. 31r-32v **Benedictus** <**XII, Const.**> *Dudum pro bono*
(*Ed. Ed. cit.* IV 462-67.)

fol. 33r **Thomas Aquinas O.P. (s.), Sermo de festo Corporis Christi**

(Rubrica) Sermo sancti Thome de Aquino de festo corporis Christi habitus in consistorio pleno. (Textus) Hodierne festiuitatis ac celebrationis patres reuerendissimi (karissimi *cod.*) memoria letabunda nos admonet ... (Finis) cuius uirtus et imperium sine fine permanet in secula seculorum. Amen. (*Ed.* Thomas Aquinas, *Opuscula omnia*, ed. P. Mandonnet (Parisiis 1927) 477-80. *Bibl.* J.B. Schneyer, *Repertorium der lateinischen Sermones des Mittelalters* (Münster i. W. 2001 CD-ROM) pt. 5, p. 580 no. 13.)

fol. 35ra-95va **Guillelmus de Monte Lauduno, Sacramentale** (See Vat. lat. 1005 fol. 1ra-103vb for further information.) *Variants:*

<Rubrica prima deest.> (Inscriptio) Noua *pro* Muro (Textus) etc. *pro* lumen ... Domine (Colophon) Explicit summa que uocatur sacramentale edita per uenerabilem uirum dominum Guillelmum de Monte Lauduno doctorem iuris canonici excellentissimum. Deo gratias.

fol. 95va-98rb **Bonaguida de Aretio, <Tractatus de dispensationibus>** (See Vat. lat. 2661 fol. 95va-98rb for further information.) *Variants:*

(Rubrica *margin.*) In quibus casibus possint episcopi dispensare. Rubrica. (Praefatio) aixdem *pro* Aretio <Rubrica textus deest.> (Textus) enim *pro* episcopi; de *pro* que licet (Finis) enim hic libellus sit breuius (? not checked) ipsius cum potest dici: Ortus iste breuis dulcia poma gerit. *add. post finem.* (*Bibl.* Izbicki, 'Problems in TUI' 485.)

fol. 98va-99rb <**Johannes Andreae, Summa de sponsalibus et de matrimoniis**>, imperfecta (See Vat. lat. 1452 fol. 157ra-159ra for further information.) *Variants:* <Rubrica deest.> (Praefatio) reuerentiam *pro* reuerentissimi (Textus) ergo *pro* igitur, et *om.* (Finis) cognatio legalis /// (*Ed. Ed. cit.* to fol. 3ra.)

fol. 100r-103r **Petrus de Braco, Repudium ambitionis**

(Rubrica) Repudium ambitionis contra miseros cardinalium seruitores. Rubrica. (Textus) Quid mihi et tibi ambitio ... (Finis) queritur regnum Dei extra de tempo. or. (et *cod.*) Ad aures (X 1.11.5). (Colophon) Explicit compendiosum (compendiolum *cod.*) repudii ambitionis contra miseros dominorum cardinalium seruitores compositum per dominum Petrum de Braco sacri palatii auditorem et domini pape capellanum. (*Ed.* N.P. Zacour, 'Petrus de Braco and his *Repudium ambitionis*', *Medieval Studies* 41 (1979) 1-29, using this MS: siglum V1.)

Bibl. A. Maier, 'Zu einigen Handschriften der päpstlichen Bibliothek von Avignon', *AHP* 2 (1964) 323-28 at 324-25.

The MS is in six different cursive hands in brown ink: fol. 1ra-30v; fol. 31r-32v; fol. 33r- 34r; fol. 35ra-98rb; fol. 98va-99rb; fol. 100r-103r. Notes appear in the margins of the first and fourth ZZsections. The first section begins with a red capital with violet decoration (fol. 1v) and ends with a note on Benedict XII

followed by a notary's sign (fol. 30v). That section has red rubrics, capitals, and paragraph signs. The gatherings are of irregular construction, and there are no catchwords. For the watermarks, cf. Briquet nos. 796, 2364, and 75. The MS has a late 19th-century parchment binding. Fol. 34v, 99v, and 103v-104v are blank.

Vat. lat. 3992

saec. XVI (c. 1503)

Scr. Franciscus de Gomiel.

22 fols. chart. 261 (148) x 182 (97) mm, origin Italy (Rome?). Quaterniones, saec. XVI (c. 1503).

fol. 1r-8v **Alexander VI, <Const.> *Cum ad sacrosanctae***

(Rubrica) [Incipit bulla edita et concessa per reuerendissimum dominum nostrum (papam *add. al. man.*) Alexandrum papam vi. scriptoribus breuium apostolicorum super institutione eorum offitii.] (*al. man. super lin.*) Bulla Alexandri pape sexti creationis officii breuium apostolicorum. (Inscriptio) Alexander episcopus seruus (seuus^{ac}) seruorum Dei ad perpetuam rei memoriam. (Textus) Cum ad sacrosancte Romane ecclesie sinum uelut matris ubera referta dulcedine ... (fol. 7v) (Finis) Lucas de Monteferrara. Nulli ergo ... Si quis autem ... Datum Rome apud sanctum Petrum anno incarnationis Dominice millesimo quingentesimo tercio kl. aprilis pontificatus nostri anno undecimo. (Colophon) F<ranciscus> de Gomiel. (fol. 7v-8r) <Subscriptiones papae et cardinalium>.

fol. 8v-9r <**Biblia sacra**, excerpta> (Jo. 1:1-3; Lc. 11:27-28; Mt. 20:17-18; Mc. 8:1-2)

fol. 9v-18v **Constitutiones et statuta collegii scriptorum breuium apostolicorum**

(Rubrica) Sequuntur constitutiones et statuta collegii dominorum scriptorum breuium apostolicorum. [Et primo quoad capellanum quod capellanus ter in ebdomada missas dicere teneatur.] (*marg. al. man.*) De capellano deligendo et eius officio. (Textus) In primis siquidem secundum euangelicam doctrinam et humane nature rationem illud hominum cordibus insitum (insignatum^{ac}) esse debeat ... (fol. 18r) (Finis) Sic me Deus adiuuet et sancta Dei euangelia. (Colophon) [Die xxviii mensis maii M^o D iii^o propositae et approbate ac iurate fuerunt omnes et singule suprascriptae constitutiones per omnes et singulos scriptores (fol. 18v) breuium apostolicorum qui interfuerunt in illa congregatione collegialiter (collegiater^{ac}) conuocati in ecclesia sancte Lucie de Vrbe in contrata cancellarie apostolice quorum omnium et singulorum nomina et cognomina qui interfuerunt in dicta congregatione annotata fuerunt per capellanum dicti collegii scriptorum breuium etc.].

fol. 18v-20r <**Forma iuramenti novi scriptoris breuium apostolicorum**>

(This form, cancelled at fol. 17v of the original set of constitutions described above, has been repeated six times in another hand. All of these copies, along with the colophon of the constitutions, have been cancelled.)

The MS is in two humanistic cursive bookhands in brown ink: fol. 1r-18v; fol. 18v-20r. The texts have been corrected with cancellations and with additions in the margins. Rubrics and capitals are red. A cross has been drawn at fol. 9r; other probationes pennaee appear on fol. 22v. For the watermarks, cf. Briquet no. 6035. The MS has a 19th-century cloth and leather binding. Fol. 20v-22r are blank.

Vat. lat. 3994

saec. XV

Prov. Eugenius IV (1431-47); Niccolò Albergati, O. Carth., card. 1426-43.
90 fols. memb. 218 (140) x 145 (83) mm, origin Italy (Rome?). Quiniones, saec. XV.
fol. 1r-9v **Benedictus XII, Const. In agro dominico**

(Rubrica) Formulare penitentiariorum editum in Avinione ex ordinatione sanctissimi domini nostri domini Benedicti divina providentia pape XII sexto idus aprilis pontificatus eiusdem anno quarto why do you drop the rubric here, giving it instead below fol. 82v-83v ? (See Vat. lat. 2663 fol. 7r-11v for further information.)

fol 9v-18v **Taxationes litterarum poenitentiariae**

(Rubrica) Sequuntur taxationes litterarum per commissarios cardinales facte.
(Inscriptio) Miseratione diuina Petrus Penestrinus et Gaucelmus Albanensis episcopi ad perpetuam rei memoriam. (Praefatio) Radix omnium malorum cupiditas ... (Rubrica textus) Taxationes litterarum. (Textus) In primis statuimus et etiam ordinamus quod pro littera ... (Finis) pro beneficiato cum irregularitate non ultra quam quinque Turon. (**Bibl.** See Vat. lat. 2663 fol. 11v-16r.)

fol. 18v-19r **Benedictus XII, Privilegia et stipendia poenitentiariorum**

(Rubrica) Sequuntur priuilegia necnon et stipendia spiritualia pariterque temporalia penitentiariis concessa per praefatum dominum sanctissimum Benedictum papam xii^m. (Textus) Primo sunt ipsi penitentiarii summo pontifici et nulli alteri ... (Finis) sicut presbiteri cardinales et sunt quodammodo prelati totius mundi. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 177-78, using this MS: siglum D.)

fol. 19r-23v <**De observantiis poenitentiariorum**>

(Rubrica) Capitulum. Hic sequuntur ordinationes facte per penitentiarios ad bonum regimen eorumdem. (Praefatio) Cum iusto non sit lex imposita, nos penitentiarii nouam (*leg. non*) legem statuentes ... (fol. 19v) (Rubrica) Primum capitulum. (Textus) Primum est ut in factis nostris uniformis regularitas obseruetur ... (Finis) resurrectionis incipiendo agnos Dei benedictos de manu domini pape (**Bibl.** A. Lang, 'Beiträge zur Geschichte der apostolischen Pönitentiarie im 13. und 14. Jahrhundert'. *MIÖG* 7 (1904, suppl.) 20-43 at 33-36; S. Kuttner, 'Retractiones XII', *Medieval councils, decretals, and collections of canon law* (London 1980) 13-16 at 14, first note to p. 42, citing another copy of this work in BL MS Harley 3603 fol. 120r-123v. The corrected reading of the *praefatio* comes from Kuttner's transcription of this copy.)

fol. 23v-25r <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)

fol. 25r-31v <**Summa de absolutionibus et dispensationibus** sive Summa Nicolai IV, cum additionibus> (See Vat. lat. 2663 fol. 34r-38v for further information.)

Variants:

Rubrica marg. and Rubrica secunda of 2663 are missing. (Rubrica) de absolutione et dispensatione per penitentiarios. (Rubrica) Sequitur potestas poenitentiariorum. (Rubrica *marg.*) Nicolaus iii. (Praefatio) Millesimo CCC uicesimo *pro* Millesimo CC nonagesimo (Rubrica textus) De absolutione et dispensatione per penitentiarios.

fol. 31v-32v <**Gaucelmus Johannis Deuza, Supplicatio ad Clementem VI, cum**

rescripto papae> (See Vat. lat. 2663 fol. 38v-39v for further information.)

Variants:

(Rubrica) Casus sequentes concessit dominus Clemens papa [cl] sextus. Nota quod dominus Clemens papa vi concessit casus infrascriptos domino Gaucelino episcopo Albanensi maiori penitentiario. (Rubrica responsionis rescripti 2663! check) Sequuntur uerba domini nostri pape de manu sua scripta. Et concessionis eiusdem super predictis casibus. Et sunt ista.

fol. 32v-34r **Forma ad reconciliandum apostatam a fide**

(Rubrica) Sequitur forma ad reconciliandum apostatam a fide. Examinatio.

(Textus) Credis duodecim articulos fidei quos composuerunt apostoli. Respondit: Credo. (Rubrica) Petrus. ... (Finis) Vt in nomine domini Ihesu Christi signo crucis signetur in uitam eternam. Amen. (The name of one of the twelve apostles is written IN RED? beside each clause of the examination which begins the text.)

fol. 34r-v <**Innocentius IV, Const. Perlectis litteris**>

(Rubrica) Sequitur quid est percussio leuis uel grauiss. (Textus) Perlectis litteris uestris (nostris *cod.*) circa absolutionem excommunicatorum uos dubitare ...

(Finis) sepe uideatur in opere nec sit multotiens ueritas manifesta (**Bibl.** Kessler, *Untersuchungen* I pp. 84-85)

fol. 34v-39v <**Casus pertinentes ad officium poenitentiariae**>

(Rubrica) Sequitur de casibus reseruatis. (Textus) Impositio sollempnis penitencie absolutio excommunicatorum a canone. Dispensatio ... (Finis) symoniacus non est prohibendus a celebratione misse extra e. <Ex> tue (X 5.3.20).

fol. 39v-40r <**Nota de iniuria**>

Nota quod leuis iniuria est si aliquid ponat ... (Finis) et eciam pecunia auctoritate iudicis habetur. i. q. 3. ea que (C.1 q.3 c.5) in glosa. (This note frequently precedes or follows *Perlectis litteris.*) not a separate item in MS!

fol. 40r-v <Incertus auctor, **De poenitentibus mittendis ad curiam Romanam**>

(Rubrica) Sequitur de hiis qui sunt mittendi ad Romanam curiam et pro quibus casibus. Versus siue casus. (Textus) Hereticus fautor nolens parere romane ...

(Finis) si sibi conseruet id in ipsis factor eorum.

fol. 40v-43r <**Declaratio predictorum uersuum**>

(Rubrica) Declaratio predictorum uersuum. (Lemma primum) *Hereticus*: de [hoc] hoc habetur extra, de hereticis Ad abolendam et c. Excommunicamus cum similibus (X 5.7.9 et 13) ... (Finis) si sibi conseruet id in ipsis factor eorum ut de sententia excommunicationis nuper. B. Fredoli (**Bibl.** Göller, *Die päpstliche Pönitentiariae* I.1 pp. 66, 72.)

fol. 43r-49r <**Bonaguida de Aretio, Tractatus**> **de dispensationibus**, forma breuior

(See Vat lat. 2661 fol. 10va-11vb for further information.) *Variants:*

(Rubrica) Sequitur de potestate abbatis. (Textus) Dispensant (Dispensent *cod.*) abbates cum religionem ingresso ut ad ordines in monasterio et ecclesiis ... (Finis) dicitur uersu: Ortulus iste breuis dulcia poma gerit. (Colophon) Explicit summa de dispensationibus ualde utilis unicuique eam attente legenti. (**Ed.** TUI 14.173r-174v; the text begins with § 32 and omits the last paragraph of the edition. **Bibl.** Izbicki, 'Problems in TUI' 485, listing this MS.)

fol. 49r-64v **Berengarius Fredoli, <De excommunicatione et interdicto>**, imperfectus

(Rubrica) Hic sequuntur casus in quibus quis incurrit sententiam

- excommunicationis. (Inscriptio) Berengarius miseratione diuina episcopus Biturensis (*sic*) uenerabilibus in Christo fratribus abbatibus ... in ciuitate et diocesi Biturensi (*sic*). (fol. 49v) (Praefatio) Quoniam excommunicatos non uitare tam communicantibus quam excommunicatis ... per cunctas parochiales nostre dyocesis ecclesias publicentur. (fol. 50r) (Textus) Casus igitur totius iuris in quibus quis est ipso facto (iure *ed.*) excommunicatus sunt isti ... (Finis) et c. Is qui et c. Is cui (Sext. 5.11.18,20) (cum similibus aliis multis *om. cod.*). (**Ed.** and **Bibl.** E. Vernay, *Le 'Liber de excommunicatione' du Cardinal Bérenger Frédol* (Paris 1912) 24-53, citing this MS at lxxviii and lxxxvi. The final section of the text in the edition (pp. 53-58), on denunciation, is lacking. **Bibl.** P. Viollet, 'Bérenger Frédol, canoniste: sa vie, ses écrits'. HLF 36 (1914) 62-178 at 145-51.)
- fol. 64v-67r <**Berengarius Fredoli, De exceptionibus duarum regularum circa iniunctionem manuum in clericum**>
 (Rubrica) Sequitur de exceptionibus duarum regularum hic sequentium ZZ super illo canone xvii q. iiii, Si quis suadente (C.17 q.4. c.29) consueuerunt regule due tradi ... (Finis) sed hodie idem est in omnibus religionibus quod dic ut notatur infra, eodem (eo *ed.*) § Quis possit ab hac sententia, sub § Si quis absoluet, uersiculis primo et secundo. (**Ed.** and **Bibl.** Vernay, *'Liber de excommunicatione'* 113-18 (app. V), from this MS; cf. lxxxvi.)
- fol. 67r-70v <**Casus in quibus fertur sententia excommunicationis, interdicti vel aliarum censurarum secundum constitutiones Clementinas**>
 (Rubrica) Incipiunt casus nouarum constitutionum editarum in concilio Viennensi sub domino Clemente V° ac quedam edite a domino Iohanne XXII ... secundum dictarum constitutionum ordinem collocantur. (Praefatio) Licet casus sententiarum excommunicationis suspensionis interdicti et inhabilitatis ... et citius cognoscantur. (Textus) Primus casus est quod impediens sequestum factum per ordinarium post unam sententiam diffinitiuam datam ... (Finis) eisdem essent excusati a predicta constitutione Omnis excommunicatus sicut et precedens. Hec duo habentur in constitutione extrauagante (*sic*) domini Iohannis predicti que incipit Vas electionis (Extrav. comm. 5.3.2). (Colophon) Explicunt casus penitenciarum nouarum constitutionum domini Clementis pape quinti. Deo gracias. Amen. (**Ed.** and **Bibl.** Vernay, *'Liber de excommunicatione'* lxxxiii and 60-67 using this MS: siglum A.)
- fol. 70v <**De potestate poenitentiae ab episcopo commissa**>
 (Rubrica) Sequitur ad quantum ualet potestas illa quando episcopus alicui committit uices suas ad poenitentias iniungendas. (Textus) Nota quod secundum R. et secundum Eb'rum (*sic*), episcopo committente alicui uices suas scilicet ... (Finis) Episcopus uero et uicarius ab archiepiscopo relictus uel substitutus in omnibus utitur auctoritate episcopi.
- fol. 70v-76v <**Casus in quibus sententia vel poena incurritur ipso facto secundum constitutiones Clementinas**>
 (Rubrica) Hic sequuntur casus qui continentur in constitutionibus Clementis pape quinti ut caueatur, in quibus excommunicationis sententia aut suspensionis ... (fol. 71r) (Textus) Declaratur esse rectus ordo quem beatus Iohannes euangelista tenuit enarrando ... (Finis) qui auctoritate apostolica fungantur in hac parte absolutionis beneficium nequeant obtinere. (**Ed.** Vernay, *'Liber de excommunicatione'* lxxxiii,

- 67-75, using this MS: siglum A.)
- fol. 76v-78v <**Summaria titulorum in Constitutiones Clementinas**>
 (Rubrica) Cuius etatis sit quando quis in sacris ordinatur. (Textus) Subdiaconus xviii. diaconus xx^{ti} presbyter xxv annos ... (Lemma ultimum) *Ex debito* (Extra. comm. 1.3.4):. ... (Finis) in curia Romana quocumque titulo ibi fuerint. (This text consists of short summaries of Clem. 1.6.3, 1.9.2(?), items in books 3-5 of the Clementines, Extra. Jo. XXII 3.1, and Extra. comm. 1.3.4.)
- fol. 78v-79r <Incertus auctor, **De exceptionibus duarum regularum**>
 Nota quod due (*sic*) sunt regule circa iniunctionem manuum ... (Finis) xvii^{us} in hiis qui clericis non enormem sed leuem iniuriam irrogauerint.
- fol. 79r-81r **Regulae poenitentiariae, imperfectae**
 (Rubrica) Hic sequuntur multe regule penitentiariae que bene sunt notande.
 (Textus) Nota quod si excommunicatus suspensus uel interdictus scienter receperit ordines ... (Finis) et ita sunt correcte omnes forme formularii. (**Ed.** Göller, *Die päpstliche Pönitentiariae* I.2 pp. 48-52, §§ 3-24, using this MS: siglum D.)
- fol. 81r-v <**Nota de privilegiis poenitentiariorum minorum, saec. xiv**>
 (Textus) Item est notandum et memorie commendandum quod anno domini millesimo ccc^o septuagesimo quarto ... reuerendissimus pater Iohannes Dei gratia tituli sanctorum Nerei et Achilei presbiter cardinalis ... ordinauit et confirmauit ... (Finis) quod primus incipiens continet usque in finem illius solempnitatis. (**Ed.** Göller, *Die päpstliche Pönitentiariae* I.2 pp. 178-79, using this MS: siglum D.)
- fol. 81v-82v <**Excommunicationes papae reservatae**>
 (Rubrica) Iste sunt excommunicationes quas facit [papa] dominus papa in septimana sancta. (Textus) Excommunicamus et anathematizamus ex parte Dei omnipotentis Patris et Filii et Spiritus sancti ... (Finis) dumtaxat Romanus pontifex absoluere ualeat preter quam in mortis articulo[s] constitutos.
- fol. 82v-83v **Clemens <V>, Const. Ne Romani** (Clem. 1.2.3)
 (In this MS and other formularies of the Penitenzieria, this constitution is preceded by the rubric: 'Sequitur immediate copia textus cuiusdam Clementini (*sic*) in qua inter alia expresse cauetur quod officium domini maioris penitentiarii ac eciam aliorum dominorum poenitentiariorum nullo modo per obitum summi pontificis expirat sed potius semper remaneat in suo esse'.)
- fol. 83v-85r **Eugenius IV, Const. Ad sacram Petri sedem** (16 oct. 1435)
 (Rubrica) Sequitur institutio poenitentiariorum sub certo numero per dominum Eugenium quartum et de priuilegiis immunitatibus exemptionibus per eundem dominum papam eisdem poenitentiariis concessis. (Inscriptio) Eugenius episcopus ... ad perpetuam rei memoriam. (Textus) Ad sacram Petri sedem diuina dispositione uocati ... (Finis) et ibi pernoctare sub pena predicta. Nulli ergo ... Si quis ... Datum Florentie anno incarnationis Dominice millesimo quadringentesimo tricesimo quinto, xvii kal. nouembris, pontificatus nostri anno quinto. (**Ed.** Göller, *Die päpstliche Pönitentiariae* I.2 pp. 122-24, using this MS: siglum D.)
- fol. 85r-87r <**Jordanus de Ursinis, Ordinationes super receptione poenitentiariorum**>
 (Rubrica) Sequitur statutum et ordinatio R. domini super receptione et examinatione minorum poenitentiariorum. (Inuocatio) In nomine Domini. Amen.

- (Textus) Die quinta decima mensis octobris ... (Finis in red) Et sic factus est de numero penitentiariorum undecim. (Colophon) Deo gratias. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 125-27, using this MS: siglum D.)
- fol. 87r-v **Eugenius IV, Const. Devotionis vestre sinceritas** (16 oct. 1435)
 (Rubrica) Hic sequuntur bulle emolumentorum assignatorum penitentiariis per sanctissimum dominum nostrum Eugenium papam quartum. (Inscriptio) Eugenius episcopus ... salutem et apostolicam benedictionem. (Textus) Deuotionis uestre sinceritas promeretur ... (Finis) in contrarium editis non obstantibus quibuscumque. Nulli ergo ... Datum Florentie anno incarnationis Dominice millesimo quadringentesimo tricesimo quinto, xvii kal. nou. pontificatus nostri anno quinto. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 127-28, using this MS: siglum D.)
- fol. 87v-88v **Eugenius IV, Const. Prudens paterfamilias** (14 jun. 1438)
 (Rubrica) Sequitur bulla secunde gracie eisdem minoribus penitentiariis facta per dominum nostrum Eugenium quartum. (Inscriptio) Eugenius episcopus ... ad perpetuam rei memoriam. (Textus) Prudens paterfamilias per semitam mandatorum Domini ... (Finis) ordinationibus apostolicis ceterisque contrariis quibuscumque. Nulli ergo ... Si quis ... Datum Ferrarie anno incarnationis Dominice millesimo quadringentesimo tricesimo quinto (xviii om. cod.) kal. iulii pontificatus nostri anno octauo. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 129-30, using this MS: siglum D.)
- fol. 89r-90r <**Forma bullarum receptionis poenitentiariorum**>
 (Rubrica) Sequitur forma bullarum receptionis et acceptationis atque iuramenti penitentiariorum domini pape. (Inscriptio) Eugenius episcopus seruus seruorum Dei dilecto filio N. uel R^o. ordinis fratrum eremitarum sancti Augustini ... salutem et apostolicam benedictionem. (Textus) Religionis ZZ caetus litterarum scientia ... (Finis) at hec sancta Dei euangelia. Nulli ergo ... Si quis ... Datum etc. anno incarnationis Dominice millesimo quadringentesimo tricesimo octauo pridie idus octobris, pontificatus nostri anno octauo. (The example uses the name and dating clause of Eugenius IV.)
- fol. 90r-v **Forma litterae quae conceditur poenitentiario minori**
 (Rubrica) Sequitur forma littere que conceditur per maiorem penitentiarium minori penitentiario post iuramentum. (Inscriptio) Iordanus miseratione diuina episcopus Sabinensis ... minoribus penitentiariis salutem in Domino. (Textus) Cum pridem religiosus uir ... (Finis) in penitentiaria consueti iussimus impressione communiri. Datum Rome in domibus nostre residencie sub anno a natiuitate Domini millesimo quadringentesimo tricesimo quarto ... die sabbati tercia decima mensis februaryi pontificatus domini nostri domini Eugenii pape quarti anno tercio. (Colophon) Deo gracias. Finis adoptatus. Scriptoribus est bene gratus. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 115-16, using this MS: siglum D. The example is in the name of cardinal-penitentiary Giordano Orsini, †1438.)

Bibl. Göller, *Die päpstliche Pönitentiarie* I.1 pp. 71-72 (siglum D); Haskins, 'Papal penitentiary' passim, E. Carusi, review of Göller in *Archivio storico italiano* 72 (1914) 96-102 at 97; F. Tamburini, 'Per la storia dei cardinali penitenzieri maggiori e

dell'archivio della penitenzieria apostolica: il trattato 'De antiquitate cardinalis poenitentiarii maioris' di G.B. Coccino (†1641)', RSCI 36 (1982) 332-80 passim. This much-used, unofficial collection of materials probably for minor penitentiaries seems to have developed independently of the formulary of Walter of Strassburg, cf. Göller, *Die päpstliche Pönitentiarie* I.1 p. 47.

ZZ (leerzeile?) The MS is written in dark gray ink in a single 15th century bookhand. An illuminated initial 'B' in gold, red, blue, and yellow with rayed gold disks on fol. 1r contains the arms of Eugenius IV and Cardinal Niccolò Albergati, who was papal penitentiary from 1438 to 1443. Other initials, rubrics, and paragraph signs are red. On fol. 90v is another depiction of Albergati's arms, preceded by the ex libris in red. Istud formulare pertinet Reuerendissimo in Christo patri et domino domino Cardinali Sancte (Crucis) On fol. 1r is the shelfmark '3994'. Catchwords appear at the lower right. The MS has a 19th-century leather and cloth binding.

Vat. lat. 4000

saec. XVex.

Prov. Barbo family.

235 fols. - (4-10 missing.....) chart. (memb.: fol. 3) 432 (276) x 285 (177) mm, origin Italy (Rome?). Quiniones, saec. XVex.

fol. 1ra-2va <Tabula operum> Incipit tabula sequentis operis

fol. 11ra-12ra, 28vb-30ra, 30vb-31vb, 34vb-56vb, 62rb-74vb [passim], 74vb-85va,

119rb-169ra, 170ra-rb, 175vb-201va, 202rb-235ra <**Auctores varii, Opera polemica**>:

Antonius de Butrio, Consilium de schismate, imperfectum (fol. 209va-211rb [**Ed.** Paulus Castrensis, *Consilia* I fol. 214ra-215ra to 214vb]); Antonius Luscius, De modo tenendi per concilium, ad Petrum de Candia (fol. 30vb-31vb); Pseudo-Bonifacius VIII, Professio fidei cum glossa (fol. 11ra-rb [**Ed.** Finke, *Acta concilii Constanciensis* II 616-18 and 682-88. **Bibl.** J. Lulvès, 'Die Entstehung der angeblichen Professio fidei Papst Bonifaz' VIII.', *MIÖG* 31 (1910) 375-91]); Bononiensis Universitas, Conclusiones de schismate, imperfectae (fol. 224va-225ra, 226ra-rb [**Bibl.** Miethke, 'Schriften des Juan González' 309 n.1 [check](#)], *rep. perfectius* fol. 234ra-235ra); Henricus de Langenstein, Epistola pacis (fol. 145vb-158vb [**Ed.** *Johannis Gersonis Opera*, ed. Ellies du Pin, 5 vols. (Antwerpiae 1706) II 809-40; **Bibl.** T. Hohmann, 'Initienregister der Werke Heinrichs von Langenstein', *Traditio* 32 (1976) 399-426 at 419 no. 231]) cum tabula (fol. 159ra-rb); Johannes de Capitaneis, ab. Montis Oliveti, Epistola ad Gregorium XII (fol. 74vb-85va [Milan, 29 iun. 1408]); Johannes Dominici O.P., Abusiones (fol. 34vb-36rb [**Ed.** Vincke, *Schriftstücke* 40-54 no. 6, using this MS], fol. 36rb-37va [**Ed.** Vincke, *Schriftstücke* 75-85 no. 13, using this MS], Epistola Michaelis archangeli, answer to the fictitious letter listed below as 'Epistola Salani' (fol. 176rb-177ra); Johannes de Imola, Tractatus de schismate (fol. 215vb-223ra [**Ed.** D. Staffa, 'Tractatus Iohannis ab Imola super schismate occidentis', RSCI 7 (1953) 181-224 at 190-224]; Johannes Gundisalvi, Responsiones super quatuor quaestionibus propositis ab archiepiscopo Hispalensi circa papam et concilium (fol. 188va-201va [**Bibl.** Miethke 'Schriften des Juan González' 275-324 at 283-87]); Jordanus de Ursinis, Glossae in Abusiones Johannis Dominici (fol. 37va-40vb [**Ed.** Vincke, *Schriftstücke* 41-55 no. 7, using this MS], fol. 40vb-43vb [**Ed.** Vincke, *Schriftstücke* 77-88 no. 14, using this MS]); Matthaeus de Mathesillanis, Consilium de schismate cum subscriptione Johannis de Cannetulo (fol. 208rb-

209va [Ed. Paulus Castrensis, *Consilia* I fol. 215ra-va]), Nicolaus de Bettona O.F.M., Tractatus de schismate (fol. 132rb- 140rb [Bibl. Vincke, 'Magister Theologiae' 178-206]); Nicolaus de Fakenham O.F.M., Determinatio de schismate (fol. 119rb-132rb [Ed. F. Bliemetzrieder, 'Traktat des Minoritenprovinzials von England fr. Nikolaus de Fakenham (1395) über das grosse Abendländische Schisma', *Archivum Franciscanum Historicum* 1 (1908) 577- 600, 2 (1909) 79-91, using this MS: siglum V2]); Parisiensis Universitas, Conclusiones contra Petrum de Luna (fol. 170ra-rb [Ed. Baronius, *Annales* an. 1408 § 40 (ed. Theiner 27.213)]); Paulus de Castro, Consilium de schismate (fol. 205va-207ra [Ed. Vincke, *Schriftstücke* 29-30 no. 2, using this MS]; Paulus Castrensis, *Consilia* I fol. 213rb- 214ra]); Petrus de Alliaco et Johannes Gerson, Epistola ad Gregorium XII (fol. 28vb-29ra [Genoa 1407, 5 sept.; Ed. and Bibl. Jean Gerson, *Oeuvres complètes* II xvi no. 22 and 84-86 no. 22.1]); Petrus de Alliaco, Decem considerationes circa concordatum Massiliae (fol. 29ra-30ra [Bibl. Glorieux, 'L'oeuvre d'Ailly' 78 at 73]), Epistola Satani ad Johannem Dominici (fol. 175vb-176rb [Ed. C.G.F. Walch, *Monumenta Medii Aevi*, 2 vols. (Göttingen 1757-64; anast. repr. Ridgewood, N.J. 1966) I 253-60]); Petrus de Ancharano, Consilium de schismate (fol. 202rb-205ra [Ed. Petrus de Ancharano, *Consilia* fol. 24vb-25rb]); Robertus de Francola, Tractatus de schismate (fol. 177ra- 188va [Ed. Martène et Durand, *Thesaurus* II 1428-32, c. 1 only]); Glossae in Abusiones Johannis Dominici (fol. 43vb- 51va [Ed. Vincke, *Schriftstücke* 55-69 no. 8, using this MS], fol. 51va-56vb [Ed. Vincke, *Schriftstücke* 88-104 no. 15, using this MS]); Glossae in Epistolam *Dominus et Salvator* (fol. 63ra-65rb, 65va-67ra, 67va-68rb, 68vb-71va, 72ra-73ra, 73va- 74vb); Somnium Pantasii Lesicani (fol. 140rb-145vb); Quaestio super opinione Johannis Dominici (fol. 159rb-169rb); Consilia de schismate (fol. 205ra-va [Ed. Vincke, *Schriftstücke* 32-34 no. 4, using this MS], fol. 207ra-208rb [Ed. Vincke; *Schriftstücke* 34-39 no. 5, using this MS], fol. 211vb-215rb, 224rb-va, 228rb-230ra, 230ra- 234ra); Considerationes de schismate (fol. 211rb-vb [Ed. Vincke, *Schriftstücke* 134-41 no. 22, using this MS]); Conclusiones de schismate (fol. 215rb-vb); Tractatus de schismate, imperfectus (fol. 223rb-224rb); Tractatus de schismate (fol. 226rb-228rb).

fol. 12ra-28vb, 30ra-vb, 31vb-34vb, 56vb-58ra, 59ra-62rb, 62rb-74vb [passim], 85va-96ra, 174va-175vb <Auctores varii, Acta de schismate>: Antonius de Cajetanis, Epistola ad Carolum Malatesta (fol. 94vb-95rb [Pisa, 26 ZZ novem. 1408; Ed. D. Girgensohn, 'Kardinal Antonio Caetani und Gregor XII. in den Jahren 1406-1408: vom Papstmacher zum Papstgegner', QF 64 (1984) 116-226 at 221-26, using this MS: siglum F²]); Benedictus XIII, Epistolae (fol. 12ra-13ra [20 iun. 1395], fol. 13rb [28 iun.], fol. 13rb-va, 13va-14ra, 21ra-vb [Ed. Mansi 26.1014-16], fol. 31vb-34va [Portovenere, 15 iun.; Ed. Mansi 26.1103-09], fol. 34va-vb [10 iul.; Ed. Mansi 26.1110-11], fol. 95rb-96ra [Ed. Mansi 26.1119-22]); Bononienses doctores, Epistola (fol. 89vb-90va); Carolus VI rex Francorum, Epistolae (fol. 16ra-vb [Paris, 12 ian. 1407], fol. 16vb-17ra [Paris, 12 ian. 1407], fol. 17ra-va [Paris, 12 ian.]); Requesta regis Francorum et ducum (fol. 12ra); Collegium Avinionense cardinalium, Epistolae (fol. 25vb-26ra [Villeneuve d'Avignon, 16 iul.], fol. 57vb-58ra, 59ra-61va [1408; Ed. Mansi 26.1161-63], fol. 87rb-88va, 89ra-vb [Pisa, 24 sept. 1408, Ed. Mansi 26.1175-79]); Capitula in conclavi post

- mortem Clementis VII (fol. 11vb-12ra [**Ed.** Souchon, *Papstwahlen* I 298-99]; Collegium Romanum cardinalium, Capitula in conclavi post mortem Bonifacii IX (fol. 14ra-vb [**Ed.** Souchon, *Papstwahlen* I 280-84]); Capitula in conclavi post mortem Innocentii VII (fol. 14vb-15va [**Ed.** Souchon, *Papstwahlen* I 287-92]); Collegium (unitum) ? cardinalium, Epistolae (fol. 56vb-57vb, 61va-62rb, 62rb-63ra, 65rb-va, 67ra-va, 68rb-vb, 71va-72ra, 73ra-va [**Ed.** Mansi 27.50-56], 85va-87rb [Siena, 1 aug.]; Responsiones ad oratores Venetorum et Florentinorum (fol. 90va-92ra [**Ed.** Martène et Durand, *Thesaurus* II 1411-19], fol. 92vb-94vb); Responsio ad rationes Gregorii XII (fol. 92ra-vb [5 oct. 1408]), Declaratio marchionis Montis Ferrati (fol. 169ra-170ra); Gregorius XII, Epistolae (fol. 15va-16ra [**Ed.** Mansi 26.1013-14], fol. 26ra-rb [**Ed.** Martène et Durand, *Veterum scriptorum ... collectio* 754-55]); Refutatio concordati Massiliae (fol. 26rb-28vb); Commune Ianuae Instrumenta diplomatica de concordato Massiliae (fol. 21vb-25va [**Ed.** Baronius, *Annales* an. 1407 §4 (ed. Theiner 27.164-66, partial edition)); Oratores Avinionenses, Oblatio (fol. 30ra-vb [**Ed.** Vincke, *Schriftstücke* 70-72 no. 10, using this MS]); Advisamentum concilio Parisiensi, imperfectum (fol. 17va-21ra [**Ed.** Martène and Durand, *Thesaurus* II 1398-1407 the MS lacking the last paragraph]); Requestae factae Carolo VI regi Francorum (fol. 170rb).
- fol. 96ra-107rb <**Concilium Pisanum (1409), Acta contra Gregorium XII et Benedictum XIII**>
 (Invocatio) Christi nomine inuocato. (fol. 96rb) (Rubrica) Sententia lata contra Benedictum et Gregorium per concilium Pisanum. (Textus primus) Sancta et uniuersalis sinodus uniuersalem ecclesiam representans et ad quam cognitio et decisio huius cause noscitur pertinere ... (fol. 96vb) <Subscriptiones> ... (fol. 104rb) (Rubrica) Processus per deputatos a concilio Pisano ZZ decretur contra Benedictum et Gregorium. (Inscriptio) Vniuersis et singulis christifidelibus ... (fol. 104va) (Textus secundus) Litteras reuerendissimorum in Christo patrum et dominorum sacri Romane ecclesie collegii auctoritate dicte sacre synodi uniuersalem ecclesiam representantis emanatas nos recepisse noueritis ... (fol. 107ra) (Finis) ad premissa uocatis specialiter et rogatis. (fol. 107ra-rb) <Subscriptiones>. (**Ed.** Mansi 26.1146D-1148C or 27.402-04 for fol. 96ra-vb.)
- fol. 107rb-112vb <Incertus auctor>, **Sermo in concilio Pisano**
 (Rubrica) Sermo habitus in concilio Pysano. (Textus) *Domine si in tempore hoc restitues regnum Israhel* (Act. 1.6). Saluator noster dominus Ihesus post regulas fidei euangelica dignitate promulgatas ... (Finis) profectum robur fidei pacem et exultacionem populi christiani. quod nobis concedat.
- fol. 112vb-119rb **Johannes Luke, Sermo in concilio Pisano**
 (Rubrica) Alius sermo habitus in eodem. (Textus) *Fiat pax in virtute tua* (Ps. 121.7). Superne dispositio maiestatis que orbem terrarum celesti consilio moderatur ... (Finis) et pacem ipse nobis concedat qui sine fine uiuit et regnat. ZZ (Colophon) Amen. Iohannes Luck Anglicus. (**Bibl.** A.B. Emden, *A Biographical Register of the University of Oxford to A.D. 1500*, 3 vols. (Oxford 1958) II 1175-76; M. Harvey, 'A sermon by John Luke on the ending of the Great Schism, 1409', *Studies in Church History* 9 (1972) 159-69.)
- fol. 170va-173ra <Incertus auctor, **Nomina participantium in concilio Constantiensi**>

- fol. 173rb-174ra <Incertus auctor, **Epistola consolatoria de morte magistri Marsilii**>
Iamdudum anxius Vgo mi magister clarissime ob absentiam tuarum litterarum et
diurnam exspectacionem ... (Finis) tu desine flere et Danielelem solue.
- fol. 174ra-va <Incertus auctor, **Tractatulus de gratiarum actione**>
(Rubrica) Gratiarum actio in aliqua parte generalis. (Textus) Expectetis ut ueniam
ad gratiarum actiones ... (Finis) in me quidquidlibet mandate atque obtemperabo.
- fol. 174va-175vb **Johannes de Cascina <O.P., Sermo de gratiarum actione>**
(Rubrica) Sermo magistri Io. de Cascina Luce in sancto Romano facto capitulo
die sancti Iacobi 1402 25 iulii. (Textus) Vt digne graciaram actiones referantur
pro presenti capitulo ad excitandas mentes ... (Finis) quam nobis concedat ipse
Deus qui uiuit et regnat in secula. Amen.
- fol. 201va-202rb <Incertus auctor>, **Genealogia ducis Mediolani**
(Rubrica) Incipit genealogia ducis Mediolani aut prohemium missalis. (Textus)
Magnificauit Dominus misericordiam suam ex fortitudine magnificentia oritur ...
(Finis) et filii Iohannis Galeazii supradicti.

This MS is a collection of tracts and muniments on the Schism with occasional insertion of theological or humanistic works. The texts are written in several bastardae and humanistic cursive bookhands in brown ink. The text on fol. 1r opens with an illuminated initial in an acanthus design with decoration incorporating gold disks extending into the margin. In the lower margin is the coat of arms of a Barbo cardinal surrounded by a laurel wreath which is highlighted by light penwork designs by the artist of the initial. Capitals and paragraph signs are red or blue, red capitals having violet decoration and blue ones, red decoration. At fol. 3r is written, 'Superius in pluteo xi^o bibliothecae magnae secretae'. Catchwords are at lower right. For the watermarks, cf. Briquet no. 6651. Fol. 4-10 are missing. The MS has a 19th-century leather and parchment binding, incorporating the 17th-century one. Fol. 3v, 47v-48v, 58v, 225v, and 235v are blank.

Vat. lat. 4016

saec. XIVin. (1307)

Scr. Ranulf Daniel of Waltham Holy Cross.

<I> +148 fols. + <I> memb. 350 (215) x 215/20 (135/40) mm, origin England.

Quaterniones, saec. XIVin. (1307).

fol. 1r-111r **Registrum inquisitionis super excommunicatione Thomae de Cantilupo olim episcopi Herefordensis**

(Rubrica) Incipit prima inquisitio de excommunicationum articulis quibus recolende memorie dominus Thomas de Cantilupo quondam episcopus Herefordensis dicebatur tempore obitus sui fuisse ligatus. (Invocatio) In nomine Domini amen. Ad honorem, laudem et gloriam sancte et indiuidue Trinitatis ... (Praefatio) Incipit inquisitio de excommunicationum articulis quibus dicebatur fuisse innodatus recolende memorie dominus Thomas ... a sede apostolica deputatos. (Textus) Per hanc igitur presentem scripturam ... (fol. 110r) (Finis) Placeat uobis nomen meum inserere in responsiua uestra. Datum xx die iulii. (Colophon) (fol. 110v) Explicit processus inquisicionis facte per uenerabiles [uiros] patres dominos Mimatensem et Londoniensem episcopos et G. archidiaconum Aranensem in ecclesia Conuennarum domini pape capellanum super excommunicationum articulis quibus recolende memorie dominus Thomas de Cantilupo quondam episcopus Herefordensis tempore sui obitus dicebatur fuisse ligatus. (There follow the signatures and notarial signs of five notaries, the

last of which is the scribe.)
fol. 112r-147v **Extractum inquisitionis**

(Rubrica) Incipit extractum primi processus de articulis excommunicationum factum per commissarios ad eorum et aliorum instructionem. (Praefatio) In Dei nomine amen. Quia dilucidius patet res diuisa per partes ... probatum est per processum. (Rubrica textus) Incipit prima pars examinacionis huius processus de forma commissionis et processus. (Textus) Procuratoribus et nunciis decani et capituli Herefordensis significantibus ... (Finis) xv^{us} uidit Item tercio (concordant quod pro notario publico habebantur sup...). (Colophon) Explicit extractum et examinatio huius processus facta a commissariis ad eorum instructionem et ad eliciendam ueritatem super contentis in dicto processu ut ex hoc certificari possent si erat eis procedendum ad inquisitionem de uita et miraculis recolende memorie domini Thome de Cantilupo quondam episcopi Herefordensis faciendam uel omittendam, grossatum per manum Ranulphi Daniel de Waltham Sancte Crucis notarii uenerabilis patris domini Dei gratia Londoniensis episcopi. Deo gratias.

Bibl. R.C. Finucane, 'The Cantilupe-Pecham controversy', *St Thomas Cantilupe, bishop of Hereford*, ed. M. Jancey (Hereford 1982) 103-23, especially at 104 n. 2; id., 'Two notaries and their records in England, 1282-1307', *Journal of medieval history* 13 (1987) 1-14, on the use of the records kept by the notaries John de ZZ Beccles and Hildebrand of Siena; P.H. Daly, 'The process of canonization in the thirteenth and early fourteenth centuries', *St Thomas Cantilupe* 125-35 at 128 an. 15, 129, and 131.

This MS contains the report of the papal commission of 1307, which declared illicit the excommunication of Thomas Cantilupe, bishop of Hereford, by his metropolitan John Pecham, archbishop of Canterbury, in 1282. The commissioners, the bishops of Mende and London and the archdeacon of Aran (diocese of St-Bertrand-de-Comminges) assembled a collection of about sixty documents and took testimony from forty witnesses.

The MS was written and corrected in brown ink by Ranulf Daniel of Waltham Holy Cross, a notary of the bishop of London. His name appears on fol. 1r and on fol. 111r (with his notarial sign) and on fol. 147v. Initials at the start of major sections alternate red and blue with penwork in the contrasting color. Capitals and paragraph signs are red and blue; rubrics are red. There are drawings of fish on fol. 99 and 112r. Running titles appear throughout. Originally, the *processus* was foliated while the *extractum* was paginated; an early modern continuous foliation is followed here. There are corrections and annotations in several contemporary hands. On <I>v is the contemporary note: 'In hoc libro ponitur primo inquisicio de excommunicationum articulis; secundo ubi signantur folia per paginas est extractum elicium ex inquisicione predicta.' Quires were marked in roman numerals at the lower edge of the first recto of each quaternion; these are cut away until the tenth quire. Catchwords and corrector's marks appear at the lower right of the last verso of each quire. The catchwords are often cut away. The MS has a 19th century binding of red cardboard. <I>r, fols. 16v, 55v, 111v, 148r-v, and + <I>r-v are blank.

Vat. lat. 4031 (MSipt not checked)

saec. XVI (1562)

Scr. Vincentius Navarra.

<II> + 74 fols. chart. 302 (228) x 211 (133) mm, origin Italy. Quiniones, saec. XVI

(1562).

fol. 1r-64r **Zanchinus Hugolini, Tractatus super materia hereticorum** (See Vat. lat. 2648, fol. 1ra-28vb for further information.) *Variants:*

Ihesus *praem. ante rubricam* (Rubrica Textus) rubrica. i. *om.* (Textus) oportet *pro oportet* (Finis) Sed *pro Set; ex om. ZZ* (Colophon) amen *unicum*

fol. 64v-68r **Clemens IV, Confirmatio bullae Frederici <II contra hereticos>** (ZZ Po. 19423)

(Ed. Cf. *Bullarium Franciscanum*, ed. J.H. Sbaralea (Rome 1765) III 47.)

fol. 68r-74v **Guido <Fulcodi>** postea Clemens IV, **Consilium** (See Vat. lat. 2648, fol. 30vb-34ra for further information.)

fol. 74v **Guido <Fulcodi>** postea Clemens IV, **Quaestiones duae** (See Vat. lat. 2648, fol. 34ra for further information.) *Variants:*

(Textus) Quarto (in quinto^{ac}, in *canc.*) quaeritur quae (quaeritur si duo uel tres conuersi quae^{ac}) exceptiones admittantur contra testes. ZZ (Colophon) Amen *om.*; (*marg. inf.*) Vincentius Nauarra scribebat anno Domini MDLXII.

The manuscript is written in brown ink by a single scribe in a very clear and even hand. <I>r-<II>r have an index to Hugolini's work. For watermarks, cf. Briquet 6097 and 7117. The codex has a plain 16th-century parchment binding. <II>v is blank.

Vat. lat. 4032

saec. XIV

Prov. Martin, bp. of Lisbon 1379-83.

<I> +245 fols. + <I> memb. 252 (170) x 177 (118) mm. Seniones, saec. XIV.

<I>r-v <Biblia Sacra>, fragmenta (4 Reg. 4.15-4.26; 3.22-3.27)

fol. 1ra-245vb <Bernardus Guidonis O.P.>, **Practica inquisitionis hereticae prauitatis**

(Rubrica) Hic incipit tractatus de practica officii inquisitionis heretice prauitatis

(Practica tradita per fratrem B. Guidonis de ordine predicatorum contra infectos

labe heretice prauitatis *ed.*). (Praefatio) <T>ractatus presens de practica officii

inquisitionis heretice prauitatis, maxime in partibus Tholosanis,

Carcassonensibus, Albiensibus, et in prouincia Narbonensi et circumuicinis

dyocesibus in se continet quinque partes ... (fol. 2ra) (Rubrica textus) <S>equitur

prima pars tractatus in qua ordinate conscribuntur forme litterarum uarie et

diuerse ad citandum aut ad capiendum personas culpabiles ... (fol. 3va) (Forma

prima) <F>rater Bernardus Guidonis, This could completely be dropped capellano

talis ecclesie vel eius locum tenenti salutem (Textus) Auc<tor>itate apostolica

predicta qua fungimur ...if you want to keep this form, then add it's date Datum

Tholose sub sigillo nostro klis. Aprilis a. d. M^oCCC^oXV^o (fol. 244va) (Forma

penultima) <F>orma instrumenti obligationis fideiussorie cautionis alicuius

confessi relaxandi. <I>n nomine Domini, amen. Nouerint uniuersi hoc presens

instrumentum publicum inspecturi quod anno eiusdem Domini tali, Kalendis et

loco tali ... (fol. 245vb) (Finis) Et ego (et me tali *ed.*) N. notarius (notario *ed.*)

i<n>quisit<io>nis qu<i> hec (*add. ed.*) scripsi <e>t re<cepi>. (Ed. *Practica*

Inquisitionis ZZ Heretice Prauitatis, ed. C. Douais (Paris 1886). The MS is

incomplete, ending at p. 303 of the edition.)

<+1>r-v <Bernardus de Botone Parmensis, Glossa ordinaria in Decretales>,

fragmenta (recto illegible, verso...) X 4.9.2, 4.10.1, 4.11. 1)

Bibl. Kaepelli, *Scriptores* I 222 no. 630, Dondaine, 'Manuel de l'inquisiteur' at 86 n. 2.

The MS was written in brown ink in a single 14th-century bookhand. Capitals are missing throughout. On fol. 245vb, following the end of the text, is an autograph of Nicholas Eymericus O.P. (Grand Inquisitor from 1366): 'M<artinus> episcopus Vlixbonensis emit fr. N. Eymrici testis'. (Cf. the description of Vat. lat. 1016.) In the bottom margin is an ex libris: 'Tractatus de practica officii inquisitionis heretice prauitatis et est iste liber Petri Iudicis sancte prime sedis Narbon. Archiepiscopi (1347-1375) et primatis episcoporum provinciae Narbon.' Fol. 245 is mutilated, missing most of the outer column. <I> is a leaf from a 12th-century Bible, bound in backwards here. The text on <+I> runs vertically and is largely illegible; at some point a piece of printed material was glued to it and many fragments still adhere. The MS has a 19th-century leather and cloth binding.

Vat. Lat. 4128 (MS not checked!)

saec. XIVmed.

Prov. Pietro da Monte, bp. of Brescia 1442-1451.

<I> +209 fols. + <XI> chart. (memb: <I> and <+XI,>) 434 (292) x 290 (166) mm, origin Italy, saec. XVmed.

fol. 1ra-2va <**Tabula Tractatus Johannis Leonis**>

fol. 11ra-42va, 87ra-90ra, 93ra-209vb <**Auctores varii, Opera polemica**>: Johannes Leonis O.P., De synodis et ecclesiastica potestate (fol. 11ra-42va [**Bibl.** Kaepelli, *Scriptores* II 469 no. 2428]); Petrus Lutra, Tractatus contra Michaellem de Cesena, imperfectus (fol. 87ra-90ra [**Ed.** R. Scholz, *Unbekannte kirchenpolitische Streitschriften aus der Zeit Ludwigs des Bayern (1327-1354)*, 2 vols. (Rom 1914; anast. repr. Turin 1971) II 29-42]); Incertus auctor, Chronica gestorum Johannis papae XXII contra opinionem Fraticellorum (fol. 93ra-209vb).

fol. 43ra-85va **Concilium Florentinum** (1438-1445), <**Acta**>

(Rubrica) Incipiunt gesta sacrorum conciliorum Ferrariensis et Florentini sub auctoritate et presidentia s. d. n. Eugenii pape iiii. (Invocatio) In nomine sancte et indiuidue Trinitatis Patris et Filii et Spiritus sancti. Amen. (Textus) Nouerint uniuersi et singuli acta et actitata infrascripta inspecturi ... (Finis) et iussionibus fideliter et semper obtemperare. Datum Florentie in publica sessione synodali sollempniter in ecclesia sancte Marie Nouelle celebrata anno ab incarnatione Domini millesimo quadringentesimo quadragesimo secundo pridie nonas februarii pontificatus nostri anno undecimo. (**Ed.** *Epistolae pontificiae ad Concilium Florentinum spectantes*, ed. G. Hofmann (Concilium Florentinum I.1-3; Roma 1940-46) passim, using this MS (siglum B) at I.1 viii(c); *Acta camerae apostolicae et civitatum Venetiarum, Ferrariae, Ianuae de concilio Florentino*, ed. G. Hofmann (Concilium Florentinum III. 1; Roma 1950) passim, using this MS, see xiv (IIIc); *Fragmenta protocolli, diaria privata, sermones*, ed. G. Hofmann (Concilium Florentinum III.2; Roma 1951) passim, using this MS: see vi-vii.)

Bibl. Miethke, 'Schriften des Juan González' 286 n. 35.

The MS is written in several late Gothic and humanistic hands in brown ink. It was sparsely annotated in

the 15th century, and a modern title has been added on the top of fol. 43r. There is an illuminated R at fol. 11ra. On fol. 11 to 85 and fol. 118 to 121 capitals are red with violet and blue with red decoration, while paragraph signs are red or blue. From fol. 93 to 118 capitals are decorated in ink, and paragraph signs are red or blue. After fol. 121, the capitals are not decorated, nor are there any paragraph signs. The arms of Pietro da Monte appear on fol. 11r. On <I>r appear a table of the MS and a librarian's note, 'Inferius in pluteo XI° bibliothecæ magnæ secretæ Bibliothecæ Apostolicæ'. The quires are irregular, varying in length from ternions to senions. Catchwords are centered at fol. 20v and 70v, while there is one at lower right on fol. 32v. For the watermarks, cf. Briquet no. 8968. The MS has a 19th-century parchment binding. <I>v, fol. 3r-10v, 50r-v, 56r-v, 64r-v, 76v, 86r-v, 91r-92v, and <+I>-<+XI>v are blank.

Vat. lat. 4171 (MS not checked!)

saec. XV.2

290 fols. - 127 chart. 400 (270) x 282 (170) mm, origin Germany. Quaterniones, saec. XV.2.

fol. 1r-290v **Concilium Pisanum (1409)**, <Acta>

(Rubrica) Incipit concilium Pisanum 2^m. (Inscriptio) Miseratione diuina episcopi, presbiteri et diaconi sacrosancte Romane ecclesie cardinales ... salutem et promptum habere affectum ad pacem et unitatem ecclesie procurandam. (Textus) Quanta sollicitudinis cura saluator noster Ihesus Christus unitatem apostolis commendauerit ... (Finis) quos libenter uidit et recepit et summe honorauit. (Datum) Millesimo quadringentesimo nono indictione secunda die uero lune quinta mensis augusti. This collection has three sections: fol. 1r-47v, preliminary letters; fol. 47v-134v, sessions of the council; fol. 134v-290v, documents and testimony in the process against Gregory XII and Benedict XIII. This text was copied from Vat. lat. 4172. Thus fol. 1, which replaces the material missing from that MS, is blank after the copying of one line on the verso.

Cat. Kristeller, *Iter* II 326. **Bibl.** Vincke, 'Acta Concilii Pisani' 83-84.

ZZ

The MS is written in several cursive bookhands in brown ink. Notes in the margin include indications of the beginning sections at fol. 47v and fol. 134v. Rubrics and capitals are red. For the watermarks, cf. Briquet no. 12218. There is a tiny catchword at fol. 10vb. The MS has a 19th-century leather binding.

Vat. lat. 4172 (MS not checked!)

saec. XV.1

III + 562 fol. + <I> chart. 341 (222) x 235 (136) mm, origin Germany. Seniones, saec. XV.1.

fol. 1r-562v **Concilium Pisanum (1409)**, <Acta>, imperfecta (See Vat. lat. 4171 for further information.) *Variants:*

(Textus) /// Quartum quod tractatu pendente nullum crearet cardinalem.

(Colophon) Laus Deo. This MS is the mutilated original of the collection in Vat. lat. 4171. The second section begins at fol. 130v; the third, at fol. 272r. A modern note at fol. 562v compares this MS with Ottob. lat. 2351.

Cat. Kristeller, *Iter* II 326. **Bibl.** Vincke, 'Acta Concilii Pisani' 83-84 (siglum V).

ZZ

The MS is in two Germanic cursive hands in dark brown ink: fol. 1r-352v; 353r-562v. <III>v and <I>r are parts of a notarial instrument dated Rome, September 29, 1460, in which Macharius de Buchseck of Trier (see Repertorium Germanicum VIII: Pius II, [forthcoming](#)) institutes as his procurators Conradus de Myntzenburg and Cristianus de Wyert. A ZZ title is attached to the bottom of fol. 1r. Capitals are in ink. Catchwords are at lower right. For the watermark, cf. Briquet no. 3668. The MS has a 19th-century leather binding. Ir-IIIr, fol. 52v, 58v, 277v, and <+I>v are blank.

Vat. lat. 4174 (MS not checked!)

saec. XV

VIII+ 166 fols. chart. 330 (212) x 220 (146) mm. Quiniones, saec. XV.

I-Vv <**Tabula actorum concilii Constantiensis**>

fol. 1r-166r **Concilium Constantiense (1414-1418), Acta** (Sessiones I-XXI)

(Rubrica) Acta generalis concilii Constanciensis presidente papa Iohanne XXIII usquequo in fine presedit Martinus V^{tus}. (Invocatio) In nomine sancte et indiuidue Trinitatis. (Praefatio) Hic liber continet ordinationes statuta constitutiones decreta et alia acta ... (Excerptum ex libro Guillelmi Fillastre) <O>rigo generalis concilii Constantiensis ... (fol. 2v) (Rubrica textus) Introitus pape Johannis XXIII ad Constantiam. (Invocatio) In nomine Domini nostri Yhesu Christi. (Textus) Anno a natiuitate eiusdem millesimo quadringentesimo decimoquarto ... (Finis) Philippi de Medulia (Medialia *cod.*) sacre pagine (*om. cod.*) professoris uicesima per quoscumque et uicesimasexta (XVI *cod.*) ZZ per alios. This MS ends between sessions 21 and 22. Besides having almost all of Labbe's text, it contains most of the additional materials printed from the Capranica and Barberini collections found in Mansi 27.531-929.

Cat. Kristeller, *Iter* II at 326. **Bibl.** Finke, *Acta concilii Constanciensis* IV at xxi.

The MS is in a cursive bookhand in dark brown ink. Catchwords are vertical on the inner margin line. For the watermark, cf. Briquet no. 13884. The MS has a 19th-century leather binding. VIr-VIIIv are blank.

Vat. lat. 4177

saec. XV med.

antea 19 (?)

<II> + 125 fols. chart. 298 (194) x 217 (126) mm, origin Germany. Quiniones, saec. XV med.

<I>r-v <Incertus auctor, **Epistola**>

(Inscriptio) Nobilissime atque insignis uir amice carissime post commendationem. (Textus) Erupit usque in uestras aures nostri abbatis iniustissimus clamor ... (Finis) ad fortunas meas irrumpat. (This letter was written in complaint against his abbot by a monk who had been absent from his monastery on a mission for the king of France.)

fol. 1r-6r <**Guillelmus le Maire, Memorandum ad concilium Viennense**>

(Invocatio) <I>n nomine Domini. Amen. (Praefatio) Anno Domini Millesimo quadringentesimo (*sic*) undecimo congregato concilio generali Vienne ... (fol. 2r) (Textus) <Z>elus domus Dei pariterque Christi caritas mandatque apostolici cui summopere obediendum est ... (fol. 5v) (Finis) Si quod requiritur in corpore non

- inuenitur in capite. (Epilogus in forma epistolae) (Inscriptio) Vniuersis Galliarum prelati Vienne in concilio congregatis ... (Textus) Notum omnibus facio quod si tractetur uel agatur ... (fol. 6r) Illud Iohannis Baptiste ad Phariseos et Seduceos (*sic*). Scriptum in (*om. cod.*) Matheo 'Progenies uiperarum quis demonstrabit uobis (nobis *cod.*) fugere a uentura ira' (Mt. 3.7). (**Ed.** *Liber Guillelmi Maioris*, ed. C. Port (Collection de documents inédits sur l'histoire de France V.11.2; Paris 1877) 189-537 at 471-84.) 131. **Bibl.** Müller, *Konzil von Vienne* 100-102, and see 755.
- fol. 6r-7v <**Clerus Franciae, Epistola ad Bonifacium VIII**> 10. 4. 1302
 (Inscriptio) <S>antissimo patri et domino suo karissimo domino Bonifacio diuina prouidentia sacrosancte Romane ac uniuersalis ecclesie summo pontifici ... (Textus) Non absque dolore cordium et amaritudine lacrimarum beatitudini uestri significare compellimur ... (Finis) ac paterne pietatis officio dignemini prouidere. Conseruet altissimus beatitudinem uestram ecclesie sue sancte per tempora longiora. Datum Parisius. Die martis (*om. cod.*) predicta. (**Ed.** Raynaldi a. 1302 n. XI: excerpts from this MS *Documents relatifs aux états généraux et assemblées réunis sous Philippe le Bel*, ed. G. Picot (Collection de documents inédits sur l'histoire de France III: 8, Paris 1901) 5-11.)
- fol. 7v-8v **Bonifacius VIII, Articuli missi regi Franciae, 1302**
 (Inscriptio) Bonifacius ... ad P. Francorum regem. (Textus) <S>uper revocatione constitutionis prohibitionis precepti et impedimenti cuiuslibet prestitorum directe uel indirecte ... (Finis) prout et quando uidebimus expedire. (Colophon) Et sic est finis (**Ed.** Raynaldi a. 1303 n. XXXIV from this MS, and P. Dupuy, *Histoire du differend ZZ entre le Pape Boniface VIII et Philippe le Bel* (Paris 1655) 90-92).
- fol. 9r-10v **Concilium Basiliense (1431-1447), Epistolae ad Bohemos**
 (Rubrica) Epistola prima sacri concilii Basiliensis ad Bohemos. (Epistola prima) (Inscriptio) <S>acrosancta Basiliensis synodus in spiritu sancto legitime congrega<ta> ... (Textus) Compulit nos caritas Christi egredi de terra nostra et cognatione nostra ... (fol. 10r) (Epistola secunda) (Rubrica) Epistola secunda missa per concilium Basiliense ad Bohemos. (Inscriptio) <S>acrosancta generalis synodus Basiliensis etc. (Textus) Dum eminentissimam Redemptoris nostri dilectionem qua pro nostra salute non dubitauit ... (Finis) ei agnitionem (*cognitione cod.*) sue (*om. cod.*) ueritatis (*deifice add. cod.*) perducere dignetur. (*Amen. add. cod.*) Datum Basilee in nostra congregatione generali die sabbati viii die mensis marcii anno a natiuitate Domini M^o cccc^o xxxii^o (in nostra ... xxxii^o *om. ed.*) sub sigillo reuerendi in Christo patris domini (Philberti *add. cod.*) episcopi Constantiensis prouintie Rothomagensis quo de presenti utimur (die ZZ mensis martii MCCCXXXII *add. ed.*). (**Ed.** Mansi 29.233-36, 30.99-101.)
- fol. 10v-12v **Concilium Basiliense (1431-1447), Reformatio suppositorum**
 (Rubrica) Sequitur reformatio suppositorum concilii. (Textus) <A>dmonet hec sancta synodus omnes sacrum concilium celebrantes ... (Finis) ut predicta clero (*choro cod.*) suo intimant (*sic*) et inuolabiliter obseruari faciant. (**Ed.** Mansi 29.382-85.)
- fol. 12v-15v <**Petrus de Versallis, ep. Meldensis**>, **Propositio facta coram Eugenio IV ex parte regis Franciae**, 16. 12. 1441
 (Inscriptio) Beatissime pater. (Textus) Indidit natur<a> cunctis ZZ mortalibus

- instigatque omnis sensus ... (Finis) quod tibi concedat Ihesus Christus, Benedictus Deus in secula. Amen. (Colophon) Explicit propositio facta Florentie coram sanctissimo domino nostro domino Eugenio papa quarto in consistorio publico per reuerendum in Christo patrem dominum P. episcopum Meldensem pro requisitione concilii generalis ex parte regis Francie anno Millesimo quadringentesimo quadagesimo primo die xvi mensis decembris. (**Ed.** Concilium Florentinum A.III.2: Fragmenta, Protocolla, diaria privata, sermones ed. G. Hofmann (Roma 1951) 71-7xx from this MS.)
- fol. 15v-17v <Incertus auctor, **De imagine Salvatoris ex operibus s. Athanasii**> (Praefatio) <A>pud Cesaream Cappadocie in urbe permaxima conuenientes ... (fol. 16r) (Textus) Quedam ciuitas est in Siria infra terminos Tyri ... (Finis) et exaltate nomen eius per cuncta secula seculorum. (Epilogus) Cum uniuersa hec de libello sancti patris Athanasii ... et honor sit Spiritui per cuncta secula. Amen. (Colophon) Explicit de ymagine saluatoris. (**Bibl.** Stegmüller, *Repertorium biblicum* VII no. 151,7.)
- fol. 21r-125r **Concilium Constantiense <(1414-1418), Acta, excerpta>** (Rubrica) Sententia priuationis domini Iohannis pape xxiii. (Textus primus) (Invocatio) In nomine sancte et indiuidue Trinitatis Patris et Filii et Spiritus sancti. Amen. (Textus) Sacrosancta generalis (*om. cod.*) synodus Constantiensis (*om. cod.*) in Spiritu sancto legitime congregata uniuersalem ecclesiam representans (uniuersalem ... representans *om. cod.*) ... uisis articulis in hac causa contra dominum Iohannem papam XXIII ... (Textus ultimus) In hoc igitur generali concilio Constantiensi in quo agendum fuit (sit *cod.*) de pace et unione perfecta ecclesie ... (Finis) uoueo ei iuro Deo (et ecclesie *add. cod.*) etc. ut infra (ut in sexto folio huius libri *cod.*). (Colophon) Acta concilii Constantiensis. (**Ed.** Mansi 27.715-16, 728, 748-52, 754-63, 764, 766-68, 794-99, 842-64, 972-76, 1057-70, 1053-56, 1159-63, 1164-66, 1167-72, 1172-73, 1174-77, 1195-96, 1200-04, 963-64, 967-76, 1144-46, 534, 541, 542-43, 548, 549, 552-64, 564, 565, 565-66. The exemplar had Labbe's text as printed by Mansi with minor variants and parts of the Barbarini collection, see fol. 81r, 85v-89r, 112r-125. The sessions represented are, in order: 12-13, 15, 19-20, 24, 31, 39-45, 23-24, 37, 1. Sessions 40 and 41 are given as 36 and 37.)
- fol. 125v <Incertus auctor>, **Summi pontifices malum exitum habentes** (Rubrica) Sequuntur summi pontifices malum exitum habentes ut in speculo hystoricali cauetur. (Textus) Anastasius secundus natione Romanus ... (Finis) Gregorius Angelus de Corrario.

Cat. Kristeller, *Iter* at 326.

The MS is written in two very similar gothic cursive bookhands in brown ink: fol. 1r-17v; fol. 21r-125v. The letter at <I>r-v was added in a later cursive. The title 'Gesta in concilio Basilien.', with the old shelfmark (?) '19', has been attached to the bottom of fol. 1r. Catchwords are at lower right. For the watermarks, cf. Briquet no. 7693. The MS has a 19th-century parchment binding. <II>r-v and fol. 18r-20v are blank.

Vat. lat. 4179 (MS not checked!)

saec. XV

<XIII> + 82 fols. chart. (memb.: <I>) 304 (226) x 212 (140) mm, origin Germany.
Octiones, saec. XV.

fol. 1r-13v, 22r-82r <**Concilium Constantiense <(1414-1418), Acta>**, imperfecta
(Sessiones I-XIX)
(Inscriptio) Iohannes episcopus seruus seruorum Dei ad perpetuam rei memoriam.
(Textus primus) Intendentes ad executionem eorum que per felicis recordationis
Alexandrum papam quintum ... (fol. 1v) (Invocatio) In nomine Domini nostri Iesu
Christi. (Textus secundus) Anno ab eiusdem (eius *cod.*) incarnatione millesimo
quadringsesimo decimoquarto (quartodecimo *cod.*) ... (Finis) nunciis et
principum (ac *add. cod.*) uniuersitatum et studiorum ambaxiatoribus testibus etc.
(**Ed.** This MS gives the largest part of sessions 1-19 as printed from Labbe in
Mansi 27.53-801 with the opening texts transposed and with interpolations from
the *Gesta* of Jacobus Ceretanus.)

fol. 14r <Incertus auctor, **In articulos concilii Constantiensis reprobantes errores
Johannis Wycliff et Johannis Hus>**, imperfectum
(Rubrica) Rationes et motiua reprobationum articulorum infrascriptorum Wicleff
et sequacis suis (*sic*) Iohannis Hus hereticorum et dicitur notorie quarum prima est
ista uidelicet. (Textus) Substantia panis materialis et similiter substantia uini
manent in sacramento altaris. Suprascripta conclusio (ergo *cod.*) est falsa erronea
et heretica ... (Finis) Quia corpus Christi non est quantum tali quantitate
(quantitati *cod.*). Esset enim /// (**Ed.** Mansi 28.57-58.)

Cat. Kristeller, Iter II at 326. **Bibl.** Finke, *ZZ Acta concilii Constanciensis IV* at xxii.

The text is written in a gothic cursive bookhand in gray-brown ink. The text at fol. 14r was begun by another hand on an inserted quaternion. Rubrics are red. The opening capital is red and blue. Other capitals are red or ink colored with red. <I>v is blank except for 'Vniuersis Christi fidelibus presentes litteras uisuris uel audituris nos.' <II>r is blank except for the erroneous note 'In isto libro continentur aliqua de concilio Pisano tempore domini Iohannis pape' and the monogram 'GF'. For the watermarks, cf. Briquet no. 2669. Catchwords are centered. The MS has a 19th-century leather and cloth binding. <II>v-<XIII>v and fol. 14v- 21v are blank.

Vat. lat. 4184 (MS not checked!)

saec. XV med.

Prov. Pietro Barbo, later Paul II (1464-1471); Pietro da Monte, bp. of Brescia 1442-1457.

Scr. Pietro da Monte (?).

<I> +389 fols. + <I> - 252 chart. (memb.: <I> et <+I>) 438 (285) x 286 (185) mm, origin Italy (Rome?). Quiniones, saec. XVmed.

fol. 3ra, 3va-12va <**Tabula contentorum in hoc uolumine**>
(Invocatio) In nomine sancte atque indiuidue Trinitatis Patris et Filii et Spiritus sancti [Amen] ac totius celestis curie triumphantis [ex]. Amen. (Praefatio) Hoc uolumen continet acta concilii generalis Basiliensis.... que in hoc uolumine continentur prout ex inferioribus apparebit. (fol. 3va-12va) <Tabula>.

fol. 16ra-359ra <**Petrus de Monte**>, **Gesta concilii Basiliensis** (Pars I)
(Rubrica) Incipit liber continens gesta concilii Basiliensis et primo de ipsius concilii origine ac fundamento. (Praefatio) Concilii generalis Basiliensis cuius gesta quedam in hoc uolumine sunt collecta origo ac fundamentum cepit ex

decreto concilii Senensis ... (fol. 19ra) (Textus) Frequens generalium conciliorum celebratio agri Dominici precipua cultura est ... (Finis) et quilibet iustus debet facere secundum illud psalmistae ? i ? orum. 'Odiui ecclesiam malignancium et cum impiis non sedebo' [Ps. 25.5] etc.

fol. 360ra-389vb **Antonius de Benciolis de Canario, Tractatus de potestate papae supra concilium generale**
(Dedicatio) Reuerendo patri et domino meo domino Nicholao episcopo Recanatensi et Maceratensi ... (Praefatio) Cum incidemus in sermonem errorum Basiliensium ... (fol. 360rb) (Textus) Prima conclusio quod papa solus habet immediate potestatem a Christo super omnes probatur primo auctoritate sacre scripture ... (Finis) ipse qui est trinus et unus sua infinita pietate concedat in eternum. Amen. (Epilogus) Explicit tractatus de (*sic*) Explicit tractatus de potestate pape supra concilium generale editus per me Anthonium de Camnino (*sic*) ... Ad laudem Dei tociusque trihumentis (*sic*) ecclesie. Amen. (**Bibl.** R. Abbondanza, 'Antonio da Cannara', DBI 3.542-43.)

Bibl. *Concilium Basiliense*, ed. Haller I 4 n. 6; J. Haller, *Pietro da Monte* (Rome 1941) *108; Miethke, *González* 302-04.

This first part of the collection is adapted from that of Dominicus Capranica; see Vat. lat. 4187 and Vat. lat. 5600. This copy is the first of a two volume set, the second of which is Vat. lat. 4185. The MS is written in multiple cursive and humanistic hands in dark-brown ink. The first of these hands (fol. 3ra, 3va-12va, 16ra-18vb) may be the autograph of Petrus de Monte. On fol. 16ra and 19ra are illuminated initials on multicolored grounds; gold disks with fine rays extend the decoration into the margin. The Barbo coat of arms at the bottom of fol. 19r is surmounted by a cardinal's hat. Capitals are red with violet or blue with red decoration. Paragraph signs are red or blue. The catchwords are centered to fol. 78v and at fol. 341v; they are at lower right on fol. 88vb-218vb, fol. 317vb, and fol. 369vb-379vb. <I>r is a title page with the old shelf mark. For watermarks, cf. Briquet no. 6650. The MS has a nineteenth-century brown leather binding. <I>v-fol. 2v, 13v-15v, 246r-v, 279v, 307v, 321v, 331r-v, 346r-349v, 359v, and <+1>r-v are blank.

Vat. lat. 4185

saec. XVmed.

Prov. Pietro Barbo, later Paul II (1464-1471); Pietro da Monte, bp. of Brescia 1442-1457. <I> +232 fols. + <I> chart. (memb. <I> and <+I>) 430 (278) x 282 (178) mm, origin Italy. (Rome?). Quiniones, saec. XVmed.

fol. 1ra-52vb <**Petrus de Monte, Gesta concilii Basiliensis**> (Pars II)

(Praefatio) Cum in priori libro initium et originem Basiliensis concilii et plurima eius gesta eo quo potuimus ordine congesserimus ... (Textus) In decima sessione addendum est quod sequitur ... (Finis) de iniunctis penitentiis misericorditer elargitur. Datum Basilee in sessione publica ipsius sancte sinodi in ecclesia maiori solemniter celebrata kalendis iulii anno a natiuitate Domini millesimo cccc° xli°.

(**Bibl.** *Concilium Basiliense*, ed. Haller I 4 n. 6.)

fol. 73ra-76ra **Concilium Basiliense <Epistola XVII>** 6. 10. 1442

(Rubrica) Responsio facta per concilium Basiliense oratoribus serenissimi principis Federici regis Romanorum et illustrissimorum dominorum electorum imperii super translatione concilii Basiliensis ad alium locum. (Inscriptio) Sacrosancta generalis synodus Basiliensis in Spiritu sancto legitime congregata

- uniuersalem ecclesiam representans ad futuram rei memoriam. (Textus)
 Petitionem uestram audiuit hec sancta synodus ... (fol. 75vb) (Finis) a Domino
 Patre mereamur (promereamur *ed. male*) premia gloriosa. Datum Basilee ii° nonas
 octobris anno a (fol. 76ra) natiuitate Domini millesimo cccc° quadragesimo
 secundo. (Ed. Mansi 29.368-72.)
- fol. 77ra-202vb <**Auctores varii, Opera polemica**>: Benedictus XII, opus polemicum ?
 Const. *Summi magistri*. excerptum (fol. 107ra-rb [Ed. *Bullarium Romanum* IV
 348-86 at 370-71]); Coloniensis Universitas, Consilium, excerpta (fol. 188va-vb);
 Cracoviensis Universitas, Consilium 1442 (fol. 77ra-108va [Ed. C.E. du Boulay,
Historia Universitatis Parisiensis, 6 vols. (Parisiis 1665-73) V 479-517]);
 Consilium, excerpta (fol. 188vb- 189rb); Erfurtensis Universitas, Consilium,
 excerpta (fol. 188va); Felix V, Epistolae (fol. 171va-vb [ZZ 18 kal. sept.], fol.
 172ra-va [Geneva, ZZ non. aprilis 1447]); Lipsiensis Universitas, Consilium,
 excerpta (fol. 189rb-va); Nicolaus Cusanus, De concordantia catholica, excerpta
 (fol. 175ra- 177ra); Panormitanus, Tractatus 'Quoniam veritas' (fol. 113ra-171rb.
 [Ed. *Deutsche Reichstagsakten unter Kaiser Friedrich III.*, ed. H. Herre and L.
 Quidde, II.2 (Deutsche Reichstagsakten XVI.2, Göttingen 1957) 440-538]);
 Viennensis Universitas, Consilium (1442) (fol. 183ra-184rb), excerpta (fol.
 189va-b). Consilium (1440), excerpta (fol. 188rb-va); Incerti auctores,
 Compendium contra Eugenium IV (fol. 173ra-175ra), Errores in litteris Eugenii
 IV ad Parisiensem Universitatem (fol. 177ra-178va), Compendium pro
 iustificatione concilii Basiliensis (fol. 178va-183ra), Tractatus de reformatione
 ecclesiae (fol. 184rb-186va), Tractatus de unione ecclesiae (fol. 186va), Tractatus
 de depositione Eugenii IV (fol. 186va-188rb), Johannes Mauroux, Conclusiones
 (fol. 189va-202vb). **Bibl.** Miethke 302 n. 87; T.M. Izbicki, 'Legal and Polemical
 Manuscripts, 1100-1500, in the Biblioteca Ambrosiana, Milano', *Quaderni*
Catanesi 5 (1983) 147-76, 291-320 at 302, describing the parallel collection in
 MS G 80 sup. fol. 178r-376r.
- fol. 203ra-209ra <**Concilium Basiliense (1431-1449), Sessiones in Lausanna**>
 (Inscriptio) Sacrosancta generalis sinodus Lausannensis in Spiritu sancto legitime
 congregata uniuersalem ecclesiam representans ad perpetuam rei memoriam.
 (Textus) <T>anto nos ofitii quo in unum Spiritus sancti gratia conuocati sumus ...
 (fol. 208rb) (Inscriptio textus ultimi) Felix etc. ad perpetuam rei memoriam.
 (Textus) Quas ob causas euocati et emoti curam apostolici regiminis suscepimus
 ... (Finis) suis deuotis auribus (deuotionibus iugibusque *ed.male*) que orationibus
 commendabit. Datum Lausanne vii ydus aprilis anno a natiuitate Domini M°
 cccc° xlix° pontificatus nostri anno nono. (Ed. Mansi 32.62-67, 60-62, 35.77-80,
 80, 75-77, printing all texts except the first.)

Cat. Kristeller, *Iter* II 326. **Bibl.** *Concilium Basiliense*, ed. Haller I 4 n. 5; Miethke,
 'Schriften des Juan González' 302-03.

This MS is the second part of a set, of which the first part is Vat. lat. 4184. The first volume has the arms of
 a Barbo cardinal ! (Pietro ?, Marco?) and this one has the arms of Pietro da Monte. The main hand of the
 MS is an italic cursive in brown ink, with texts inserted in various late Gothic bookhands. The arms of
 Pietro da Monte at fol. 1r are surrounded by a wreath and surmounted by a mitre. The opening initial on fol.
 1ra is decorated in the same style as the initials in Vat. lat. 4184. Capitals are red with violet or blue with

red decoration. Paragraph signs are red or blue. <I>r is blank except for shelf marks, including 'Bibliothecæ Apostolicæ superius in pluteo xi° bibliothecæ magnæ secretæ', and the titles 'Pars 2^a collecta per episcopum Brixiensem' and 'Gestorum et decretorum in concilio Basiliensi pars secunda'. The catchwords are at lower right. For the watermark, cf. Briquet no. 6650. The MS has an old red leather binding. <I>v, fol. 1r-10v, 53r-72v, 76v, 109v- 112v, 209v-232v, and <+1>r-v are blank.

Vat. lat. 4186 (MS not checked!)

saec. XV.2

Prov. Marco Barbo (card. 1467-1491).

IX + 356 fols. chart. 430 (189) x 290 (163) mm, origin Italy (Rome?). Quiniones, saec. XV.2.

IIra, IIva-IXra **Tabula** (See Vat. lat. 4184 fol. 3ra, 12va for further information.)

IXva-315va <**Petrus de Monte**>, **Gesta concilii Basiliensis** (Pars I) (See Vat. lat. 4184 fol. 16ra-359ra for further information.)

fol. 316ra-356va **Antonius de Benciolis de Canario, Tractatus de potestate papae supra concilium generale** (See Vat. lat. 4184 fol. 360ra-389vb for further information.) *Variants:*

(Finis) Amen. *om.* <Epilogus deest.>

Bibl. *Concilium Basiliense*, ed. Haller, 5.n.1; Miethke, *González* 288 and 302-03.

This MS is the first volume of a set, the second of which is Vat. lat. 4192. Both MSS by the same scribe (see 4192). The texts missing from the collection but listed in the table are noted with crosses in the margins of that table. This is explained in a note at the bottom of IIva in which Marco Barbo is mentioned as deceased. There are marginalia throughout the MS in two late 15th-century cursive scripts (see Miethke note 39). IXv is decorated with two small initials on solid grounds; floral borders are in the upper and lower margins. Within the lower border is the Barbo coat of arms surmounted by a cardinal's hat and surrounded by a laurel wreath. Decorative elements run down the outside margin and in the intercolumnar space. Small decorated initials similar to those on IXv appear on IIr and fol. 3r. Plain capitals are red or blue. It is a title page. Catchwords are perpendicular to the text at lower right beginning on fol. 12vb. For the watermark, cf. Briquet no. 5221. The MS has an old brown leather binding with the mark 'FF n 18' on the spine. Iv, fol. 2v, and 161v-163v are blank.

Vat. lat. 4187 (MS not checked!)

saec. XVmed.

Prov. Domenico Capranica (card. 1426-1458).

VII + 434 fols. chart. 295 (186) x 215 (100) mm, origin Italy (Rome?). Quiniones, saec. XVmed.

IIIr-IVr <**Tabula secundae partis collectionis Dominici Capranicae**>

fol. 1r-434r <**Dominicus Capranica, Gesta concilii Basiliensis**> (Pars II)

(Rubrica) Epistola concepta quod ambassiatores regum et principum iurare non debent decreta concilii iurare (*sic*). (Textus) Non est huic sacro concilio expediens compellere ambassiatores regum et principum ... (Finis) et quilibet iustus debet facere secundum illud psalmiste? -i? -orum? 'Odiui ecclesiam malignancium et cum impiis non sedebo' (Ps. 25.5) etc.

Bibl. *Concilium Basiliense*, ed. Haller I 5 n. 1; J. Haller, *Pietro da Monte* (Rome 1941) *108 n. ZZ 286; Miethke, *González* 300-01 (note 83).

This is the second volume of a two-volume set, the first of which is Vat. lat. 5600. The MS is written in an italic cursive, the same hand as in Vat. lat. 5600 fol. 313r-362v, in brown ink. The present numeration replaces the original which, continuing the previous volume, ran fol. 371-804. The text on fol. 75r opens with an illuminated initial on a square ground. Rubrics and some capitals are red. For watermarks, cf. Briquet nos. 4040 (III only) and 7693 (text). Catchwords are set perpendicular to the text at lower right throughout most of the MS. The MS has a late-eighteenth-century parchment binding with the old mark 'FF N 18' on the spine. Ir- Iiv, IVv, fol. 11v, 74r-v, and 434v are blank.

Vat. lat. 4188

saec. XV (ca. 1438)

Scr. Ghiselbertus Karoli (corrector).

66 fols. + <VI> memb. 362 (245) x 259 (166) mm, origin Switzerland (Basel).

Quaterniones, saec. XV (ca. 1438).

fol. 1r-65v <**Concilium Basiliense (1431-1449), Acta**> (Sessiones I-XXXII)

(Invocatio) In nomine sancte et indiuidue Trinitatis feliciter. Amen. (Praefatio)

Censetur utique dignum et congruum prout id singulariter exposcit ... (Textus)

Anno siquidem a natiuitate Domini (*om. cod.*) millesimo quadragentesimo

tricesimo primo ... (Finis) executio ad eorum proprias personas facta fuisset.

Datum in sessione nostra publica in ecclesia maiori Basiliensi solempniter

celebrata nono kalendas aprilis anno a natiuitate Domini millesimo

quadragentesimo tricesimo octauo (*al. man.*) Collationatum cum originalibus

decretis per me Ghiselbertum Karoli <signum notarii> notarium sacri concilii et

concordant.

Cat. Kristeller, *Iter* II 326. **Ed.** Mansi 29.3-178; for Ghiselbertus Karoli see J. Dephoff, *Zum Urkunden- und Kanzleiwesen des Konzils von Basel* (Hildesheim 1930) 65g.

The MS was written in a humanistic bookhand in brown ink. The parchment was lined in drypoint.

Catchwords are at lower right. The MS has a 19th-century leather binding. Fol. 66r-v and <+I>r-<+VI>v are blank.

Vat. lat. 4189

saec. XVmed.

antea 559? see p. 102.

177 fols. chart. 211 (140) x 145 (93) mm, origin Switzerland (Basel); Italy (Ferrara and Florence). Quiniones, saec. XV med.

fol. 1r-128v **Concilium Basiliense (1431-1438)**, <**Acta**> (Sessiones I-XXXII)

(Rubrica) Sessiones concilii Basiliensis celebrate in ecclesia cathedrali eiusdem

ciuitatis sunt que sequuntur. (Textus) Ad omnipotentis Dei gloriam fidei katholice

exaltacionem christianique (*sic*) religionis profectum ... (Finis) executio ad eorum

proprius personas facta fuisset. Datum in sessione nostra publica in ecclesia

maiori Basiliensi solempniter celebrata nono kalendas aprilis anno a natiuitate

Domini millesimo quadringentesimo tricesimo octauo. (Colophon) G. Karoli IV

(Ed. This anomalous collection of the acts of Basel contains the material given in

Mansi 29.5-12, 13-20, 21-27, 32-34, 36-64, 67-73, 73-79, 89-90, 91-96, 98, 98-

103, 104-121, 128-133, 137-141, 145-147, 141-144, 151-158, 170-178, often in

- variant versions. The following texts are not in the official acta: fol. 72v-74v, 94r-95v 'Cum iam dudum ... est expressum' (2 copies); fol. 95v-96v 'Hec sacrosancta synodus inter sue congregationis ... et accomoda expediant' (Basel, ZZ nonis maii 1437); fol. 104v-107v *Cedula legatorum*; fol. 107v-108v Julianus de Cesarinis, *Responsio promotoribus*. 'Hec sacrosancta' and the *Responsio* are printed in *Johannis de Segovia ... Historia gestorum generalis synodi Basiliensis* ed. E. Birk (Monumenta conciliorum generalium saeculi decimi quinti II; Vindobonae 1873) pars I 980-81 and 1005-06; a brief version of the *Cedula* is in Mansi 31/1.229-34 followed by the *Responsio* at 31/1.234-37.)
- fol. 130r-140v **Eugenius IV, Constitutiones**, id est: Const. *Doctoris gentium* (fol. 130r-139v) (**Ed.** *Epistolae pontificiae ad concilium Florentinum spectantes*, ed. G. Hofmann (Concilium Florentinum I; Roma 1940) pars I 91-99 no. 88.), *Pridem ex iustis* (fol. 140r-v) (**Ed.** *Ed. cit.* I 1100-12 no. 108.)
- fol. 141r-147r **Concilium Ferrariense (1438), Decreta**
(Rubrica) Primum decretum Ferrariae in sessione publica ueneris x ianuarii anni Mcccc xxxviii celebrata publicatum. (Textus) Ad laudem omnipotentis Dei exaltacionem catholice fidei pacemque et tranquillitatem et unitatem tocus populi christiani ... (fol. 146v) (Finis) quos (in *add. cod.*) inicio (huius *add. cod.*) (fol. 147r) sacri concilii cunctis prebuimus. Datum Ferrariae in sessione publica in ecclesia maiori solemniter celebrata anno incarnationis Dominice millesimo quadringentesimo tricesimo octauo quarto id. ianuarii pontificatus nostri anno octauo. (**Ed.** *Conc. oecum. decreta*, ed. J. Alberigo, pp. 514-23.)
- fol. 150r-159v, 170r-175r **Concilium Basiliense (1431-1447), Epistolae**
(Epistola prima) (Rubrica) Copia epistole responsiue ad inuectiuam pape.
(Inscriptio) Sacrosancta generalis synodus Basiliensis in Spiritu sancto legitime congregata uniuersalem ecclesiam representans ... (Textus) Ecclesiam suam Christus Deus noster tanta firmitate stabilire dignatus est (fol. 159v) (Finis) qui est Deus benedictus in secula seculorum. Amen. (fol. 170r) (Epistola secunda) (Rubrica) Incipit epistola pro ueritate catholica ac iustificatione sacri concilii Basiliensis defendenda (*al. man.*) composita a Lodouico de Roma contra bullam que non est per dominum nostrum promulgata sed dicitur Antonius de Rosellis fecisse. (Inscriptio) <S>acrosancta synodus Basiliensis in Spiritu sancto legitime congregata uniuersalem ecclesiam representans ... (Textus) Vt inter uarias fluctuum procellas quibus nauicula Petri sacrosancta (sancta *cod.*) uidelicet Christi ecclesia agitur ... (Finis) ut gressus omnium dirigat in uiam pacis ueritatis et salutis qui est benedictus in secula seculorum. Amen. (**Ed.** Mansi 29.289-302 [Ep. VIII], 305-15 [Ep. X].)
- fol. 162r-167r **P<etrus de Versallis> ep. Meldensis, Propositio facta coram Eugenio IV ex parte regis Francia** (See Vat. lat. 4177 fol. 12v-15v for further information.) *Variants*:
(Rubrica) Meldensis. (Colophon) Explicit propositio facta coram sanctissimo domino nostro Eugenio papa iiii^{to} in consistorio publico per reuerendum in Christo patrem P. episcopum Meldensem pro requisicione concilii generalis ex parte christianissimi regis Francie anno Domini Millesimo cccc^{mo} quadagesimo primo die decimasexta mensis decembris. (**Ed.** not using this MS.)
- fol. 176r-177r <**Symbolum fidei**>

(Invocatio) Ihesus Christus. (Textus) Credimus sanctam Trinitatem Patrem et Filium et Spiritum sanctum unum Deum omnipotentem eternum inuisibilem et incommutabilem ... (Finis) et rursus illa dampnare et fugere tenentur que ipsa ZZ predicat aut (aliud^{ac}) condempnat.

Cat. Kristeller, *Iter* II at 326.

The MS is in several cursive hands in brown ink. Although the earliest parts of the MS were probably done at Basel, other parts were added at Ferrara; see fol. 68r: 'Infrascripta sunt decreta et littere de quibus facta est mencio infra in fundacione huius sacri concilii Ferrariensis.' Completion at Florence is suggested by the presence at fol. 162r-167r of the oration of Petrus de Versailles and by the note at fol. 177v, 'Possent induci Greci tunc, ne in ecclesia uidentur deficere in promissis, ne etiam periclitaretur bonum, eligeretur aliquis locus tutus omnibus et accomodatus nobis et Grecis, et quia alii contradicebant'. Texts have been cancelled at fol. 49v, 59v, and 74v. Summaries appear in the margins to fol. 72r. The opening initial on fol. 1r is red. Although the first quires are quinions, later construction varies. Catchwords in the earlier part of the MS are vertical along the inner margin line. Possible old shelf mark appears on fol. 156r: 559. For the watermark, cf. Briquet no. 6592. The MS has a late-18th-century parchment binding. Fol. 67v, 97r-101v, 120r-121v, 129r-v, 147v-149v, 160r-161v, 167v-169v, and 175v are blank.

Vat. lat. 4190

saec. XV med.

Prov. A. Colocci; Guillelmus de Deserto **Scr.** Guillelmus de Deserto.

<I> +138 fols. + 1a-d chart. (memb.: <I> and 138) 214 (147) x 138 (95) mm, origin France (archdiocese of Rouen?). Seniones, saec. XV med.

fol. 1d^r-31r, 36r-43v, 120v-135v **Concilium Basiliense (1431-1449), Epistolae**

(Epistola prima) (Rubrica) Hanc responsionem fecit cardinalis sancti Angeli ambaxiatoribus pape. (Textus) Cogitanti huic sacre generali synodo Spiritu sancto legitime congregata ... (fol. 132r) (Epistola ultima) (Rubrica) Sequuntur littere que post monitorium pape misse fuerunt ad principes ex parte sacri concilii pro eius iustificacione. (Inscriptio) Sacrosancta generalis synodus Basiliensis in Spiritu sancto legitime congregata uniuersalem ecclesiam representans ... (Textus) Excitauit dudum ecclesiam suam misericors Deus ... (fol. 135r) (Finis) et cum prosperis rerum omnium successibus dirigat in eternam salutem. Datum etc. (Clausulae) (Rubrica *marg.*) Clausula pro uniuersitatibus etc. (Clausula prima) Hoc autem filii carissimi uobis notificare ... (fol. 135v) (Rubrica *marg.*) Clausula pro patriarchis archiepiscopis episcopis etc. (Clausula secunda) Precipue autem conuenit maiores ecclesiarum prelatos ... non obstantibus resistenciis et difficultatibus et cetera ut supra. (Subscriptio) G. de Deserto. (**Ed.** Mansi 29.239-67 (fol. 1d^r-26r, *Epistolae synodales* III), 29.267-73 (fol. 26r-31r, *Ep. syn.* IV), 29.282-88 (fol. 36r-43v, *Ep. syn.* VII), 29.289-302 (fol. 120r-132r, *Ep. syn.* VIII). Mansi did not print the *cedula* at fol. 36r-37v of this MS. The last letter, with its variant clauses, does not appear in the *Acta* of the council; see Mansi 29.3-234.)

fol. 31r-36r <Auctores varii, **Epistolae ad concilium Basiliense spectantes**>,

nominantur: **Johannes VIII Paleologus** (fol. 33r-34v) (**Ed.** Mansi 29.125-26);

Joseph II Patriarcha Constantinopolitanus (fol. 34v-36r) (**Ed.** Mansi 29.126-28); **Sigismundus imperator** (fol. 31r-33r) (**Ed.** Mansi 29.595-96, 30.117-18.)

fol. 43v-51v, 61r-112r <Auctores varii, **Orationes in concilio Basiliensi**>, nominantur:

Antonius de s. Vito (fol. 43v-46v) (**Ed.** Mansi 29.460-63); **Isidorus Ruthenus** (fol. 77r-81r) (**Ed.** Mansi 30.1244-50); **Julianus de Cesarinis** (fol. 46v-51v) (**Ed.** Mansi 30.945-50), (fol. 61r-77r) (**Ed.** Mansi 29.492-512), (fol. 81v-88r) (**Ed.** Mansi 29.1235-44), (fol. 88v-89) (**Ed.** Mansi 31/1.234-37); <Incertus auctor> (fol. 89v-103v, 103v-107r, 107v-112r).
fol. 112r-118r **Eugenius IV**, <**Const. Iam vobis**>

Cat. Kristeller, *Iter II* at 326.

The MS, written in brown ink, is in the cursive bookhand of Guillelmus de Deserto (see Concilium Basiliense ed. Haller III 651, IV 384, V 469) who wrote his name on fol. 1r and fol. 135v. He summarized the contents on fol. 1c^v: Aliqua notabilia acta in concilio Basiliensi. On fol. 138r are these marks of ownership: 'Iste liber est Guillelmi de Deserto curati de Graniuilla la Tamturiere Rothomagensis diocesis', 'Et hodie est A. Colotii (Angelo Colocci; see DBI 27.105-110), 'Nunc uero Bibliothecae Vaticanae'. Fol. 1r-v has a later table of contents. The mark 'FF N 18' appears on <I>v. Catchwords are at the lower right. For the watermarks, cf. Briquet nos. 14329 and 2778. The MS has a 19th-century parchment binding. <I>r and fol. 138v are gluestained. Fol. 1a^r-1c^r and 136r-137r are blank.

Vat. lat. 4192

saec. XV.2

Prov. Marco Barbo (card. 1467-1491).

<IV> + 529 fols. 428 (275) x 293 (171) mm, origin Italy (Rome?). Quiniones, saec. XV.2

<III>ra-<IV>vb <**Tabula operum**>

fol. 1ra-3ra, 29vb-32va, 33rb-34vb, 38ra-65ra, 71rb-87va [passim], 87va-101rb, 150vb-215vb, 226va-268ra, 269va-319va <**Auctores varii, Opera polemica**>: Antonius de Butrio, Consilium de schismate, imperfectum (fol. 282ra-284vb [**Ed.** Paulus Castrensis, *Consilia I* fol. 214ra-215ra to 214vb]); Antonius Luschus, De modo tenendi per concilium ad Petrum de Candia (fol. 33rb-34vb); Pseudo-Bonifacius VIII, Professio fidei (fol. 1ra-vb [**Ed.** Finke, *Acta concilii Constanciensis II* 616-18. **Bibl.** J. Lulvès, 'Die Entstehung der angeblichen Professio fidei Papst Bonifaz VIII.', *MIÖG* 31 (1910) 375-91]); Bononiensis Universitas, Conclusiones de schismate, imperfectae (fol. 305rb-306rb [**Ed.** Mansi 27.219-21, 221 n. a. 221-22, 222 n. b lacking the first five lines on 219], *rep. perfectius* fol. 318rb-319va); Henricus de Langenstein, Epistola pacis (fol. 184rb-203ra [**Ed.** *Johannis Gersonis Opera*, ed. Ellies du Pin, 5 vols. (Antwerpiae 1706) II 809-40 **Bibl.** T. Hohmann, 'Initienregister der Werke Heinrichs von Langenstein', *Traditio* 32 (1976) 399-426 at 419 no. 231]) cum tabula (fol. 159ra-rb); Johannes de Capitaneis, ab. Montis Oliveti, Epistola ad Gregorium XII (fol. 87va-101rb [Milan, 29 iun. 1408]); Johannes Dominici O.P., Abusiones (fol. 38ra-40rb [**Ed.** Vincke, *Schriftstücke* 40-54 no. 6, using this MS]. fol. 40rb-41rb [**Ed.** Vincke, *Schriftstücke* 75-86 no. 13, using this MS]); Epistola Michaelis archangeli (fol. 227va-228va); Johannes de Imola, Tractatus de schismate (fol. 291rb-303ra [**Ed.** D. Staffa, 'Tractatus Iohannis ab Imola super schismate occidentis', *RSCI* 7 (1953) 181-224 at 190-241]); Johannes Gundisalvi, Responsiones super quatuor quaestionibus propositis ab archiepiscopo Hispalensi circa papam et concilium (fol. 188va-201va [**Bibl.** Miethke, 'Schriften des Juan González' 283-87]); Jordanus de Ursinis, Glossae in Abusiones Johannis Dominici (fol. 41rb-45vb [**Ed.** Vincke, *Schriftstücke* 41-55

no. 7, using this MS], fol. 45vb-48rb [Ed. Vincke, *Schriftstücke* 77-88 no. 14, using this MS]); Matthaeus de Mathesillanis, Consilium de schismate cum subscriptione Johannis de Cannetulo (fol. 280ra-282ra [Ed. Paulus Castrensis, *Consilia* I fol. 215ra-va]); Nicolaus de ZZ Bittonio O.F.M., Tractatus de schismate (fol. 163va-175rb [Bibl. Vincke, 'Magister Theologiae' 178-206]), Nicolaus de Fakenham O.F.M., Determinatio de schismate (fol. 150vb-163va [Ed. F. Bliemetzrieder, 'Traktat des Minoritenprovinzials von England fr. Nikolaus de Fakenham (1395) über das grosse Abenländische Schisma', *Archivum Franciscanum Historicum* 1 (1908) 577-600, 2 (1909) 79-91]); Parisiensis Universitas, Conclusiones (fol. 217va-218ra [Ed. Baronius, *Annales* an. 1408 § 40 (ed. Theiner 27.213)]); Paulus de Castro, Consilium de schismate (fol. 275va-278ra [Ed. Vincke, *Schriftstücke* 29-30 no. 2, using this MS; Paulus Castrensis, *Consilia* I fol. 213rb-214ra]); Petrus de Alliaco et Johannes Gerson, Epistola ad Gregorium XII (fol. 29vb-30va [Genoa, 15 sept.; Ed. and Bibl. Jean Gerson, *Oeuvres complètes*, ed. Glorieux II xvi no. 22 and 84-86 no. 22]); Petrus de Alliaco, Decem considerationes circa concordatum Massiliae (fol. 30va-32va [Bibl. Glorieux, 'L'oeuvre littéraire de Pierre d'Ailly' 73]); Epistola Satani (fol. 226va-227va [Ed. C.G.F. Walch, *Monumenta Medii Aevi*, 2 vols. (Göttingen 1757-64; anast. repr. Ridgewood, N.J. 1966) I 253-60]); Petrus de Ancharano, Consilium de schismate (fol. 269va-274vb [Ed. Petrus de Ancharano, *Consilia* fol. 4vb-25rb]); Robertus de Francola, Tractatus de schismate (fol. 228va-247ra [Ed. Martène et Durand, *Thesaurus* II 1428-32, c. 1 only]); Incerti auctores, Apparatus in Professionem fidei Bonifacii VIII (fol. 1vb-3ra [Ed. Finke, *Acta concilii Constanciensis* II 682-88]); Glossae in Abusiones Johannis Dominici (fol. 48rb-62ra [Ed. Vincke, *Schriftstücke* 55-69 no. 8, using this MS], fol. 62ra-65ra [Ed. Vincke, *Schriftstücke* 88-104 no. 15, using this MS]); Glossae in Epistolam Dominus et Salvator (fol. 72rb-73rb, 73va-77va, 78rb-79rb, 79vb-83vb, 84va-85va, 86ra-87va); Somnium Pantasii Lesicani (fol. 175rb-184rb); Quaestio super opinione episcopi Ragusini (fol. 203rb-215vb); Consilia de schismate (fol. 274vb-275va [Ed. Vincke, *Schriftstücke* 32-34 no. 4, using this MS], fol. 278ra-280ra [Ed. Vincke, *Schriftstücke* 34-39 no. 5, using this MS]. fol. 285va-291rb, 304vb-305rb, 309va-310va, 310va-318rb); Considerationes de schismate (fol. 284vb-285va [Ed. Vincke, *Schriftstücke* 134-41 no. 22, using this MS]); Conclusiones de schismate (fol. 290rb-291rb); Tractatus de schismate, imperfectus (fol. 303ra-304vb); Tractatus de schismate (fol. 306rb-309va).

fol. 3ra-29vb, 32va-33rb, 34vb-38ra, 66vb-71rb, 71rb-87va [passim], 101ra-115va <**Auctores varii, Acta de schismate**>: Antonius de Cajetanis, Epistola ad Carolum Malatesta (fol. 114va-115va [Pisa, 26 nov. 1408, Ed. D. Girgensohn, 'Kardinal Antonio Caetani und Gregor XII. in den Jahren 1406-1408: vom Papstmacher zum Papstgegner', QF 64 (1984) 116-226 at 221-26, using this MS: siglum F⁴]); Benedictus XIII, Epistolae (fol. 3ra-4va [20 iun. 1395], fol. 4vb-5ra [28 iun.], fol. 5ra-rb, 5rb-6ra, 37vb-38ra [Ed. Mansi 26.1014-16], fol. 34vb-37vb [Portovenere, 15 iun.; Ed. Mansi 26.1103-09], fol. 37vb-38ra [10 iul.; Ed. Mansi 26.1110-11], fol. 115va-117rb [Ed. Mansi 26.1119-22]); Bononienses doctores, Epistola (fol. 104vb-107ra); Carolus VI rex Francorum, Epistola (fol. 9rb-10vb [Paris, 12 ian. 1407], fol. 10vb-11rb [Paris, 12 ian. 1407], fol. 11rb-vb [Paris, 12

- ian.], *Requesta regis Francorum et ducum* (fol. 3ra); Collegium Avinionense cardinalium, *Epistolae* (fol. 24vb-25rb [Villeneuve d'Avignon, 16 iul.], fol. 66vb-70rb [1408, **Ed.** Mansi 26.1161-63], fol. 103rb-104vb [Pisa, 24 sept., 1408; **Ed.** Mansi 26.1175-79]), *Capitula in conclavi post mortem Clementis VII* (fol. 11vb-12ra [**Ed.** Souchon, *Papstwahlen* I 298-99]); Collegium Romanum cardinalium, *Capitula in conclavi post mortem Bonifacii IX* (fol. 14ra-vb [**Ed.** Souchon, *Papstwahlen* I 280-84]), *Capitula in conclavi post mortem Innocentii VII* (fol. 7rb-8va [**Ed.** Souchon *Papstwahlen* I 287-92]); Collegium unitum cardinalium, *Epistolae* (fol. 65ra-66vb, 70rb-71rb, 71rb-72rb, 73rb-va, 77va-78rb, 79rb-vb, 83vb-84va, 85va-86ra [**Ed.** Mansi 27.50-56], 101rb-103rb [Siena, 1 aug.], *Responsiones ad oratores Venetorum et Florentinorum* (fol. 107ra-109vb [**Ed.** Martène and Durand, *Thesaurus* II 1411-19], fol. 111rb-114va), *Responsio ad rationes Gregorii XII* (fol. 109vb-111rb [5 oct. 1408]), *Declaratio marchionis Montis Ferrati* (fol. 215vb-217va); Gregorius XII, *Epistolae* (fol. 8va-9rb [**Ed.** Mansi 26.1013-14], fol. 25rb-va [**Ed.** Martène and Durand, *Veterum scriptorum ... collectio* VII 754-55]), *Refutatio concordati Massiliae* (fol. 25va-29vb); ZZ *Ianuensis communis, Instrumenta diplomatica de concordato Massiliae* (fol. 18rb-24vb [**Ed.** Baronius, *Annales* an. 1407 § 4 (ed. Theiner 27.164-66, partial edition)); *Oratores Avinionenses, Oblatio* (fol. 32va-33rb [**Ed.** Vincke, *Schriftstücke* 70-72 no. 10, using this MS]); *Parisiensis Universitas, Advisamentum concilio Parisiensi, imperfectum* (fol. 11vb-17ra [**Ed.** Martène et Durand, *Thesaurus* II 1398-40, the MS lacking the last paragraph]), *Requestae factae Carolo VI regi Francorum* (fol. 170rb).
- fol. 117rb-135vb <**Concilium Pisanum** (1409), **Acta contra Gregorium XII et Benedictum XIII**> (See Vat. lat. 4000 fol. 96ra-107rb for further information.)
Variants:
(Textus secundus) Voenteslaus *pro* Wenceslaus; Dimelmensis *pro* Dunelmensis.
- fol. 136ra-143ra <Incertus auctor>, **Sermo in concilio Pisano** (See Vat. lat. 4000 fol. 107rb-112vb for further information.)
- fol. 143ra-150vb **Johannes Luke, Sermo in concilio Pisano** (See Vat. lat. 4000 fol. 112vb-119rb for further information.)
- fol. 218ra-222rb <Incertus auctor, **Nomina participantium in concilio Constantiensi**>
fol. 222rb-223vb <Incertus auctor, **Epistola consolatoria de morte magistri Marsilii**>
(See Vat. lat. 4000 fol. 173rb-174ra for further information.) *Variant:*
(Rubrica) *Epistola de contemptu mortis.*
- fol. 223vb-224va <Incertus auctor, **Tractatulus de gratiarum actione**> (See Vat. lat. 4000 fol. 174ra-va for further information.)
- fol. 224va-226va **Johannes de Cascina <O.P., Sermo de gratiarum actione**> (See Vat. lat. 4000 fol. 174va-175vb for further information.)
- fol. 268ra-269va <Incertus auctor>, **Genealogia ducis Mediolani** (See Vat. lat. 4000 fol. 201va-202rb for further information.)
- fol. 321va <**Tabula partis secundae**>
fol. 322ra-362va <**Petrus de Monte, Gesta concilii Basiliensis**> (Pars II) (See Vat. lat. 4185 fol. 1ra-52vb for further information.) *Variant:*
(Finis) *elargiatur pro elargitur* (**Bibl.** *Concilium Basiliense*, ed. Haller I 4 n. 6.)
- fol. 384ra-386vb **Concilium Basiliense (1431-1449)**, <**Epistola XVII**> (See Vat. lat.

- 4185 fol. 73ra-76ra for further information.) Variant:
(Rubrica) principis *om.*
- fol. 387vb-517vb <**Auctores varii, Opera polemica**> (See Vat. lat. 4185 fol. 77ra-202vb for further information.).
Benedictus XII, Const. *Summi magistri*, excerptum (fol. 418rb-va [**Ed.** *Bullarium Romanum* IV 348-86 at 370-71]); Coloniensis Universitas, Consilium, excerpta (fol. 500rb-vb); Cracoviensis Universitas, Consilium (fol. 387vb-417vb [**Ed.** C.E. du Boulay, *Historia Universitatis Parisiensis*, 6 vols. (Parisiis 1665-73) V 479-517]), Consilium, excerpta (fol. 500vb-501rb); Erfurtensis Universitas, Consilium, excerpta (fol. 500rb); Felix V, Epistolae (fol. 483ra-va [15 aug.], fol. 483va-484va [Geneva, 5 apr. 1447]); Lipsiensis Universitas, Consilium, excerpta (fol. 501rb-va); Nicolaus Cusanus, De praesidentia concilii, excerpta (fol. 486vb-487ra), De concordantia catholica, excerpta (fol. 487ra-488va); Panormitanus, Tractatus 'Quoniam veritas', (fol. 422rb-482vb [**Ed.** *Deutsche Reichstagsakten unter Kaiser Friedrich III.*, edd. H. Herre and L. Quidde II.2 (Deutsche Reichstagsakten XVI.2; Göttingen 1957) 440-538]); Viennensis Universitas, Consilium (1442) (fol. 493vb-495ra), excerpta (fol. 501va-vb), Consilium (1440), excerpta (fol. 499vb-va); Incerti auctores, Compendium contra Eugenium IV (fol. 485ra-486vb), Errores in litteris Eugenii IV ad Parisiensem Universitatem (fol. 488va-490ra), Compendium pro iustificatione concilii Basiliensis (fol. 490ra-493vb), Tractatus de reformatione ecclesiae (fol. 495ra-497vb); Tractatus de unione ecclesiae (fol. 497vb-498ra); Tractatus de depositione Eugenii IV (fol. 498ra-499vb), (501vb-517vb). (**Bibl.** T.M. Izbicki, 'Legal and Polemical Manuscripts, 1100-1500, in the Biblioteca Ambrosiana, Milano', *Quaderni Catanesi* 5 (1983) 147-76, 291-320 at 302, describing the parallel collection in MS G 80 sup. fol. 178r-376r.)
- fol. 517vb-528vb <**Concilium Basiliense (1431-1449), Sessiones in Lausanna**> (See Vat. lat. 4185 fol. 203ra-209ra for further information.)

Bibl. *Concilium Basiliense*, ed. Haller I 5 n. 1; Miethke, 'Schriften des Juan González' 287-88 and 302-03.

This MS is the second part of a set, of which the first part is Vat. lat. 4186, reproducing the so called Collectanea of card. Domenico Capranica (see Miethke QF 60 (1980) 302-304 and Girgensohn QF 64 (1984) 221 discussing the MS derivations, which are due to further investigation). Both MSS were written by the same hand, a calligraphic humanistic minuscula in brown ink without any decoration, and both have been occasionally annotated by card. Marco Barbo first and by card. Francesco Todeschini Piccolomini later (see Miethke ZZ note 39). Fol. IIIra-319va of the present MS are directly copied from Vat. lat. 4000 (see Miethke ZZ note 37), the rest from Vat. lat. 4185 (see Miethke note 91). - The MS consists of regular Quiniones with catchwords at the end. Watermarks include an anchor in cercle (type Piccard, WZ Anker IV 31-136) and a hat (similar Briquet 3387-3394). The MS conserves the same medieval binding (red-brown leather on wood covers) as Vat. lat. 4185 (and may be others). Inside the front cover is the same 18th or 19th century mark 'FF N 18' which is to be found in several MSS described above.

Vat. lat. 4227

saec. XIlex./XIIin.

Prov. Chunradus Aneta sacerdos.

94 fols. memb. 280 (212) x 186 (135) mm, origin Germany. Quaterniones, saec.

XIex./XIIin.

fol. 1r-26bis^r <Incertus auctor, **Commentaria in psalmos 6, 31, 37, 50, 84 et 101**>

Domine ne in furore. Iste psalmus hoc modo intitatur ... (Finis) id est, omnes sequentes (sequaces *cod.*) eorum, dirigentur in illud seculum, id est, in illam æternitatem. (Ed. PL 93.511-515, 641-645, 680-686, 747-754, 935-940, 992-999, published under the name of Pseudo-Bede. **Bibl.** W. Hartmann, 'Psalmenkommentare aus der Zeit der Reform und der Frühscholastik', *Studi Gregoriani* 9 (1972) 315-66; Stegmüller, *Repertorium biblicum* II no. 1666.)

fol. 26r-28v <Incertus auctor, **Commentaria in psalmos 129 et 101**>

De profundis clamaui ad te Domine. Hic est uox ascendentis pertinens ad canticum graduum. Debet itaque ... (Finis) quia ego seruus tuus sum. (**Bibl.** Stegmüller, *Repertorium biblicum* II no. 1666.)

fol. 28v-38r <**Origenes, In librum regum homelia I**>

Non tunc tantummodo Deus plantauit paradysum ... (Finis) ut in nouitate uitæ ambulem in Christo Ihesu domino nostro cui est gloria et imperium in secula seculorum. Amen. (Ed. PG 12.995-1012.)

fol. 39r-40v <**De sacrilegiis**>, sex capitula

(Rubrica) De capitulari imperatorum ut intelligatur quo facto inmunitas frangatur.

(Textus) Peruenit ad nos quod quedam ecclesiæ ac monasteria ... (fol. 40r)

(Capitulum ultimum) Si quis autem ex leui causa ... (Finis) usque dum totum

debitum persoluat. (Ed. of the six excerpts: 1) Unidentified, this is a longer

version of Ivo, *Decretum* III.100 (PL 161.219); 2) MGH. Capit. 2, edd. A.

Boretius and W. Krause, p. 217.13-25; 3) MGH Const. 1, ed. L. Weiland, p.

631.13-17, using this MS: siglum 8; 4) Burchard, *Decretum* XIX.5 int. 136 (PL

140.969C); 5) and 6) MGH Capit. 1, ed. A. Boretius, pp. 113.4-22 and 281.3-29.

The last two are run together under the rubric 'De capitulario magni Karoli'.)

fol. 40v-71v, 74v-90v, 92v-93v <**Burchardus Wormacensis, Decretum, excerpta**>

(Rubrica) Incipiunt capitula libri qui corrector uocatur ... (Tabula capitulorum

libri) (fol. 43r) (Praefatiuncula) Incipit liber qui corrector uocatur et medicus ...

<Rubrica deest.>. (Textus) Ebdomada priori ante initium xl. presbyteri plebium

conuocent (ZZ ed. 949) ... (Finis) quia difficile est inter ementes uedentesque

commercium non intrare peccatum (ZZ ed. 1003C). (Ed. PL 140.549-1058,

passim; and H. Schmitz, *Die Bussbücher und das kanonische Bussverfahren*

(Düsseldorf 1898, repr. Graz 1958) 393 and editing only Book XIX at 407-67,

using this MS: siglum a. **Bibl.** See Vat. lat. 1355 fol. 1r-310r; and Ballerini, *De*

antiq. coll. PL 56.325C; Pelster, 'Decret' 115; F. ZZ Pelster, 'Das Decret Burkards

von Worms in einer Redaktion aus dem Beginn der Gregorianischen Reform',

Studi Gregoriani 1 (1948) 321-51, showing that this group of excerpts is from a

Decretum MS similar to Vat. lat. 3809, but with an intermediate exemplar. Fol.

40v-71v contain a complete copy of Book XIX, the 'Corrector', ending with a

restatement of one of the questions from c. 5. Fol. 74v-90v contain: 21 chapters

from Book II (first is c. 66); 29 chapters from Book III, 4 from IV, 4 from VI, 2

from VIII; 2 from IX; 2 from XI; then the *praefatiuncula* for Book XVII followed

by all of that book except cc. 47 and 48; finally, the selections end with Book

V.46 to VI.1. Fol. 92v-93v contain 4 chapters from Book XI, the first being c. 49,

and 11 from Book XIX, the last being c. 95.)

- fol. 71v-72r <**Pseudo-Hadrianus papa, Decretum**>
 (Rubrica) Bannus episcopalis faciendus incorrigibili ante legitimam excommunicationem. (Textus) Virum hunc, qui hoc aut illud ... (Finis) ut non discat blasphemare. Amen. (Ed. F. Pelster, 'Das Decret Burkards von Worms in einer Redaktion aus dem Beginn der Gregorianischen Reform', *Studi Gregoriani* 1 (1948) 321-51, at 334-36, using this MS: siglum V₂.)
- fol. 73r-74v <**Pseudo-Leo IV, Admonitio synodalis**> (See Vat. lat. 1355 fol. 310r-311v for further information.) *Variants:*
 <Rubrica deest.> (Text) presbiteri ZZ et MS (Finis) adimpleri *pro* adimplere; nostro Iesu ... secula seculorum. Amen. *om.* (Bibl. Brommer, 'Gesetzgebung Theodulfs' 119(-20) no. 16 on the presence of this text.)
- fol. 90v-91v **Concilium Seligenstadense** (1023), imperfectum (canones 1-9)
 (Rubrica) Ex concilio in ZZ Saligunstat habito. (Praefatio) In Dei nomine ego Aribo Magontie (Magantie^{ac}) sedis archiepiscopus ... (Canones) (Rubrica) De abstinentia carnis et sagiminis (corporis et sanguinis *ed. male*) in subscriptis temporibus. (Textus) Vt .XIII. dies omnes Christiani ante festiuitatem (festum *ed.*) sancti Iohannis baptistae ... (Finis) fieri equum est (equum est *om. ed.*) officia. (Rubrica) De euangelio in principio erat uerbum et missis peculiaribus /// (Ed. MGH Const. 1, ed. L. Weiland, pp. 633-37.33, not using this MS, which appears to belong to the same class as sigla 4-6. The text breaks off in the middle of the rubric for canon 10. The following piece continues immediately, giving the impression that the rubric belongs to it.)
- fol. 91v-92v <Incertus auctor, **Homilia in Matt. 18.20**>
Vbi duo vel tres congregati fuerint in nomine ... dicit Dominus. Dominus ac redemptor noster, fratres karissimi, in euangelio dicit per os æuangelistæ sui ... (Finis) ad eternam uitam mereamini peruenire.
- fol. 93v <**Pseudo-Clemens I, Decretum**>
 Isti sunt xii. dies ueneris per annum pane et aqua ieiunandi. Ego Clemens Romanus pontifex (parabo uobis uitam eternam *add. cod.*). inueni in canonibus apostolorum ... (Finis) Si istos dies bene obseruaueritis in exitu anime uestre accedunt angeli et ministrabunt uobis in uitam eternam. Amen (in uitam ... Amen. *om. cod.*). (Ed. P. Fournier, 'Un groupe de recueils canoniques italiens des X^e et XI^e siècles', *Mémoires de l'Académie des Inscriptions et Belles-Lettres* 40 (1916) 9-213 at 125(-26) n. 1, transcribed from another MS; repr. in Fournier, *Mélanges* II 213-331 at 243(-44) n. 1. See also Vat. lat. 1349 fol. 2va-vb for a different version of this text.)
- fol. 94r <**Benedictio cum neumis**>
 Bene benigno psalite deuote digno canite ... (Finis) ipsum sequentes P. Deo dicamus gracias. (ZZ Bannister, Monumenti n. 88 This and the next excerpt were added on the originally blank last folio by 43 Inc. hands The first line is repeated at the end in a second hand.)
- fol. 94r <Incertus auctor ZZ **Excerpta in Ecclesiasticum 24.23**>
Ego quasi uitis fructificaui etc. Super hoc Bernardus: Partus meus ... Annotatio non habuit exemplum in sexu mulierum ... (Finis) nec partus soluitur pudoris signaculum. (This short text is in a late 12th or 13th-century hand.)

The MS is written in a late Carolingian minuscule in brown ink by perhaps two or three scribes, all of whom write a very similar script and would be from the same scriptorium. That the texts have been bound together from an early age is shown by the title in a late 12th or 13th-century hand at the top of fol 1r: 'In isto uolumine continetur expositio quorundam psalmorum cum quibusdam aliis libris iuris'. The two texts on fol. 94r were added later. There are no rubrics on fol. 1r-38r. Beginning on fol. 39r, capitals and rubrics are red. Capitals within the text are often highlighted in red. The scribe(s) often did not leave enough room for the rubrics and inscriptions, which then run into the margin and down the side of the page. In the lower margin of fol. 1r is the ex libris 'Iste liber est domni Chunradi sacerdotis cognominati Aneta' in a 13th-century hand. Fol. 94v is blank, with a scrap glued to it (a piece of an old guard folio?) on which there is a line of nonsense letters, perhaps a cipher, and some *probationes pennae* drawn from the text on fol. 1r. The second through fourth quires are marked with large book letters (b, c, and d) on the first recto or last verso; beginning with fol. 39, the quires are marked with red roman numerals, from I to V, with the last appearing on fol. 71r. The last three quires, two quaternions and a ternion, are unmarked. The parchment is of poor quality, with holes in it and mended with yarn. The edges have never been trimmed and are uneven. The folios are lined in dry point; prickings are visible. The leather binding is from the 19th-century. Fol. 38v and 72v are blank.

Vat. lat. 4294

saec. XIII.1

104 fols. memb. 175 (107) x 122 (73) mm, origin France. Octiones, saec. XIII.1.
fol. 1ra-87rb <**Raymundus de Pennaforte O.P. (s.), Summa de casibus poenitentiae**>, post Gregorian recension (See Vat. lat. 2301 fol. 24ra-287vb for further information.) *Variants:*

(Rubrica) Incipit summa de casibus. (Praefatio) Hieronimus *pro* Ieronimus (Colophon) Amen. Explicit summa de casibus.

fol. 87va-101ra **Raymundus <de Pennaforte> O.P., Summa de matrimonio** (See Vat. lat.

2301 fol. 287vb-333vb for further information.) *Variants:*

(Finis) [uiderit] *add. post* addenda (Colophon) a fratre R. de ordine predicatorum compilata. Amen *add. post* matrimonio.

fol. 101v, 102r <**Arbor consanguinitatis et affinitatis**>

fol. 103r-104r <**Innocentius IV, Constitutiones VIII editae ante Conc. Lugd. I (1245)**>

(ZZ constitutis prima) Statuimus ut si quis electionem ... (constitutis ultima) Cum excommunicatio sit medicinalis ... (Finis) per summum pontificem poterit dispensari. (ZZ *Coll.* III 4.7.10.14.15.16.20.19)

Evidence for Innocent's early legislation, hitherto overlooked; see Kessler, *Untersuchungen* I 214-15 and Kuttner, *Medieval Councils, Decretals and Collections of Canon Law, Retractationes XI* for up to date bibliography.

Fol. 1r-101r are written in a very minute gothic textualis in brown ink, with red rubrics and blue/red initials typical for french university manuscripts (Paris?); fol. 1r opens with an illuminated initial. *De matr.* has been separated from *De casib.* by a more elaborate initial and running titles of its own. However, it has been provided in the margins by the scribe with the same kind of short notabilia in red ink which are to be found throughout the text of *De casib.* The same scribe may have filled in the arbores schemes at fol. 101v, 102r. The Constitutiones (fol. 103r-104r) are written in a careful chancery cursive without any rubrics nor decoration; const. 19 was evidently added somewhat later by the same scribe in pale ink; the palaeographical setting suggests a fairly short distance from promulgation of the constitutions; they may well have been transcribed in this MS before the end of the council of Lyons. At fol. 102v are some informal annotations by other 13th-century cursives, including 8 verses de casibus reservatis (Walther,

Initia 9170 and 13976). At fol. 104v is the title *Summa de casibus* written twice in different hands s. XIV/XV and s. XVI/XVII. Through fol. 79 the MS consists of regular Octiones numbered I-V by the scribe of the main texts in red ink at the end. The MS has been rebound in red leather in the late 19th-century. ZZ

Vat. lat. 4318*

saec. XIV

Prov. Michael de Linga (?) O.F.M. **Scr.** Wolfhardus de Welsa.

80 fols. + <II> chart. (memb.: <+I>-<+II>) 218 (170) x 145 (110) mm, origin Austria (Vienna). Seniones, saec. XIV. 2.

fol. 3r-12r **Expositio summulae de penitentia metricae**

Ed. of the verses commented upon PL 207.1153-56; cf. Walther, *Initia* 13564, Bloomfield 3812

fol. 13r-47v **Hartmannus sublector (conventus OFM?) Viennensis Expositio summulae Raymundi metricae**

For the verses commented upon see Walther, *Initia* 9117, Bloomfield 2668, F.J. Worstbrock, Magister Adam, in: *Verfasserlexikon* I 47-50

The MS contains a variety of texts from popular literature of devotion, christian instruction and elementary theology, including some notabilia, distinctiones and poems. The main body was written by Wolfhardus de Welsa (see colophon fol. 47v as quoted above and fol. 72r: *Expliciunt questiones sacramentales Wolfhardi de Welsa*) in a small gothic cursive in brown ink with some non professional decoration (fol. 3r a clumsy initial in red ink and black pen work). A somewhat later possession mark at fol. 80r confirms the provenance from a Viennese Franciscan convent: *Iste libellus est fratris Michaelis de Ling(a?) quondam custodis Wynensis de ordine fratrum minorum*. However, soon after this the MS came into the hands of an unidentified layman, who entered some short (nonjuridical) texts on fol. 1r-2v, 21v, 79v and on the added parchment bifolio at the end; note especially fol. 1v-2r a letter (in German) directed to his wife containing last will dispositions and mentioning the villages of Relsberg, Tannstein and Busenberg; at fol. 2v he signs a short tract 'de conflictu misericordiae et veritatis': *scriptum in Relsperg anno domini 1402 in vigilia et die Corporis Christi*, and fol. 11r a note: *scriptum Culne (? or Tulne?) anno domini 1399 in vigilia Corporis Christi*.

The main hand of the MS is the cursive script of Wolfhardus de Welsa written in brown ink: cf. fol. 47v, 72r. Fol. 1r-2v (except the *Nota de poenis* on fol. 2v), 79vb and <+II>ra-b are in a more awkward hand added ca. 1399-1402; cf. fol. 2v and <+II>ra. The text on <+I>v is written in a third hand. Fol. 3r has a red capital with decoration in ink. Fol. ZZ 80r has two ex libris 'Iste liber est fratris' and 'Iste libellus est fratris Michaelis de Linga quondam custodis Wynensis de ordine fratrum minorum.' There are numerous pen trials on fol. 80v and <+I>r. For the watermarks, cf. Briquet nos. 7393 and 15887. The MS has a 19th-century leather binding. <+II>v is blank.

Vat. lat. 4605 (MS is not checked!)

saec. XVI (1505)

Prov. Francesco de Guicciardini. **Scr.** Francesco de Guicciardini.

<I> +137 fols. chart. 340 (261) x 230 (175) mm, origin Italy (Padua). Seniones, saec. XVI (1505).

ZZ fol. 1r-136v <**Franciscus de Guicciardinis, Repertorium in Decretales**>

(Invocatio) Yhesus. (Textus) A. dictio an significet continuationem temporis in c. Licet causam in v columna in principio de foro competenti (*sic*) (X 2.2.10) ...

(Finis) uxor aut sit in potestate mariti aut patris in c. Mulieres in principio de sententia excommunicationis (X 5.39.6). (Colophon) Patauii Die 25 martii 1505.

Bibl.: R. Ridolfi, *Vita di Francesco Guicciardini* (2Milano 1982) 11-13, mentioning this MS at p. 353 note 35.

The MS, written in Francesco de Guicciardini's cursive hand in gray ink, is an index to a specific copy of the *Liber Extra*, citing its column numbers. Guicciardini's ex libris appears at <1>r: 'Iste liber est mei Francisci de Guicciardinis quem scripsi manu propria'. Fol. 2-127 are numbered in both the upper and lower right corners; the lower foliation repeats 127 and continues one number behind for the rest of the MS. For the watermarks, cf. Briquet nos. 11876 and 5924. The MS has a 19th-century leather binding. <I>v and fol. 137r-v are blank.

Vat. lat. 4614

saec. XV

50 fols. memb. 186 (122) x 130 (92) mm, origin Italy. Quiniones, saec. XV.
fol. 1r-50r <Incertus auctor, forsan **Berengarius Fredoli, Summula in foro poenitentiali**> (Versio A)

(Rubrica) Incipit summa in foro poenitentiali extracta de summa magistri Raymundi utilis et ualde necessaria maxime sacerdotibus super hoc notitiam non habentibus. (Textus) In primis (Primo *cod.*) debet sacerdos interrogare penitentem utrum sciat 'Pater noster' ... (Finis) sicut Moyses Amalech non armis sed orationibus expugnauit. (Colophon) Finis. Laus Deo semper dicatur. Amen. (**Bibl.** Bloomfield, *Incipits* no. 2625; P. Michaud-Quantin, 'La "Summula in foro poenitentiali"' attribué à Bérengar Frédol', SG 11 (1967) 146-167 at 167.)

The MS is in a fine gothic bookhand in dark gray ink. Fol. 1r has a large historiated acanthus initial with the decoration extending the length of the inner margin. Centered in the lower margin is an unidentified coat of arms: a 'P' with a crown above. To the left of the arms is a small miniature. Rubrics are red. Capitals are red or blue. Decorated catchwords are centered. The MS has a 19th-century leather binding.

Vat. lat. 4866

saec. XVin.

I + 235 fols. + III chart. 282 (205) x 207 (149) mm, origin Northern Europe. Seniones, saec. XV.1.

fol. 1ra-114ra, 117va-227rb **Nicolaus Eymericus O.P., Directorium officii inquisitorum**

(Rubrica) Hic incipit liber inquisitionis compilatus per fratrem Nicolaum Emerici ordinis fratrum predicatorum sacre theologie magistrum cappellanum domini nostri pape ac in terris domini regis Aragonie inquisitorem heretice prauitatis. (Inscriptio) Frater Nicolaus Emerici ... commissariis uicariisque nostris in terris et regnis prefatis ... salutem et prauitatis heretice labem feruenti spiritu extirpare. (Epistola dedicatoria) Ne pia sancte inquisitionis negotia cetui fidelium ... (Praefatio libri primi) Incipit liber primus in quo agitur de prauitate heretica ut uitetur. Prima pars huius directorii officii inquisitionis est ... (fol. 2ra) (Textus) Stephanus papa omnibus episcopis. Dubius in fide infidelis est (X 5.7.1) ... (Finis) et ecclesiam suam sectam contra quam dicere non intendit. (Colophon) Et sic est finis. Deo laus tertie partis seu ultimi libri de heretica prauitate editi per fratrem Nicolaum Emerici ordinis predicatorum sacre theologie professorem. Deo gratias.

- (Ed. Nicolaus Eymericus, *Directorium inquisitorum* (Barchinonae 1503). The edition prints the text in a different order: fol. 200rb-227rb, 1vb-114ra, 117va-200ra. **Bibl.** Kaeppli, *Scriptores* III 156-59, no. 3062; Dondaine, 'Le manuel de l'inquisiteur' 124 and n. 22; E. van der Vekené, *Bibliotheca bibliographica historiae sanctae inquisitionis. Bibliographisches Verzeichnis des gedruckten Schrifttums zur Geschichte und Literatur der Inquisition* 2 vols. (Vaduz 1982/1983) I 15 n. 50, 35 n. 121.)
- fol. 114ra-116ra **Johannes de Dirpheim, episcopus Argentinensis, <Epistola ad clerum suae dioecesis 13. 8. 1317>**
(Inscriptio) Iohannes Dei gratia episcopus Argentinensis uniuersis et singulis abbatibus ... ???? (Textus) Inter alia officii nostri onera ... (Finis) ex debito uos commendet. Datum sabbato ante festum assumptionis beate uirginis anno domini MCCCXVII. (fol. 115vb) (Appendix) Tenor concilii Maguntini de quo supra facta est mentio talis est. Sectam et habitum necnon conuentiuncula ... Item de beginis predictis pestiferis duximus statuendum. (Ed. A. Patschovsky, 'Strassburger Beginenverfolgungen im 14. Jahrhundert', DA 30 (1974) 56-198 at 133-42, using this MS: siglum V.)
- fol. 116ra-rb **Johannes de Dirpheim, episcopus Argentinensis, Epistola ad episcopum ZZ Wormatiensem, 1317 post Augustum**
(Inscriptio) Reuerendo in Christo patri domino Wormaciensi episcopo ??? et ?? (Textus) Reuerende uestre paternitati ... (Finis) ecclesie unitas conseruetur. Datum etc. (Ed. Ed. cit. 143-44, using this MS: siglum V.)
- fol. 116rb-vb **Summarium xxvii articulorum propositorum contra Ricardum FitzRalph, archiepiscopum Armachanum Syllabus XXVII errorum Ricardi FitzRalph archiepiscopi Armachani propositus per Ordines Mendicantes.**
ZZ (Textus) Primus articulus est: Christus per leges naturalem et posituam coactus fuit pauper esse ... (fol. 116vb) (Finis) 27 ... uel uerosimile est quod furati sint sigillum. (The summary covers the points made in ZZ FitzRalph's sermons of 8 or 22 January 1357.)
- fol. 116vb-117va **<Fratres ordinum mendicantium, in XXI articulos contra archiepiscopum Armachanum> (7-10 mar. 1357) Alius syllabus XXI errorum eiusdem propositus in forma appellationis per ordines (7-10 mar. 1357)**
Primus articulus: Confessio facta ordinario est magis segura quam facta fratribus habentibus potestatem ... (Finis) 21 ... que eis dantur in confessionibus et sepulturis. (Colophon) Et sic est finis primi libri inquisitionis. (The colophon refers to the section of the *Directorium* which ended on fol. 114ra. **Bibl.** K. Walsh, *A fourteenth century scholar and primate: Richard FitzRalph in Oxford, Avignon and Armagh* (Oxford 1981) 415-17; Patschovsky, art. cit. 127.)
- fol. 227va-235va **<Tabula operis>**
(Ed. The tabula is printed as an appendix to the 1503 Barcelona edition of the *Directorium*)
- fol. 235va-vb **<Incertus auctor, Relatio de heresiarcha Stephano de Marchia>**
Nouerit reuerenda paternitas orthodoxe fidei pater hereticos nephandos (intrasse *om. cod.*) Tartariam aquilonarem ... (Finis) dictus antipapa Stephanus capiatur et domino presentetur. (Ed. and **Bibl.** E. Potkowski, 'Heretic Stephan of Marchia', *Studi medievali* 13 (1972) 281-90 at 281-90, using an Emeric MS at Gniezno;

Patschovsky, art. cit. 128ff.)
fol. 235vb <**Colophon codicis**>

Et sic est finis huius libri Deo gratias. Explicit liber inquisitionis heretice prauitatis compilatus per fratrem Nicolaum Emerici ordinis predicatorum sacre theologie professorem eximium.

Bibl. H. Denifle, 'Die Handschriften von Eymerichs Directorium Inquisitorum', *Archiv für Litteratur- und Kirchengeschichte des Mittelalters* 1 (1885) 143-45; A. Patschovsky, 'Strassburger Beginnenverfolgungen im 14. Jahrhundert', *DA* 30 (1974) 56-198, describing this MS at 131: siglum V.

The MS is written in a single hand, a clear and very even northern *bastarda*, in black ink. Paragraph signs and the initials of chapters and *quaestiones* are red; inscriptions, lemmata and legal citations are in the ink of the text underlined in red. Catchwords are at the lower right. On fol. 1-200 the foliation is medieval, probably by the scribe, using a mixture of arabic and roman numerals (e.g. 1-8, IX-XII, X3-X9, 20-99, etc.); from fol. 201 the foliation is in an 18th-century hand insert watermark ? On <I>r is the note. 'Vat. 4866. I due fogli di guardia sono adesso Vat. lat. 10646 ff. 33, 34. 8.1.1907'; cf. Vattasso-Carusi 591, no. 14. The guard folios so removed are fragments of a 12th/13th-century Gradual. The present pastedowns are pages from a 15th-century paper theological MS. The MS has a 15th-century northern European binding, probably of monastic origin, of red leather over wood, blindstamped with four designs in cartouches (double-eagle, rosette, palmette, and fleur-de-lis) with scattered small stars and rosettes. Traces of clasps remain. <I>v, and +<I>r-<III>v are blank.

Vat. lat. 4873 (Ms is not checked)

saec. XVI (1566)

Scr. Vincentius Navarra.

170 fols. chart. 331 (230) x 226 (160) mm, origin Italy (Rome). Quaterniones, saec. XVI (1566).

fol. 1r-161v <**Pseudo-Isidorus, Decretales** (See Vat. lat. 630 fol. 1va-309rb for further information.) *Variants:*

(Rubrica) Epistolae ? praeceptorum sancti Clementis papae missa ? Iacobo frater Domini. (Inscriptio) Clemens Romanae ecclesiae praesul Iacobo charissimo Hierosolymorum episcopo. (Textus) Quoniam sicut a beato Petro apostolo accepimus ... (Finis) cum quo Patri et Spiritui sancto gloria, honor, imperium (in perpetuum^{ac}) et potestas in saecula saeculorum. Amen. Dominus uos custodiat dilectissimi fratres incolumes semper. Data viii. kl. nouembris. Flauio et Stilicone uiro uenerabili clarissimo consulibus. (**Ed.** *Decretales pseudo-Isidorianae*, ed. Hinschius, pp. 46-252, 449-508. Most variants of this MS are characteristic of Hinschius's class A-2, as noted for 'Sg.Bb.Dst')

fol. 161v-170v **Gregorius <I (s.), Epistolae 15>**

(Inscriptio) Gregorius Baccandae episcopo Formiensi. (Textus) Et temporis necessitas nos perurget ... (Epistola ultima) (Inscriptio) Gregorius Antonino subdiacono. (Textus) Honoratus archidiaconus ecclesiae Salonitanae, a sanctae memoriae ... (Finis) ad propria (proria *cod.*) cum securitate ualeat remeare. (**Ed.** *MGH Epp.* 1, ed. P. Ewald and L. Hartmann, pp. 10-120, passim (I 8, 15, 19, 23-24, 33-34, 40, 51, 66, 76, 79, 82; II 17 and 22). **Bibl.** JE 1075, 1083, 1087, 1091, 1092, 1103, 1104, 1110, 1121, 1135, 1145, 1147, 1151, 1169, and 1175.)

Bibl. *Decretales pseudo-Isidorianae*, ed. Hinschius, p. xlvii; Williams, *Codices pseudo-Isidoriani* 68-69; Ballerini, *De antiq. coll.* PL 56.263 n. 30; *Collectio canonum Remedii Curiensi episcopo perperam adscripta*, ed. H. John (MIC Ser. B, Corpus collectionum 2; Città del Vaticano 1976) 63-64, 78, and 81 n. 96, assigning this copy of the Pseudo-Isidorean Decretals to his class A2_R.

The MS is written in black ink in several secretarial cursive hands. There are obvious changes of hand at fol. 40v, 82v/83r, 84r, 84v, 88r/89v, 90r, and 134v. The last scribe signed fol. 170v: 'MDLXVI Vincentius Navarra Bibliotecae Vaticanae sanctissimi? scriptor'. Each scribe made a few marginal corrections as he was writing. There is no decoration. For watermarks, cf. Briquet no. 1884. The old light brown leather binding on wood boards has lost its clasps, it is probably original.

Vat. lat. 4880 (Ms is not checked!)

saec. XII.2

191 fols. memb. 373 (260) x 262 (183) mm, origin Italy. Quaterniones, saec. XII.2.

fol. 1ra-191vb <**Burchardus Wormatiensis, Decretum**>, **imperfectum** (See Vat. lat.

1355 fol. 1r-310r for further information.) *Variants*:

<Praefatio deest et tabula libri primi incipit cum cap. clvii in med.> (Rubrica

textus) Capitulo primo *add. post rubricam* (Textus) autem *add. al.man.* ... (fol.

191va) (Rubrica) De penis impiorum. (Textus) Sicut fasciculi lignorum ... (Finis)

qui nunc electi esse uidentur et sancti (ed. 1052A) ///

fol. 92r <**Arbor consanguinitatis**>

(**Bibl.** Schadt, *Arbores* 116, 121, and plate 46, discussing this *arbor* as an example of the Italian form of the Burchardian schema; G. Ladner, 'Medieval and Modern Understanding of Symbolism, a Comparison', *Images and Ideas in the Middle Ages*, 2 vols. (Rome 1983) I 239-82 at 269 and fig. 17.)

Bibl. Fransen, 'La Tradition' 115-16, discussing the variants in Book XII; Pelster, 'Decret' 144; *Coll. Farfensis*, ed. Kölzer § 49 n. 157; Brommer, 'Gesetzgebung Theodulfs' 119(-20) no. 16, on the presence of the 'Admonitio synodalis'.

At least one folio is missing at the beginning, another at the end. The *praefatiunculae* are present after the tables of titles and are treated as a long rubric preceding the first chapter. The inscriptions identifying the canons are written in the margin by the scribe; however, many are missing. The ordo synodi appears after Book III (fol. 68va-79ra) in the alternate form found in Vat. lat. 1355, ZZ q.v. The ordo infirmorum is in place, but it is not the ordo found in the edition, varying considerably in the rubrics; this alternate form is also found in Vat. lat. 7790 and 14731. The *admonitio synodalis* appears after Book XIX /fol. 175vb-177ra). As to the characteristic lacunae noted by Fransen, they are not present, although signs of previous confusion are evident in Books VIII and XII. There are many bad readings.

The MS is written in Italian Carolingian minuscule by several alternating hands with sporadic corrections in a contemporary hand. There are a few notes in a 16th-century hand. Each book opens with a large initial in Italian romanesque white vine design on a multicolored field. Rubrics and capitals are red. Some interior capitals are washed in red. Quires are marked by 'Q' plus a roman numeral. The folios are lined in dry point; prickings are visible. The 19th-century leather and parchment binding has remnants of a 17th-century binding.

Vat. lat. 4885

saec. XI.2

Prov. Rome, canons of S. Lorenzo in Damaso

168 fols. memb. 292 (222) x 191 (110) mm. Quaterniones, saec. XI.2

fol. ZZ 1r-2r <**Martyrologium**>, imperfectum

(beg. May 6) <Ro>mam perductus et presenti senatu ante porta latina in feruentis olei dolio missus est ... (Finis) item sancte Columbe uirginis. Et aliorum sanctorum plurimorum apostolorum martirum et confessorum atque uirginum.

The first part of the Martyrologium (Jan. 1- May 6) is now MS Barb. lat 646 (XIV.19) fol. 1-8, not in Barb. lat. 610 (XIII.19); cf. Salmon IV 354; Supino Martini 89f.

fol. 12v-165v <**Institutio canonicorum Aquisgranensis aucta**>, (See Vat. lat. 1351 fd. 1r-92v for further information.) *Variants:*

<Tabula deest.> (Cc. 115 and 122 are missing. **Bibl.** Fonesca, *Medioevo canonice* 81-91 and Plate I, of fol. 115v; C. Egger, 'De antiquis regulis canonicorum regularium', *Ordo canonicus: Commentarium canonicorum regularum S. Augustini* 1 (1946) 35-60 at 48-49); A. Amiet, 'Die liturgische Gesetzgebung der deutschen Reichskirche in der Zeit der sächsischen Kaiser 922-1023', *Zeitschrift für Schweizerische Kirchengeschichte* 70 (1976) 1-106 and 209-307 at p. 82 n. 3 quoting from fol. 150r-v.

fol. 165v-166v <**Pseudo-Atticus, episcopus Constantinopolitanus, Regula formatarum**> (See Vat. lat. ZZ 1343 fol. 173r-v for further information.)

Variants:

(Rubrica) Incipit epistola formota (*sic*) Attici episcopi constantinopolitani. (The text is followed by a table of correspondences between roman numerals and greek letters.

fol. 166v <**Concilium Romanum I**> (743) c.3 (See Vat. lat. 1351 fol. 93v for further information.)

fol. 166v-167v **Isidorus <Hispalensis (s.) ZZ Regula monachorum. c. 17>**, de delictis imperfectum (See Vat. lat. 1351 fol. 93v-94r for further information.) *Variants:* (Finis) diurna per diuturna.

fol. 168r-v **Excerpta quaedam de ieiunio ordinandorum**

(Rubrica) Leo papa de ieiunio mensis decembris. (Textus) Huius observantae utilitas dilectissimi in ecclesiasticis precipue est constituta add. ieiuniis ... (Textus ultimus) Si eum omnes eligunt ... (Finis) necesse est eum usque ad quarti mensis ieiuniis sustinere. (This group of five texts on fasting consists of Leo I, *Sermo* 19 c. 2 (PL 54.186); Gelasius I, *Decretum generale* 13 (*Decretales Pseudo-Isidoriane*, ed. Hinschius 652 c.13); idem, *Epistola ad Corvinium diaconum* (ed. P. Ewald, 'Die Papstbriefe der Britischen Sammlung', NA 5 (1880) 275-414, 505-596 at 510 n. 2); an unidentified excerpt attributed to Leo (I?): 'Leo papa clare ostendit dicens: Repletis namque apostolis ... charismatibus conferendis' ZZ, and Pelagius I, *Epistola(?) ad Tullianum episcopum Grumentinum* (cf. Ivo of Chartres, *Decretum* 6.112, PL 161.472).

fol. 168v <**Initia orationum omnium sanctorum et primarum**>

Bibl. C. Egger, 'De antiquis regulis ZZ canonicorum regularium', *Ordo canonicus: Commentarium canonicorum regularium S. Augustini* 1 (1946) 35-60 at 52 on the

provenance of the MS; Fonseca, *Medioevo canonice* 81-91; Salomon IV 354; Supino Martini 88-90 and plate XV of fol. 5.

The MS is written in a single late Carolingian hand in gold-brown ink. The *Institutio* begins with a large decorated initial filled in with a colored wash and two lines of display script washed in red. Chapters begin with smaller initials in red and single lines of display script; capitals are washed in red. There are occasional corrections in contemporary hands and marginal notes in several later hands. The martyrology shows occasional additions and erasures. So far 4885 was written all the way by the same scribe, whereas the texts at fol. 168r-v (Excerpta de ieiunio ordinandorum. Initia orationum) have been added later by two different carolingian minuscules (less formally). There is a triangular tear in fol 79, and some folios have uneven edges. The MS was refoliated after the first quire (now Barb. lat. 646 fol. 1-8) was detached; the old foliation is still visible. ZZ Pricking are sometimes visible. The second and third quires are marked '.i.' and '.ii.' respectively at the center of the lower edge of the last folio, and the first recto of the next quire is marked '.iii.' All quires have been marked by a later hand with capitals C (fol. 1r) - Z (fol. 61r) at the lower corner of the first rectos. Catchwords are only rarely indicated (e.g. fol. 104v, 144v, 160v). On the inside front cover is the marking 'E.N.20 4885'; the MS has an old red leather binding.

Vat. lat. 4886

saec. XVI (c. 1577)

Prov. Antonio ZZ Augustín, bp of Lerida (1561-77).

140 fols. chart. ZZ pars I (fol. 1-90) 279 (211) x 208 (132) mm; pars II (fol. 91-149) 312 (235) x 228 (150) mm, origin Spain. Quiniones, saec. XVI (c.1577).

fol. 1r-90r **Concilia Toletana XIII-XVII** (See Vat. lat. 3458 for further information.)
fol. 91r-119r <**Collectio Vaticani latini 3929**>. excerpta (see Vat. lat. 3829 fol. 3v-279v for further information.) *Variants:*

(Rubrica) Decreta Honorii papae. Vt qui episcopus ordinatur, prius omni suspitione purguetur (*sic*), quam pallium uel cetera priuilegia obtineat.

(Inscriptio) Honorius Joanni, Andreae, Stephano et Donato episcopis. Presentium latores iuxta ecclesiasticum pallium (The excerpts correspond to Vat. lat. 3829)

fol. 255v-279v. **Bibl.** Fournier-LeBras, *Histoire* II 211.)

fol. 119r <**Concilium Lateranense**> (1110), c. 1 (see Vat. lat. 3829 fol. 282r for further information.)

fol. 119r-120v <**Concilium Lateranense**> (1112), canones (See Vat. lat. 3829 fol. 282r-283r for further information.)

fol. 120v-121r <**Pseudo->Leo IX ZZ, Epistola** (See Vat. lat. 3829 fol. 283r for further information.)

fol. 121 r-v **Nicolaus I (s.), Epistola ad Brindico (check!) episcopum** (JL 2855) (See Vat. lat. 3829 fol. 283v for further information.)

fol. 121v **Urbanus II, Epistola ad Vitalem presbyterum** (JL 5740) (See Vat. lat. 3829 fol. 283v for further information.) *Variants:*

(Inscriptio) Pruiensi *pro* Bruuiensi; cetera *pro* alia; emerint *pro* emerunt.

fol. 121v <**Concilium Romanum** (1059)> c. 5 (ZZ Ed. MGH Const. I 547 under 2322)

Variants:

seu quaecumque oblationes uiuorum et mortuorum ecclesiis Dei fideliter reddantur

ZZ fol. 122r <**Pseudo-Eugenius II**> **Decretum** (See Vat. lat. 1351 fol. 94v for further information. *Variants:*

- (Rubrica) Eugenii papae. Ut monachi parrochialia non agant ... (Textus) consilio nostro ... (Finis) u. s. respondit: Placet, (Tibertinus om.) et ceteri responderunt: Confirmamus sententiam uestram.
- ZZ fol. 122r **Decretum concilii Ivonam** (1095) see xxxxxxx Migne 20.72. and see Mansi 20.789.90, JL p. 671, IP VIII p. 24 n. 76*; and correct VL 3829! *Variants:* fere om., abbatum, coniugata, nemo tantam
- fol. 122v **Zosimus papa (s.) ZZ Epistola ad Hestium** (JE 339), imperfecta (See Vat. lat. 3829 fol 280v for further information.) *Variants:* opera pro stipendia.
- fol. 122v-126r <**Concilium Lateranense II**> (1139) (See Vat. lat. 1340 fol. 370ra-371vb for further information.) *Variants:* <Tabula deest> (Inscriptio) Innocentius II in concilio Romano
- fol. 126r-v <Incertus auctor, **Epistola de materia usurae**> (See Vat. lat. 3829 fol. 287r for further information.) *Variants:* (Inscriptio) G. om. dicto magistro (Textus) nos ZZ pro nonsense iu...
- fol. 127r **Nicolaus I (s.), Responsio ad Bulgarorum consulta** (JE 28 12) c.92 (Rubrica *margin.*) Nicolaus ad consulta Bulgarorum cap. 92. (Inscriptio) Nicolaus papa. (Textus) Desideratis nosse, quod (qui *cod.*) sint ueraciter patriarchae ... (Finis) urbs illa Aelia uocitetur. (Ed. MGH Epp. 6, ed. E. Perels, pp. 596-7).
- fol. 127r-128r **Alexander II <Synodus Romana (1063)>** (JL 4501) (Inscriptio) Alexander episcopus ... et apostolicam benedictionem (Textus) Vigilantia uniuersalis regiminis assiduam ... (Finis) atque benedictione et absolute gaudere. ZZ Valet. (Ed. PL 146.1289-90, missing §§9-10.)
- fol. 128v **Johannes VIII, Epistola ad Willibertum** (JE 2986), excerptum (Inscriptio) <Io>annis papae Waliberto (*sic*) Agrippinensi episcopo. (Textus) Pallii namque usus inter cetera tantae uirtutis est ... (Finis) priuilegia peruenire non meruit. (Ed. and **Bibl.** See Vat. lat. 1326 fol. 211v-212v. This excerpt corresponds to p. 314 lines 8-15 of the edition.)
- fol. 128v **Gregorius VII (s.), <Concilium Romanum>** (Quadr. 1080) c. 6 (Rubrica) Ex decretis ZZ Greg. VII (Textus) Quotiens defuncto episcopo (pastore alicuius ecclesie *ed.*) alius est surrogandus ... (Finis) electionem declinauerit eligendi potestate priuatur. (Ed. MGH Epp. sel. 2.2, ed. E. Caspar, p. 482.)
- fol. 128v-129r <Incertus auctor, **Libellus de lite**, excerptum> (Rubrica) Iulii PP. qui fuit xxxvi post Petrum. (Textus) Si quis ab hodierna die ... (Finis) desolatio sacri loci efficitur. (Ed. J.J. Ryan, 'Bernold of Constance and an anonymous *libellus de lite*, *Archivum historiae pontificiae* 4 (1966) 9-24 at 22-223, from Vat. lat. 3832 fol. 194r-195r, ZZ q.v. The first part of the excerpt ZZ (to carere perpetim honore) appears in the *Decretales pseudo-Isidoriani*, ed. Hinschius p. 460. The second section (beginning *Licet itaque*) appear in the *Liber Tarraconenssis*, cf. Paris, BN lat. 4281 B fol. 152r.)
- fol. 129r-v <Auctores varii, **De eucharistia**, excerpta> (Rubrica) Sermo S. Augustini de sacramento corporis et sanguinis Domini (Textus) Verum sub figura, an sub ueritate ... (Rubrica ultima) Isidorus de sacramento. Sacrificium dictum, quasi sacrum factum ... (Finis) pro nobis dominicae passionis. (This series of seven short excerpts includes passages from:

- 1) Paschasius Radbertus, *De corpore et sanguine Domini* (CCLM 16.27 lines 1-5); 2) Eph. 1.7, drawn from Jerome's commentary on the epistle; 3) Eusebius Gallicanus, *Homelia XVII* (CCL 101.196 lines 13-15; cf. *De cons.* 2.35); 4) Hilarius Pictaviensis, *De Trinitate* 8.13 (CCL 62 p. 325); 5) Ambrosius, *De sacramentis* 6.1 (PL 16.473); 6) Concilium Ephesinum (*Conc. oec. decr.*, ed P. Joannou pp. 54-55), and 7) Isidorus Hispalensis, *Etymologiae* 6.38 (P182.255.)
- fol. 129v-131r **Johannes VIII <Epistola ad ecclesiae Narbonensi et provinciarum Hispanicum de concilio Tricassinum II> (878) Johannes VIII, Lex sacrilegum edita in concilio ZZ Trecensi (878)**
 (Rubrica) Lex sacrilegum edita a Ioanne PP coram serenissimo Luduuico imperatore et episcopis LIII in concilio Trecasensi et eorum auctoritate iuncta Gothicae legi per defectum sacrilegii. (Inscriptio) Ioannes episcopus seruus seruorum Dei omnibus episcopis per Narbonensem atque Hispanicas prouincias ... cum benedictione apostolica. (Textus) Auctore omnipotenti Deo mediante (anno *om.*) incarnationis domini nostri Iesu Christi DCCCLXXXVIII (*sic*) .XV. K. Sept. Ind. I domno uidelicet Ludouico serenissimo rege anno I. actum est hoc a nobis apud urbem Trechas pro statu Dei ecclesiae synodale concilium. In quo concilio primo quaesitum est ... (Finis) ecclesia eos generaliter anathematizat. (Subscriptio) Et subscripserunt Ioannes episcopus servus seruorum Dei cum X archiepiscopis et XLI episcopis. (**Ed.** and **Bibl.** S. Kuttner and W. Hartmann, 'A new version of Pope John VIII's decree on sacrilege (Council of Troyes, 878)', *BMCL* 17 (1987) 1-32 with the edition at 6-8, using this MS (siglum V); H. Mordek and G. Schmitz, 'Papst Johannes VIII. und das Konzil von Toyes (878)', *Geschichtsschreibung und geistiges Leben im Mittelalter. Festschrift für Heinz Löwe zum 65. Geburtstag* (Köln 1978) 179-225, esp. 187.)
- fol. 131-133v **Gelasius I (s.), Epistolae** (JK 693, 725, 675, 638)
 (Rubrica) Ex decretis Gelasii PP. (Textus) Quicumque igitur anni ... (fol. 132r) (Epistola ultima) Audientes orthodoxam ... (Finis) et plena caritate suscipiat. Data III nonas augusti. Asterio et Praesidio consulibus. (**ZZ Ed.** Epistulae Romanorum pontificum genuinae ..., ed. A. Thiel (Brunsbergae 1868; rep. Hildesheim-New York 1974) 502-03, 451-52, 379-80, 382-85. The first letter is incomplete.)
- ZZ fol. 134r-136v <Antonius Augustinus, Index epistolarum Romanorum pontificum in> Collectione Avellana**
 (Rubrica) Ex eodem libro Marcelli pape II. (Rubrica secunda) Innocentius. (Textus) Epistolae 3 ad episcopos quinque ... Fraternitatis uestrae litteras plenas ... (Finis) Quomodo igitur per litteras, etc. (The index is probably derived from older of Marcello Cervini's two MSS of the Collectio Avellana, Vat. lat. 4961. **Bibl.** G. Mercati, *Codici latini Pico Grimani Pio* (Studi e Testi 75; Città del Vaticano 1938) 129.)
- fol. 137r-138r **<Pseudo->Bonifacius IV ZZ , Decretum** (JE †1966) (See Vat. lat. 1358 fol. 106ra-rb for further information. The present copy represents from A (see Constable 569); for the rubric see the *Correctores* to C. 16 q. 1 c.25 (Friedberg 767). *Variants:*
 (Rubrica) Ex concilio domini Bonifacii papae qui quartus a beato Gregorio, quomodo monachis liceat cum sacerdotali officio ZZ ubi uel ubi ministrare.

(Textus) sunt nonnulli fulti nullo dogmate adacissime quidem (Finis) tanto est et in his potentior.

fol. 138r-v **Urbanus II, Decretum** (JL 5760)

(Rubrica) Ex decreto Urbani PP II. (Textus) Due sunt, inquit, leges ... (Finis) non estis ZZ sub legi (Ed. Mansi 20.714).

fol. 138v-139r **Johannes IV, Epistola** (JE †2043)

(Rubrica) Joannes papa Ysaac Siracusano episcopo. (Textus) Visis litteris caritatis uestre ... (Finis) sacerdotum piacula resecentur (reserentur^{ac}). (Ed. Mansi 10.697.)

Bibl. Kuttner, 'Some Roman Manuscripts' 7 (-8) n. 4, 21 and nn. 58-60, 22 n. 63; Fournier-LeBras, *Histoire* II 210-11.

The MS was made at the order of Antonio Agustín and contains texts transcribed from various MSS he owned or was able to borrow for the purpose. It could have been intended from the start for the *Correctores Romani*, to whom Agustín dispatched it c. 1577, through Filippo Sega, papal nuncio to Spain (1577-82) and bishop of Piacenza (1578-96), as is recorded in the note on fol. 140r: 'hoc uolumen misit P. episcopus Placentinus ex Hispa<nia> ad Congregationem'.

The MS consists of three unequal sections, written in several Italic cursive hands in brown ink which has penetrated the paper to the point of illegibility in some places (especially fol. 137-139). The first (fol. 1-90) and second (fol. 91-126) sections are each in a single hand; there are three hands in the final section (fol. 127-131, 132-136, 137-139). The only form of decoration is the occasional use of display script in the ink of the text. Fol. 1-90, smaller than the rest of the MS, were mounted on strips for binding. Some of the MSS sources of Vat. lat. 4886 were indicated in headings by scribes or in marginal notes by annotators. The note 'Ex libro Veronensi Nic.ZZ Ormanetti' in the upper margin of fol. 91r refers to Vat. lat. 3829 (q.v.). Fol. 127r is headed 'Ex ueteri libro Achilli Statii', now identified by W. Hartmann as Vallicelliana MS B.89; fol. 127r-130r are excerpted from that MS fol. 19r-24v. 'Ex libro Achilli Maffei Rom.' appears in the upper left corner of fol. 131v. A MS belonging to Marcellus II (probably Vat. lat. 4961) was cited twice, on fol. 132r (for the last of the Gelasian letters) and fol. 134r (the Avellana index). There are frequent marginal notes, including cross-references to Gratian and other collections, and occasional longer annotations in several hands, among them those of Agustín himself (e.g. fol. 116r, 123r) and perhaps Miguel Tomás Taxaquet, the secretary of the *Correctores Romani* (e.g. fol. 116v-118r). (The MS is cited in Taxaquet's draft for the *Notae* of the Roman edition of Gratian, Vat. lat. 4890; cf. Kuttner, art. cit. 21 and nn. 60-62.) The leaves of the MS have been overlaid with silk, obscuring the watermarks as well as reducing legibility. The parchment binding dates from the second half of the 19th-century. Fol. 90v, 139v, and 140v are blank.

Vat. lat. 4887

saec. XVI (ante 1575)

<I> + 318 fols. + 77bis chart. 295 (208) x 206 (185) mm, origin Spain. Quiniones, saec. XVI (ante 1575).

<I>r-v Tabula codicis

(Ed. *El codice Lucense de la coleccion canonica Hispana*, ed. Garcia Goldaraz, 3 vols. (Roma 1954) III 11-12, from this MS.)

fol. 2r-v **Gasparus Quiroga, episcopus Conchiensis, Epistola dedicatoria ad papam**

- Gregorium XIII**, Madrid, 18 march 1575
 (Inscriptio) Sanctissimo domino nostro Gregorio XIII ... post humillima pedum oscula S.P.D. (Textus) Cum multa quotidie beneficia ... (Finis) ecclesiae suae quam diutissime conseruet. (Datum) Madriti XV. Kalendas Aprilis M.D.LXXV. (Ed. Ed. cit. III 13-14, from this MS. Bibl. ZZ Ae. Richter, *De emendatoribus Gratiani* (Lipsiae 1835) 42 n. 18.)
- fol. 3r-5r **Johannes Baptista Perezus <Praefatio ad lectorem>**
 (Ed. Ed. cit. III 15-18, from this MS.)
- fol. 9r-12r **Tabula conciliorum et epistolarum R. pontificum quae in codice Lucensi continentur**
 (Ed. Ed. cit. III 19-27, from this MS. The table is keyed to the printed text used for the collation.)
- fol. 13r-122r **<Excerpta canonum codicis Lucensis>**
 (Rubrica) In nomine domini nostri Ihesu Christi. Incipit liber canonum sanctorum patrum generaliter. (Praefatio) (Rubrica) Incipit uersificatio interrogatio. (Textus) Celsa terribilis codex qui sede locaris ... Vt facias in me digna compendia multis. (fol. 15r) <Tabula titulorum> ... (fol. 16v) (Rubrica textus) Titulus primus. De quibus non sunt clerici ordinandi. (Textus) De eunuchis qui se ipsos absciderunt. Concilio Nicaeno titulo 1. a capite 1. ... (Finis) epistola Gregorii ad Recaredum regem tit. vii a cap. cii^a (Colophon) Finis libri decimi et ultimi. (Ed. Ed. cit. I 171-366, from this MS.)
- fol. 128r-287r **Conciliorum Hispaniensium collatio cum editione Surii**
 (Rubrica) Concilia Hispaniensia impressa collata cum uetustis codicibus manuscriptis. (Praefatio) (Inscriptio) Lectori. (Textus) Concilia impressa, quibus nos in obseruandis his uariis lectionibus usi sumus ... (fol. 129r) item aliud Tolentanum anno primo Chintillae. (fol. 130r) (Rubrica textus) Eliberini concilii ZZ uarii lectiones (Textus) Non Eliberinum sed Eliberritanum uocatur ... (Finis) octo episcoporum nomina sunt posita, ZZ (Colophon) Hispalensis secundi. Post concilium Hispalense secundum sequitur in hoc codice L<ucensi> concilium Emeritense. (Ed. Ed. cit. III 29-216, from this MS.)
- fol. 288r-303r **Concilium Emeritense (666)**
 (Rubrica) Concilium ZZ Emeritense (Inscriptio) In nomine Patris et Filii et Spiritus sancti. (Praefatio) Synodum quod gestum est in prouincia Lusitaniae apud urbem Emeritensem ... <Tabula capitulorum> ... (fol. 289r) (Textus) Congregatis nobis omnibus prouinciae Lusitanae episcopis in nomine Domini ... (Finis) Aloarius indnens (*sic*, forte indignus ZZ in *marg.*) sanctae Calabriensis ecclesiae episcopus similiter. (fol. 303r) Emeritense concilium si temporis ordo spectetur, collocandum erit inter ZZ decimum et undecimum Toletana. (Ed. Ed. cit. II 907-28, from this MS.)
- fol. 304r-310r **Leo <II (s.)>, Epistolae** (JK 2119, 2122, 2121, 2120)
 (Rubrica) (Praefatio scriptoris) Lectori. Ex uetusto codice Gothico conciliorum ... impressa in fine concilii Constantinopolitani fol. 1031, de hac ipsa re. (Inscriptio) Delictissimis fratribus uniuersis ecclesiarum Christi praesulibus per Hispaniam constitutis, Leo. (Textus) Cum diuersa sint hominum studia, quibus humana dispensari creditur uita ... (fol. 308r) (Epistola ultima) (Inscriptio) Domino excellentissimo filio Eruigio regi, Leo. (Textus) Cum unus extet rex omnium

- Deus, qui cuncta creauit ex nihilo ... (Finis) ZZ Incolumem excellentiam uestram gratia superna custodiat. Finis (**Ed.** Ed. cit. I 350-61, from this MS.)
- fol. 310r-v **Benedictus <II (s.)>, Epistola ad Petrum notarium** (JK 2125)
 (Inscriptio) Benedictus presbyter et in diem electus sanctae sedis apostolicae, Petro notario regionario. (Textus) Iuxta quod tuam strenuitatem apostolicae memoriae dominus Leo PP. Hispanam prouinciam ire disposuit ... (Finis) per rectae atque apostolicae fidei confessionem adipisci. (Colophon) Benedictus gratia Dei et electus sanctae sedis apostolicae. (**Ed.** Ed. cit. I 362-62, from this MS.)
- fol. 314r-316v <**Sententiae quaedam ex codice Lucensi**>
 (Rubrica) Sententiae quae in ueteribus exemplaribus conciliorum non habentur sed a quibusdam in ipsis inserta sunt. I. De rebus episcopi propriis acquisitis. (Textus) Quicquid episcopus de suo proprio habet ... (Sententia ultima) (Rubrica) XXIII. De scurrilibus et iocularibus clericis. (Textus) Clericum scurrilem et uerbis turpibus iocularum ab officio retrahendum. Finis. (**Ed.** Ed. cit. II 929-35, from this MS.)

Ed. and Bibl. The entire MS is printed in *El codice Lucense de la coleccion canonica Hispana*, ed. E. Garcia Goldaraz, 3 vols. (Roma 1954); see especially I 26-28, 48, 57-140, 91-95 (describing the MS), and 121-140 on the use of Pérez's work by the *Correctores Romani*. (The sections which were transcribed from the Lugo MS are incorporated into Garcia Goldaraz's reconstruction of the MS; commentary and notes on variant readings are printed separately.) There are plates of fol. 198r and 202v between pp. 118-19. See also Ballerini, *De antiq. coll.* PL 56.234-58, 291-96, printing extensive excerpts; Kuttner, 'Some Roman Manuscripts', 23 n. 72; de Aldama, 'Simbolo' 2 n. 6, 3 n. 9, 13; *Decretum Gelasianum*, ed. Dobschutz 168-69, mentioning this MS (siglum H); Martinus episcopus Bracarenensis, *Opera omnia*, ed. C.W. Barlow (Papers and Monographs of the American Academy in Rome 12; 1950) 101 n. 22.

This MS together with Vat. lat. 4888 and a MS now lost formed a set of three codices containing Juan Bautista Pérez's studies of MSS of the Spanish councils, undertaken at the orders of Gaspar Quiroga, bishop of Cuenca, in response to Gregory XIII's request for information for the use of the *Correctores Romani*. The two surviving MSS have separate covering letters, the one here dated April 1575. (On the lost MS, cf. *El codice Lucense* I 99-103.) Pérez collated his MSS (primarily the especially old and unusually complete *Codex Lucensis*, which perished in a fire at the Escorial in 1671) with the 1567 printed edition of Laurentius Surius. The resulting work is partly transcription, partly a record of variant readings.

The MS is written in dark brown ink, in several fine Italic cursive hands. Display script is used at the beginning of each council, bookhand for some rubrics. Catchwords are at the lower right; one of the scribes used them on each page. Running titles appear on the recto of most folios. There are marginal notes in several hands, including those of Pérez himself and some of the *Correctores*. A 19th-century mark, 'E. no. 20', and the Vatican shelfmark, '4887' appear on fol. 1r. Fol. 1r is an elaborate title page; cf. ed. cit. III 9 for the text. For the watermarks. cf. Briquet 11297. The MS is in a late 19th-century parchment binding, Fol. 224v is blank except for the note: 'Nihil hic deest'. Fol. 1v, 5v-8v, 12v, 122v-127v, 129v, 179v, 225r, 287v, 303v, 311r-313v, and 317r-318v are blank.

antea E N. 20.

110 fols. chart. 292 (214) x 210 (148) mm, origin Spain. Quaterniones, saec. XVI (ante 1576)

fol. 1r-v Tabula codicis

(**Ed.** *El codice Lucense*, ed. C. Garcia Goldaraz, 3 vols. (Roma 1954) III 221-22, from this MS.)

fol. 2r-v **Gasparus Quiroga, episcopus Conchensis, Epistola dedicatoria ad Gregorium XIII**

(Inscriptio) Summo domino nostro Gregorio XIII Pont. Max. Gaspar Quiroga episcopus Conchensis post humillima pedum oscula S.P.D. (Textus) Grata sanctitati uestre fuisse ea concilia quae ex uetustis codicibus descripta ... (Finis) diutissime, felicissimeque praeesse uelit. (Datum) Madriti, idibus Nouembris MDLXXVI. (Colophon) E.S.V. humillimus seruus G. Eps. Conchen. (**Ed.** Ed. cit. III 223-24, from this MS. The colophon is in Quiroga's own hand.)

fol. 3r-6v **Johannes Baptista Perezus, <Praefatio codicis>**

(Rubrica) Ad lectorem. Io. Baptista Perezus. (Textus) Quod superiore anno feci in iis conciliis ... (Finis) ut uixisse sub Hispaniae excidium uideatur. (**Ed.** Ed. cit. III 225-30, from this MS.)

fol. 9r-30r **<Concilia varia ex manuscriptis vetustis>**

(Rubrica) Hoc est concilium Toletanum anno primo Gundemari regis era 648.

(Rubrica secunda) Incipit decretum piissimi atque gloriosissimi principis nostri Gundemari regis. (Inscriptio) Flaius Gundemarus rex, uenerabilibus patribus nostris ZZ Cartaginensibus sacerdotibus. (Textus) Licet regni nostri cura in disponendis atque gubernandis humani generis ... (fol. 29v) (Concilium ultimum) (Rubrica) Subscriptiones sexti concilii Toletani. (Textus) Ego Selua etsi indignus ecclesiae Narbonensis ... (Finis) Siuerinus sanctae ecclesiae (*sic*) Valentinae decanus agens uicem Multaci episcopi subscripsi. Finis (**Ed.** Ed. cit. III 231-73, from this MS. The councils transcribed here, from a group of manuscripts at the Escorial [D I 1 = Sti. Aemiliani D I 2 = Alvedensi, E I 13 = (?) Soriensi] include: Toledo I (610), Saragossa III (691) and II (592), Toledo V (635), Barcelona I (540) and II (637), Huesca (636), Egara (652), and Narbonne (627), a royal confirmation of the decrees of Toledo V, and the subscription list from Toledo VI (638), which was added because it is missing in the copy of Toledo VI in the Codex Lucensis.)

fol. 31r-v **Concilium Legionense** (1020) (Praef., cc. 1-6)

(Rubrica) Concilium Legionense era ML idest anno Christi 1012 ZZ (*sic*) sub Adefonso Quinto rege Legionensi. (Rubrica secunda) Ex codice uetusto ecclesiae Cordubensis, ubi est ad finem libri qui inscribitur Forus iudicum. (Inscriptio) Decreta Adefonsi regis et Geloire regine. (Praefatio) Sub era millessima quinquagesima octauo Kalendarum ZZ (*sic*) Augusti in praesentia Regis ... (Textus) In primis igitur censuimus, ut in omnibus conciliis ... (Finis) agatur causa regis; deinde causa populorum. (Epilogus, *al. man.*) Hic multa decreta sequebantur, ad ciuilem potius quam ecclesiasticam regni gubernationem

- pertinentia: quae ideo omisimus (**Ed.** Ed. cit. III 275-76, from this MS.)
- fol. 32r-33v **Concilium Coiancense** (1050)
 (Rubrica) Concilium Coiancense in diocesi Ouetensi, era MLXXXVIII, idest anno Christi 1050, sub Fredenando (*sic*) primo Castellae rege, qui cognominatus est Magnus (Rubrica secunda) Ex eodem codice uetusto ecclesiae Cordubensis. (Prologus) Decreta Fredenandi regis et Sancie regine et omnium episcoporum ... (Textus) In primo igitur titulo statuimus, ut unusquisque episcopus ecclesiasticum ministerium cum suis clericis ... (Finis) et dignitate sua temporali sit priuatus. Finis. (**Ed.** Ed. cit. III 277-81, from this MS. **Bibl.** A. Garcia Gallo, *El concilio de Coyanza* (Madrid 1951), also editing the text at 14-30, not using this MS, which resembles his text B.)
- fol. 34r-36v **Didacus Gelmirus, episcopus Compostellanus, Decreta ad protegendos pauperes**
 (Rubrica) Compostellana decreta edita a Didaco Gelmirii episcopo Compostellano, anno Christi 1114. (Rubrica secunda, *al. man.*) Ex historia Compostellana Munionis Adefonsiadae. (Rubrica textus) Incipiunt decreta Didaci ecclesiae beati Jacobi II. episcopi ad protegendos pauperes. (Textus). Diuina disponente clementia ego Didacus ... (Decretum primum) A capite igitur exordium sumentes, praecipimus, ne quis ecclesiae terminos irrumpat ... (Finis) soluat donec respiscat. Finis (**Ed.** Ed. cit. III 284-89, from this MS. This is not the text of the council of Compostella in 1114, but a decree of the bishop issued the year before; cf. the 1791 edition of the *Historia Compostellana in La España sagrada*, ed. H. Florez et al., 56 vols (Madrid 1747-1879, 1918, 1957, 1960) 20.176-82, which varies slightly from the text given here.)
- fol. 38r-39v **Concilium Palentinum** (1129)
 (Rubrica) Concilium Palentinum era MCLXVII idest anno Christi 1129. (Rubrica secunda) Ex libro 3^o historiae Compostellanae nondum impressae, scriptae a Munione Adefonsiade autore eorum temporum. (Praefatio) Adefonsus Hispaniarum rex uenerandae memoriae Adefonsi regis nepos ... (Textus) Quia in ecclesia Dei et in pauperibus Christi multa mala fieri uidemus ... (Finis) praemia aeternae pacis inueniant. (Colophon) Facta serie testamenti. Era M.C.LXVII qt. VIII Kls. Aprilis. Ego Adefonsus praefatus imperator una cum coniuge mea quod fieri mandauit, proprio robore confirmo. Finis (**Ed.** Ed. cit III 291-94, from this MS.)
- fol. 41r-83v <**Concilia Hispaniae saeculi XIV**>
 (Rubrica) Concilium Vallesoletanum anno Christi 1322. (Praefatio) In nomine Domini nostri Jesu Christi, istae sunt constitutiones per nos fratrem Guillemmum Dei permissione episcopum Sabinensem apostolicae sedis legatum, factae ac editae in concilio ... (Rubrica) De constitutionibus. (Textus) Alma mater Ecclesia, ab unigenito Dei filio primitus instituta ... (fol. 82r) (Concilium ultimum) (Rubrica) Toletanum anno 1326. Constitutiones synodales per Joannem uicarium Toleti factae. (Praefatio) Facta sunt hec statuta ... (Rubrica textus) De foro competenti. (Textus) Quia causae criminales, maiores requirunt iudices ... (Finis) et publicari in synodis ZZ diuinis exemplis. (*al. man.*) Imperfectum (Included are the texts for the councils of Valladolid (1322), Penafiel (1302), Toledo (1323 and 1324), Alcala (1325) and Toledo (1326). The pages for

Valladolid have running heads. **Ed.** Ed. cit. III 295-373, from this MS. **Bibl.** Cf. J. Sánchez Herrero, *Concilios provinciales y sínodos Toledanos de los siglos XIV y XV* (Univ. de la Laguna, Estudios de historia 2; 1976), which also edits all the texts except for that of Valladolid 1322, from Madrid BN MS 13041.)

fol. 87r-100v <**Johannes Baptista Perezius, collatio conciliorum Carthaginensium in codice Soriensi cum editione Surii**>

(Rubrica) Cathaginensia concilia, collata cum manuscripto codice gotthico Soriensi, qui fuit Georgii Vettetae ciuis Soriensis, et nunc est in S. Laurentii regis bibliotheca. (Praefatio) (Rubrica) Notae quibus utimur. (Textus). S. Significat in Soriensi codice haberi quod sequitur ... (Rubrica textus) Carthaginense primum. (Textus) Tomo 1 fol. 377: Illud de tempore Sylvestri papae uel Marci deest in S. ... (Finis) col. 2.^a 15: suus eps. S. desunt haec duo verba. (Epilogus) Hic abscissum erat folium in hoc codice Soriensi ... septem Africana superiora, et Mileuitanum. (**Ed.** Ed. cit. III 375-408 from this MS. The *Codex Soriensis* may be Escorial E I 13; it was being collated with the Sorius edition of Köln, 1567. Cf. C. Garcia Goldaraz, *Los concilios de Cartago de un codice Soriense* (Roma 1960) 34-42. The concluding note indicates that the Escorial MS is missing ZZ in the folio containing the end of the seventh council of Carthage and the beginning of the council of Mila.)

fol. 101r-102r <**Johannes Baptista Perezius, Collatio concilii Milevitani in codice Soriensi cum editione Surii**>

(Rubrica) Ex Mileuitano concilio cuius principium hic deerat. (Textus ZZ fol. 555, col. 2.^a, ex cap. 4 vs. 5: diligamus S. debemus. ... (Finis) 58: Augustinus Hipponae Regiensis S. deest. Finis Miluetani concilii. (**Ed.** Ed. cit. III 409-11, from this MS.)

fol 103r-105v <**Johannes Baptista Perezius**>, **Chronologia conciliorum Hispaniensium**

(Rubrica) Conciliorum Hispaniensium chronologia usque ad Hispaniam a Sarracensis occupatam, certo confirmata ex quatuor uetustis conciliorum codicibus. (Era) circa 362 (anno Christi) 324: Eliberritanum (ita scribunt Gotthi non Eliberitanum neque Eliberinum) ... (Finis) (era) 740, (anno Christi) 712: Saraceni Gotthos uincunt, et biennio totam Hispaniam suo imperio subdunt. (**Ed.** Ed. cit. III 413-18, from this MS. The two systems of dates are laid out in columns.)

fol. 107r-109v <**Johannes Baptista Perezius**>, **Chronologia Gotthorum Hispaniae regum**

(Rubrica) Gotthorum Hispaniae regum chronologia certius quam antehac constituta ex pluribus codicibus ... nominum orthographia ex numismatis restituta (Era) 407 (anno Christi) 369: Athanaricus (cum quo etiam Fridigernus) coepit anno V Valentis Imp. aera 407 regnat annos XIII. Ex Isidoro ... (Finis) (era) 749 (anno Christi) ZZ 715: Rudericus ... occiso era 750, Hispania in Sarracenorum uenit potestatem. Finis. (**Ed.** Ed. cit. III 419-26, from this MS. The two systems of dates are laid out in columns.)

fol. 110r <**Johannes Baptista Perezius, Nota de nominibus regum**>

De nominibus horum regum (ne quis miretur) illud in conciliis et historiis est obseruandum: ZZ quae in a desinunt ... (Finis) ipsius Isidori etymologiis

praepositae. (**Ed.** Ed. cit. III 427, from this MS.)

Ed. and Bibl. *El codice Lucense*, ed. C. García Goldaraz, 3 vols (Roma 1954) I 96-99, III 219-427 (edition); de Aldama, 'Simbolo' 2 n. 6, 4 n. 9; and see Vat. lat. 4887.

This is the second of the volumes of studies on Spanish councils done by Bauista Pérez for the *Correctores Romani* at the order of Gaspar Quiroga, bishop of Cuenca. Apart from the bishop's dedicatory letter, the MS, written in brown ink, is in three Italic cursive hands: the first (fol. 1r-v, 3r-28r, 87r-110r) is that of Pérez himself, who also added notes and secondary rubrics to the work of the second (fol. 29r-39v) and third (fol. 41r-83v) scribes. The general layout of the MS is similar to Vat. lat. 4887. There are some marginal notes in later hands; the chronological tables at the end of the MS contain notes comparing them to Cardinal Sáenz de Aguirre's edition of the Spanish councils. Catchwords are at the lower right. An old shelfmark, 'E N. 20' appears on the front pastedown (cf. Vat. lat. 4887). For the watermarks, cf. Briquet 5683. The MS has a parchment binding, perhaps of the late 19th-century, like that of Vat. lat. 4887. Fol. 7r-8v, 28v, 30v, 37r-r, 40r-v, 84r-86v, 102v, 106r-v, and 110v are blank.

Vat. lat. 4889

saec. XVI (c. 1571)

Scr. Miguel Tomás Taxaquet (annotator).

VIII + 169 fols. + 80a-b - (18-86) chart. 327 (214) x 220 ZZ (120) mm, origin Italy (Rome). Terniones, saec. XVI (c. 1571).

IIr **Johannes Marsa, Epistola dedicatoria ad cardinales**

(Inscriptio) Clarissimis amplissimisque vii uiris S.R.E. cardinalibus correctioni decreti domini Gratiani praefectis Io. Marsa ZZ I.V.D. (Textus) Absolutis centum et una decreti domini Gratiani distinctionibus ... (Finis) cura absoluendam, uehementius excitabor. Valet. (**Ed.** Theiner *Disquisitiones criticae* app. I I, 10.)

IIIr <**Tabula cardinalium correctorum**>

Illustrissimi et reuerendissimi S.R.E. cardinales ... M. Ant<onius> Columna - Roman. ... (Finis) Ant<onius> Caraffa - Neapol. (**Ed.** Ed. cit., app. I 3 prints a very similar, but not identical list. A later note beside the name of Cardinal Buoncompagni records his accession to the papal throne as Gregory XIII in 1572.)

IVr <**Tabula doctorum correctorum**>

Doctores correctioni decreti ... R.P. Generalis S. Franc. Montaltus ... (Finis) Doct. Arnaldus Pontacus - Gallus (**Ed.** Ed. cit. app. I 3 is close to this list. Marginal notes record various promotions and deaths among the *doctores*.)

Vr-VIr <**Regulae observatae in correctione**>

(Rubrica) Leges constitutae et obseruatae in correctione decreti domini Gratiani. (Textus) Censuerunt illustrissimi cardinales ut ubicumque (ubicunque *cod.*) ... (Finis) esse describendas Anselmus in authenticis canonum. (**Ed.** Ed. cit. app. I 4-6, and Friedberg I lxxvii-lxxviii.)

VIIIr <**Ordo servatus in correctione Decreti**>

(Rubrica) De ordine in correctione decreti domini Gratiani seruando. (Textus) Censuerunt illustrissimi et reuerendissimi cardinales ... (Finis) rectius diffiniri possint. (**Ed.** Theiner *Disquisitiones criticae* app. I 6.)

VIIIv-159r **Correctores Romani, Correctiones in primam partem Decreti**

(Inscriptio) Feria iv. viiii maii M.D.LXXVI, anno I pontificatus Sanctissimi D.N.

Pii V ... Doct. Marsa secretarius; Doct. Leo secretarius. (fol. 1r) (Praefatio) (Rubrica) Correctiones in decretum domini Gratiani. Quae desunt domino Gratiano, quomodo ex doctoribus sacris sunt supplenda. (Textus) Visum fuit omnibus doctoribus ... a titulo huius operis. (Rubrica textus) Distinct. I. (Textus) *Humanums genus*] in marg. Gratianus sub hac nota ... (Finis) (D.101 d.p.d.1) *Hactenus*] GRA. in marg., Catholicorum] tollendum. (Colophon primus) Finis impositus fuit correctioni ... pontificatus S.N.D. Pii V. anno III. (Epilogus) (Rubrica) Censura congregationis generalis. (Textus) Elaborandum esse quam maxime fieri possit ... fuerunt exquisitae sententiae. (Datum) Apud illustrissimum Columnam M.D.LXXI. Doct. Io. Marsa secretarius. (A ternion has apparently been lost between fol. 80b and fol. 87r, resulting in a lacuna in the text which runs from D. 49 c. 2 (3 *cod.*) to D. 50 c. 27med. This apparatus for the *Distinctiones*, with its corresponding parts in Vat. lat. 4891 and 4892, termed 'minutes of the congregation' by Kuttner, 'Some Roman Manuscripts' 13, is the basis for the 1582 Roman edition of the Decretum, and the notes of the *Correctores* printed in Friedberg I. The epilogue on fol. 159r is printed in ed. cit., app. I 8.)

fol. 160r-165v <**Index canonum in Distinctionibus Decreti ex fontibus ignotis**>

(Rubrica) Index canonum qui a domino Gratiano in centum et una decreti distinctionibus ... inuenti non fuerunt ... Cardinales ... consulendas esse academias, uirosque doctos censuerunt. (Textus) Distinc. IV can. V *Quadragesima*: ex Amb. in lib. sermonum. Ne dum fuit inuentus ... (Finis) (D.100 c.3, *Optatur*) perquiratur diligenter locus proprius. (Epilogus) Appositae sunt superiori indice conuenientiae ... descriptae sunt, indicauerint. (Cf. ed. cit., app. I 9 for an abstract of this index and an edition of the epilogue.)

fol. 167r-168v <**Index alphabeticus canonum ex fontibus ignotis**>

(Rubrica) Index alius, in quo canones ... doctoribusque sacris demonstrantur. (Textus) Agathen. Conc.: Distinct. 50 can. 58 *In capite* ... (Finis) Urbano pp. ... Dist. 70 can. 11 (*recte* 2) *Sanctorum* ex conc. habito Placentiae. (This index is arranged according to the attribution of the texts as given in the Decretum.)

fol. 169r **Michael Thomasius**, <**Memorandum**>

Die (*sic*) XIX mensis Februarii ego Michael Thomasius interrogavi Sanctissimum D.N. Gregorium XIII ... (Finis) quam emendatissimus ederetur. Ita est, et ita fedem facio. (Subscriptio) Michael Thomasius manu propria. (Ed. Ed. cit., app. I 9, where it is run together with the epilogue of the first index (fol. 165v). This piece, a note of eight lines, is in Taxaquet's own hand.)

Bibl. P. Torquebiau, 'Corpus Iuris Canonici. Decret', DDC 4.610-27 at 624-26; Friedberg I lxxvi-xc; Coing, *Handbuch* I 838-39; Van Hove, *Prolegomena* 347 and n. 6; F. Laurin, *Introductio in Corpus iuris Canonici* (Freiburg ZZ im B. 1889) 63-70; Kuttner, 'Some Roman Manuscripts' 13 n. 25, 14; idem, 'Gratian and Plato' 103 n. 59.

This MS, together with Vat. lat. 4891 and 4892, make up a clean copy of working notes of the *Correctores Romani* on variants in the texts in Gratian's *Decretum*; rough drafts of much of this material may be found in Vat. lat. 5399 (q.v.). This MS is elegantly written in display script and Italic cursive, in black ink, mostly by a single scribe. It is a formal title page. Fol. 1r-159r are arranged in three columns: the outside column is labelled 'Ex congregatione generali', the wide middle one 'Correctiones in Decretum Grat.', and

the third, narrow one 'Concordantiae decretistarum'. The central column records the work of the *Correctores* in meetings from 8 May 1566 to 16 November 1568; the outer column contains revisions and discussions of the material from 6 June 1566 to 14 March 1571. There are marginal notes in several hands, including that of Miguel Tomás Taxaquet. The edges of the folios are gilded. The dominant watermark consists of a shield containing a three-branched stem with flowers, with a six-pointed star above (not in Briquet). The 19th-century leather and parchment binding includes some early 17th-century components. Iv, Iiv, IIIv, IVv, VIv-VIv, fols. 80a-b, 159v, 166r-v, and 169v are blank.

Vat. lat. 4890

saec. XVIex.

<I> +164 fols. chart. 320 (272) x 218 (180) mm, origin Italy (Rome). Quiniones, saec. XVIex.

fol. 1r-164v **Michael Thomasius, Annotationes in Decretum Gratiani**, imperfectae (D.1-D.16, D.57 - De poen. D.1 c. 84)
(Rubrica) De titulo. In decem et octo uetustis exemplaribus huius codicis ...
(Finis) immo inquit 'si tanta est plaga peccati', et quae sequuntur hic.

Bibl. Kuttner, 'Some Roman manuscripts' 14 and nn. 26 and 29, and 21-22 n. 62; idem, 'Gratian and Plato', ZZ 93-118 at 103-4 no. 59-62 and 117-18 (app. III), printing an excerpt from fol. 88r-v; R. Somerville, *Decreta Claromontensia* (Annuario historiae conciliorum, suppl. 1; 1972) 48-50, printing excerpts from fol. 15r-v and 93r (on C.12 q.2 c.46, *cod.* 44) at 49.

This MS, containing the greater part of Miguel Tomás Taxaquet's draft of the notes for the Roman edition of Gratian, was written in Italic cursive script in brown ink, probably by two scribes. A quire has been lost after fol. 14; the resulting lacuna goes from D.17 to D.56. There are annotations and corrections, mostly in one hand. The notations are reflected in the finished work of *the Correctores*; compare, for example, the emendation on fol. 7v of the notes on D. 11 c.5 with the printed version (Friedberg I 23-24). Each item is headed with the appropriate lemma, while the entries are numbered consecutively in the margin. Catchwords are at the lower right of each page; some are cut away. On the title page Ir, below the formal title is a note in Italian: 'S<ignor> Flaminio mando a v.s. il anesso libro del secretario ... cominciare dalla T.'; at the bottom of the page is the shelfmark '4890'. Many of the blank folios contain the notation 'Nihil deest'. For the watermarks, cf. Briquet 12250. The leather and parchment binding combines early 17th and mid-19th century elements. Iv, fol. 14v, 49v, 59v, 91v, and 150v are blank.

Vat. lat. 4891

saec. XVI (c. 1572)

<VI> + 269 fols. chart. 337 (255) x 230 (115) mm, origin Italy (Rome). Terniones, saec. XVI (c. 1572).

<I>r-<II>r **Schema indicis librorum**

(**Bibl.** Kuttner, 'Some Roman manuscripts' 21.)

fol. 1r-269v **Correctores Romani, Correctiones in secundam partem Decreti** (C.1-26)
(Inscriptio) Die xx. Decemb. M.D.LXVIII. ... doctores superius descripti.
(Rubrica) Causae primae summa. (Textus) Quidam] Quaestio prima Quod autem
... Grat. in marg.; Multis auctoritatibus] multorum auctoritatibus ... (Finis) Item
Hieronymus] Nusquam inuentus hic canon in Hieronymo, perquiratur
diligentissime. In marg. Iuo par. ii c. 75, Burc. lib. 10 c. 50; (Rubrica ultima) Can.
Daemonium XVIII. (Colophon) Fer. VI Die VIII. febr. M.D. LXXII. Apud
illustrissimum Card. Alciatum fuit impositus finis correctioni causae XXVI. Doc.

Io. Marsa secretarius.

Bibl. See Vat. lat. 4889 (q.v.); Kuttner, 'Gratian and Plato' 117 (app. III), printing an excerpt from fol. 118r-v; U.R. Blumenthal, 'Some notes on papal policies at Guastalla, 1106', SG 19 (1976) 59-77 at 71-73.

Like Vat. lat. 4889 (q.v.), this MS contains some of the working notes of the *Correctores Romani* on variants in Gratian's *Decretum*. In design it is similar to 4889, although not as finished or as carefully done. (The column headings, for example, were never added.) Several scribes, writing Italic cursive and display script in dark brown ink, worked on the main text (the central column of variants) and the outer marginal text recording the discussions of the congregation. There are other marginal notes and corrections in several hands. The central column of the MS records the work of the *Correctores* between 20 December 1568 and 8 February 1572; the last date given for the later discussions (in the margins) is 19 March 1572, but the notation occurs on fol. 3v. <VI>r is a formal title page. Catchwords appear at the lower right. For the watermarks, see the description of Vat. lat. 4889. The MS has an old binding of green leather, without any identifying coat of arms. <II>v, <III>r- <V>v, <VI>v, and fol. 88v-89v are blank.

Vat. lat. 4892

saec. XVI (1572)

III + 212 fols. chart. 323 (247) x 227 (115) mm, origin Italy (Rome). Quaterniones, saec. XVI (1572).

Ir **Schema indicis librorum**

fol. 1v-211r **Correctores Romani, Correctiones in secundam et tertiam partem**

Decreti (C.27-36, De cons. D.1-D.5 c.2)

(Inscriptio) Feria VI. D. VIII. februar. M.D.LXXII. ... (Rubrica) Causa XXVII.

(Textus) ZZ *Quidam uotum*] in marg. Grat. (Rubrica secunda) Causa XXVII.

Quaestio I. (Textus) ZZ *Quod uouentes*] in marg. Grat.; ZZ *In concilio*

Carthaginensi 4] Ita leg. in marg. c. ult^o. ... (Finis) ZZ *Item Miltiades papa.*] in

marg. epistolae ad episcopos Hispaniae c. 2 idem habet Eusebius Emesenus

Homilia in die pentecostes. (Rubrica ultima) C. Spiritus sanctus. 2.

Bibl. See Vat. lat. 4889.

The MS, a continuation of Vat. lat. 4889 and 4891, contains working notes of the *Correctores Romani* for their edition of Gratian's *Decretum*. It was written in Italic cursive with some display script, in black ink that has turned to dark brown, by several scribes. The MS records the work of the *Correctores* from 8 February 1572; the last date given is 20 June, but on fol. 24r of the text. The elaborate notes of a second series of discussions which appear in the margins of Vat. lat. 4889 and 4891 are not paralleled in this MS; the marginal notes are mostly terse indications of sources, in several hands. They sometimes bear the siglum C.G. (*congregatio generalis*), and on fol. 135-174 the marginal column is headed ZZ *concordantiae decretistarum* or *concordantiae siue citationes decretistarum*. The corrections for *De cons.* begin on fol. 134r. Fol. 1r is a formal title page. Catchwords appear at the lower right when used, but in most of the MS the quires are marked with an internal numbering system, a<1>-4 to A<1>-4. For the watermarks, cf. Briquet 6901; this example shows an initial B above the fleur-de-lis. The MS has a restored parchment binding. Iv-IIIv, fol. 133r-v, and 211v-212v are blank.

Vat. lat. 4893

saec. XVII

197 fols. chart. 339 (288) x 235 (110) mm. Quiniones, saec. XVII.

fol. 1r-197v <Gratianus, Decretum> imperfectum (C.1-C.7 q.1 c.35)

(Rubrica) Causa prima Q. 1. (Textus) (d.a. C.1 q.1 c.1) Quidam habens filium obtulit eum ... (Finis) aut necessitas persuaserit.

Ed. Friedberg I. **Bibl.** Scano, 'Manoscritti del Decreto' 40, describing this MS; Kuttner, *Repertorium* 115.

The MS is written in black ink, in single columns with a very wide outer margin. The first twenty-two folios are in an awkward bookhand, perhaps meant to imitate typeface, with italics to distinguish rubrics and dicta. Most of the MS is in cursive script which varies in size, the rubrics and dicta written smaller than the texts of the canons. Marginal notes of alternative readings suggest that the MS was collated with another text. Other notes indicate scriptural citations, missing phrases, and occurrence of a text in another part of the *Decretum*. The canons are consecutively numbered from fol. 13v (C.1 q.1 c.45) to the end of Causa 1. Thereafter they are numbered within each *quaestio*. Catchwords appear at the lower right of each folio. For the watermarks, cf. Briquet 49. The MS remains in its original parchment binding.

Vat. lat. 4894

saec. XVI

I + 307 fols. + 17bis chart. 283 (225) x 219 (197) mm, origin Italy (Rome). Quiniones, saec. XVI.

Ir-v <**Notae variae**>

(These notes, which are fragmentary and very difficult to read, include references to canons relating to extreme unction, and to Roman law sources.)

fol. 1r-48r, 191r-194r, 222r-246v, 287r-288r <Incerti auctores>, **Collationes editionum Bibliae**

ZZ (Rubrica) Collationes aeditionis nouae cum uulgata ... (fol. 1v) (Rubrica secunda) In praefatione diui Hieronymi in Esdras. Vulgata aeditio. (Textus) Nam uobis aliquid imperantibus ... (Finis) ut placitus sit ei Dominus H.h.8 et aliquis in marg. (These notes, probably related to the work of the papal commission for the reediting of Scripture, are primarily collations of various editions and the Glossa Ordinaria against the Vulgate text. Editions of Lyon, Louvain 1547, Venice 1496, and Hebrew and Greek versions are mentioned.)

fol. 49r-190v, 195r-220v, 264r-278v, 280r-286r, 289r-307r **Correctores Romani, Correctiones in Decretum Gratiani**, fragmenta

(Inscriptio) Correctiones in secundam partem Decreti ... cau. XXIII quaest. III can. *Duo ista* <35> usque ad 26 quaest. 3 et 4^{am} exclus. apud illustrissimum Cardinalem Alciatum. (fol. 50r) (Rubrica textus) Cau. XXIII. q. III can. *Duo ista* (c. 35) (Textus) Idem Ambrosius lib. 13 c. 2 Augustinus ser. 94 ... (Finis) (D.30 c.17) ZZ Suspiciones] suspicionem. Eadem congregatione. (**Bibl.** on the work of the *Correctores Romani*, see Vat. lat. 4889. These pages contain rough notes, frequently stricken through, which are often very difficult to read because of the thin sheets glued to the pages to strengthen them. The notes are not in order. Most of the material consists of variant readings, but there are also drafts for *censurae* and a set of references to pages of a particular text on fol. 286r.)

fol. 247r-263r <Incertus auctor, **Tabula fontium Decreti Gratiani**>

1. Causa 1. quaest. 1. cap. ii *Quicumque* Prima sententia exstat apud Deusdedit ... (Finis) 368. <De cons. D.5> c. 17 *Ieiunia* Burch. 13.17, Iuo 4.49 decr. (This is written in a single, neat cursive hand, and not cancelled.)

fol. 279r **Michael Thomasius**, <**Epistola ad praelatum incertum**>

(Inscriptio) Illustrissime et reuerendissime domine. (Textus) Hic sunt omnia quae emendauimus ... (Finis) de his admoneat congregationem generalem.

(Subscriptio) Humillimus seruus Michael Thomasius. (This short letter is in Miguel Tomás Taxaquet's own hand.)

This MS is in fact a collection of quires and loose sheets which have been mounted for binding. (Fol. 222-246 are long, narrow sheets.) Written in dark brown ink, the pages are the work of many different hands. The canonical and biblical materials alternate in no apparent order. The shelfmark appears twice on fol. 1r. I is a mutilated scrap. Fol. 17bis is marked 18.II in the lower left corner of the verso. Catchwords are rare, appearing at the lower right of each page when used. For the watermarks, cf. Briquet 7109 and 12235. The MS has a 19th-century parchment binding. Fol. 15r, 18r, 203r, 236r, and 290v are blank except for a heading or the words 'nihil deest'; fol. 17bis^{I-V}, 18v, 48v, 49v, 86v-87v, 136r, 151r, 154r, 157v-158r, 160v, 164v, 182r, 194v, 195v, 221v, 236v, 263v, 265v, 279v, 286v, 288v, 298r-v, and 307v are blank.

Vat. lat. 4895

saec. XVI

<I> +90 fols. chart. 430 (365) x 285 (175) mm, origin Italy ?. Octiones, saec. XVI.

fol. 1r-89v **Antonius Augustinus, Recollecta in iure canonico**

Rubrica in margine De constitutionibus. Diuinationibus ... tit. I.2.

(Rubrica) Quaedam recollecta in iure canonico. (Textus) Ius nostrum constat aut ex scripto <aut ex non> scripto, ff. 1.1.6 [Dig.1.1.6], I. 1.2 [Inst.1.2.3]. Scripto continentur diuina atque humana iura ... (Finis) De qualitate testium et exceptionum. Idem. (*in marg.* D. eo. 32. [X 5.3.32]).

Bibl. S. Kuttner, 'Antonio Agustín and the Correctores', *Traditio* 24 (1968) 505; idem, 'Some Roman manuscripts' 8; A. Bernal Palacios, 'La obra inédita de Antonio Agustín. *Quaedam recollecta de iure canonico* (MS Vat. lat. 4895)', *Acta Congressus Tarragona May 1986*, and *Revista española de derecho canónico* 45 (1988) _- _ (forthcoming).

This autograph MS, written in brown ink, contains notes for a work on canon law which was never finished. It has two parts (1: fols. 1r-18r; 2: fols. 24r-89v) that possibly were written at different times, and bound together later on. Because of that there are two foliations. The one added after the binding which is found on the upper right corner of each folio is followed here. The content of each part is divided as follows: *De iure*; *De iure personarum*; *De rebus* (except in the 2nd part); *De iudiciis*. Each part is divided into titles in which Antonio Agustín collects canonical texts. The sources from which they were taken are noted in the margins. These sources are basically oriental in the first part and western in the second. For the watermark, cf. Briquet no. 4833.

The MS is bound in parchment. Fol. 8v, 9v, 15v, 18v-23v, 28r, 31r, 33r, 58r, 62v, 81v, 87r, and 90v are blank.

Vat. lat. 4897

saec. XVI/XVII

<IV> + 159 fols.-6 + <III> chart. 303 (246) x 218 (139) mm. Seniones, saec. XVI/XVII.

fol. 1r-159r **Concilium Ephesinum**

(Epistolae praeliminares) (Inscriptio) Cirillus praesbiteris et diaconibus ... dilectissimis et desiderabilibus in domino salutem. (Epistola prima) Venerunt quidem aliqui eorum qui uobiscum sunt secundum consuetudinem ... (fol. 39v) (Acta) (Rubrica) Exemplaria gestorum que acta sunt in sancta synodo in Aephesina metropoli, de recta fide. (Textus) Post consulatum dominorum nostrorum Flauii Theodosii xiii et Valentiniani iii perpetuorum augustorum xi kl. augustas synodus celebrata in Ephesinorum metropoli ... (Finis) saluta que apud te est fraternitatem teque nobiscum et (*sic*) in domino salutem. Explicit. (**Ed.** Mansi 4.587-1478, 5.1-422. **Bibl.** See Vat. lat. 1319 fol. 1ra-91vb. Neither the order of the letters nor the transmission of the text agree precisely with either Schwartz or Mansi.)

fol. 159r **Augustinus** <Hipponeis> (s.), **De trinitate**, excerptum (Lib. 13 c. 23) (Rubrica) In libro xiii. sancti Augustini de Trinitate Dei capitulo xvii. (Textus) Quandoquidem sic Deo coniungi potuit humana natura ut ex duabus substantiis fieret una persona ac per hoc iam ex tribus Deo, anima et carne. (**Ed.** Sanctus Aurelius Augustinus, *De Trinitate*, ed. W.J. Mountain, 2 vols. (CCL 50-50A, 1968, II 412.)

ZZ The MS is written in a neat, late cursive in dark brown ink. There is no decoration. <I>r has a list of letters, which were not yet edited at that time, written in a 17th-century hand. The same scribe wrote an index on <+I>r-<+III>v. Another hand added references in the index to a multi-volume work, identified only as 'Pel.' For the watermark, cf. Briquet no. 5343. The MS is bound in parchment, perhaps original, with parchment binding fragments at the spine. <I>v-<IV>v and fol. 159v are blank.

Vat. lat. 4899

saec. XVI.2

<I> +540 fols. chart. 314 (256) x 205 (135) mm, origin Italy. Bifolia, saec. XVI.2.

fol. 1r-540r <Collectio Anselmo dedicata>

(Rubrica) 1a: Pars 1-39. (Inscriptio) Domino magnifico uigilantissimo pastori ac precellentissimo archipresuli Anselmo. Nos minimæ (Ego minima *ed.*) gregis ipsius ouiculæ (ouicula *ed.*) ... (Praefatio) Laudibus (Laudabilis *ed.*) prouidentiae uestrae praerendum inclyte pastor acumen ecclesiasticis utilitatibus prouide ac ZZ sollerte prospiciens ... (fol. 2r) <Tabula titulorum libri primi> ... (fol. 5r) (Liber primus) (Rubrica) Quod Symon Petrus uera (uere *ed.*) fidei merito primus fuerit primitiae electionis domini apostolorum et quod Romanae (Rome *ed.*) pro pietate paciendo uolens in causa (uolens uitam *ed.*) finiuit. (Inscriptio) Clemens, Iacobo domino et episcopo episcoporum, regenti Hebreorum sanctam ecclesiam Hierosolimis ... (Textus) Notum tibi facio, domine, quia Symon Petrus, qui uerae fidei merito ... (Finis) sed etiam magistratus et iudices omnes siue maiores siue minores. Explicit.

ZZ **Ed.** For Book I only, J.C. Besse, 'Collectionis *Anselmo dedicatae* liber primus', RDC 9 (1959) 207-96, mentioning, but not using, this MS.

Bibl. P. Fournier, 'L'origine de la collection "Anselmo dedicata"', in *Mélanges P.F. Girard*, 2 vols. (Paris 1912) I 475-98 at 478-79, repr. in Fournier, *Mélanges* II 189-212; H. Fuhrmann, *Einfluss und Verbreitung* at II 425-29; J.C. Besse, *Histoire des textes du droit de l'Eglise au Moyen-Age de Denys à Gratien - Collectio Anselmo dedicata. Etude*

et texte (Extraits) (Paris 1960); Ballerini, *De antiq. coll.*, PL 56.514-18, printing, the preface from this MS.

<I>r: Copiato da un antiquo libro grande che si conserva nell'archivio del vescovato di Modena

This MS is a copy of Modena, Bibl. Cap. MS 112, made for the *Correctores Romani* on the advice of Miguel Tomás Taxaquet, bishop of Lerida (†1578) and sent to Rome in 1578. The correspondence with the bishop of Modena about the project is printed in Theiner, *Disquisitiones criticae* app. I pp. 16-20, nos. 7-15, from Vat. lat. 4913 fol. 5r-35v (q.v.), which Theiner misidentifies as Vat. lat. 4190. The Modena MS itself is a copy of Vercellian MS XV, with its characteristic additions. The copyists of Vat. lat. 4899 noted a number of imperfections in the Modena MS, and a number of canons were left incomplete with space provided to complete them. At the completion of Part IX (fol. 445v), the copyist noted, 'Pars nona integra est.' Marginal notes indicate alternate readings, references to sources, references to Gratian, and points of special interest in the text.

The MS is written in brown ink by several copyists. One scribe wrote fol. 1r-216v; after that, several scribes alternate, with changes of hand often occurring at the grouping of each set of bifolia. All wrote in forms of formal notarial cursive. There is no decoration. The bifolia are grouped in quires of 40 to 50 leaves, each with a large capital letter on the first recto (A to Z plus 'Qultimum'). Many of these quires have their own numbering in the upper right. These foliations have been crossed out in favor of one continuous foliation, also in a 16th-century hand. <I> is a small piece of paper bound into the front of the volume with a note in Italian on the recto concerning the exemplar of the text. For the watermarks, cf. Briquet nos. 649 (without the initials), 3075, and 4869. The 19th-century leather and parchment binding incorporates remnants of the former 17th-century binding. <I>v, fols. 39v, 252v, 506r-v, 524v, and 540v are blank.

Vat. lat. 4900

saec. XVI

Prov. Antonio Agustín.

191 fols. chart. 318 (273) x 220 (140) mm, origin Italy (?). Bifolia, saec. XVI.

fol. 1r-191r <**Concilium Constantinopolitanum IV (869)**> (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants:*

(Invocatio) Spiritu *pro* Spiritus; Amen *add.* (Colophon) Explicit *pro* Amen.

Bibl. C. Leonardi, 'Anastasio Bibliotecario e l'ottavo concilio ZZ oecumenico', *Studi Medievali* ser. 3, 8.1 (1967) 59-192 at 145-6 for a description of the MS and other bibliography.

This codex follows the same confusion in the text that was noted in Vat. lat. 1332. The break is noted by an asterisk and 'fragmen.' on fol. 124v and 126v; the third break, on fol. 188v, has resulted in a garbled text with no notation. The penultimate and antepenultimate pieces are reversed with respect to the edition cited.

The MS is written in brown ink in several 16th-century cursive hands. It is undecorated. The codex belonged to A. Agustín, whose hand supplied the numeration, running titles, cross references, and various notations. It also contains corrections in the hand of Francesco Aduarte (see Leonardi). For watermarks, cf. Briquet no. 5700. The MS has an old parchment binding which has on the spine: 'Octava synodus P. Crouard'. Fol. 11v is blank with no lacuna in the text. Fol. 191v is blank.

Vat. lat. 4901

saec. XVI

56 fols. chart. 325 (157) x 218 (142) mm wrong size!. Bifolia, saec. XVI.

fol. 1-56r **Synodus Constantinopolitana** (879-880)

(Rubrica) Acta sanctae synodi sub Ioanne viii. congregata (*sic*) in urbe Constantinopoli propter unionem sanctae Dei ecclesiae. (Textus) Sedente Photio religiosissimo patriarcha in uenerabili magno secretario et una cum eo sedentibus Elia Dei amatissimo ... (Finis) non uideat gloriam Dei, et atque (*sic*) his dictis acclamauerunt omnes imperatoribus nostris ZZ multi anni.

Bibl. This translation from the Greek is unedited; cf. Mansi 17.374-523.

The MS is written in dark brown ink in a 16th-century cursive. It is undecorated. The text is very hard to read on the spine side throughout because of damage, probably from dampness. For the watermarks, cf. Briquet no. 7628. The early 17th-century binding has been repaired in parchment and leather. Fol. 56v is blank.

Vat. lat. 4902

saec. XVI

<XII> + 418 fols. + <XI> chart. 326 (263) x 150 (147) mm. Quiniones, saec. XVI.

fol. 1r-130v <**Concilium Lateranense**> (649) (See Vat. lat. 1324 fol. Ir-92r for further information.) *Variants:*

(Invocatio) In nomine *om.* (Textus) papa sanctae *om.* (Finis) deu (*sic*) te incolumen (*sic*) custodiat dilectissime frater. (The text lacks the subscriptions throughout. The invocation and text are run together into a continuous sentence.)

fol. 130v-166v <Incertus auctor, **Excerpta quattuor tractatum Bernoldi Constantiensis**>

(See Vat. lat. 1324 fol. 92v-121v for further information.) *Variant:*

(Excerptum primum) (Rubrica prima) Aymarus *pro* Hingmarus.

fol. 169r-353r <**Concilium Constantinopolitanum III**> (680-681) (See Vat. lat. 631 fol. 408rb-465vb for further information.) *Variants:*

(Rubrica textus) In hoc corpore ... in urbe Constantinopolitana ... antique urbis Romae. < > sacra directa ad dominum ... uita decessisse subriptione (*sic*) sacre.

(Rubrica actionis primae) sexti *pro* sexti (Rubrica secunda actionis primae) sexte *om.* (Invocatio actionis primae) Iesu *pro* Ihesu; none *pro* nona (Finis)

thesaurizamus dogmata, et quos refutarunt, atque anathematizarunt, anathematizamus atque /// (**Ed.** Mansi 11.195-667, 698A-710D. The text lacks the third of the three prefatory letters and the letters following the synod. It breaks off in the imperial edict, the next text following immediately on the page. There is a lacuna, not marked in the codex, in midest of fol. 346v. Mansi 11.662A-663C is lacking [... magnam atque insignem ///rationem agnoscimus. Naturam (*sic*) ...].)

fol. 353r-417r <**Leo I, Epistolae**> (See Vat. lat. 1326 fol. 157v-211v for further information.)

fol. 417r-418r <**Johannes VIII, Epistola**> (JE 2986) (See Vat. lat. 1326 fol. 211v-212v for further information.) *Variants:*

(Inscriptio) Agripalensi *pro* Agripinensi (Finis) secunda *pro* vii. Deo gratias.

The MS was written in dark brown ink in a 16th-century cursive with no decoration. The unusual apposition of texts strongly suggests that Vat. lat. 1324 is the exemplar for fol. 1-166 and that Vat. lat. 1326 is the exemplar for fol. 169-418. <I>r is a contemporary title page: 'Concilium Martini papae ante vii synodum'. The watermark (stag in a circle) is unidentified. The MS is bound in red-brown leather, possibly original. <I>v-<XII>v, fol. 167r-168v, and 418v are blank.

Vat. lat. 4903

saec. XVI (post 1550)

434 fols. + 43a-e+ <XXII> chart. 330 (227) x 216 (135) mm, origin Italy. Terniones, saec. XVI (post 1550).

fol. <1> blank

fol. <2> Liber epistolarum

fol. <3r-9r> Tabula epistolarum

fol. 9v-430v <Collectio Avellana> (See Vat. lat. 3787 for further information.)

Variants:

(Rubrica textus) Item et que *add. al. man. super lin. post CCXLIII* (Finis)

Hierico *pro* Hiericho; millibus quinquaginta *pro* milibus quinquaginta.

fol. 431r-434r <Collectio Avellana>, fragmentum F

///ceptionis effectum, ne qua fieri potuit occasione cessatum est ... (Finis) ordini uel plebi per Illiricum, Dalmatiam et utramque Datiam. Simachus.

<+I>r-<+XXII>v Index collectionis Avellanae

Bibl. *Avellana*, ed. Günther, describing, this MS at Part 1, ZZ pp. xxxii-xxxiii; S. Leo Magnus, *Opera*, ed. Ballerini PL 54.563; Ballerini, *De antiq. coll.* PL 56.180; Maassen, *Geschichte* 788. Günther has shown that this MS is a copy of Ott. lat. 1105 (siglum Q) and even copies the colophon from that MS, including the latter's date. The marginal notations of Vat. lat. 3787 which were added to the text of Vat. lat. 4961 by the corrector are here written directly as part of the text, e.g. the added rubric directly below the opening rubric on fol. 9v 'Quae uera sunt ... Cave'.

This MS is written in brown ink by several scribes employing forms of formal notarial cursive. The first scribe (fol. 1r-43r) corrected his work and added alternate readings in the margins. A contemporary annotator has added notations irregularly throughout the volume. There is no decoration. Fol. 2r is a title page copied from the title added on <I>r of Vat. lat. 4961. On fol. 2r, below the title, a 17th-century hand wrote 'Aliud exemplar prorsus simile extat in hac Bibliotheca n° 3786', and another hand added 'Autographum uero huius codicis habes n. 4961'. As noted above, the colophon on fol. 434r, which includes the date 'MDL' is a copy of that in Ott. lat. 1105, which is in turn taken from the ex libris in Vat. lat. 4961, q.v. The first quires are marked with large capitals (A-C) on the lower margin of the first recto. The watermark, a four-legged animal (stag?) in a circle, is unidentified. The old (original?) parchment binding has no marking other than a title on the spine: 'Epistole super controversia Liberii et Foelicis et aliq̄ue pontificum et imperatorum' Fol. 1r-v, 2v, 43v, 43aⁱ-d^v, 44r-v, 261v, and 434v are blank.

Vat. lat. 4906

saec. XVI

309 fols. + 304a + <IV> chart. 311 (230) x 215 (135) mm, Terniones, saec. XVI.
ZZ fol. 2r-25r **Registrum epistolarum et conciliorum Gregorii VII**

- fol. 25v-37v **Tabula alphabetica notabilium gestorum Gregorii VII**
 fol. 37v-38v <**Dubia de officio Mozarabico**>
 (Textus) Dubium in supradictis resultat cum Hispani his temporibus ... (Finis)
 sed quia non bene scitur non ponitur.
- fol. 39r-42r **Urbanus V, <Acta in professione fidei Johannis imperatoris Constantinopolitani>** (See Vat. lat. 3979 fol. 1r-2v for further information.)
Variant:
 (Inscriptio) Dei *om.*
- fol. 43r-131v **Gregorius VII, Epistolae** (See Vat. lat. 4907 for further information.)
Variants:
 <Invocatio, rubrica, praefatio et epistola prima desunt.> (Epistola secunda)
 (Rubrica) Ex primo libro. (Inscriptio) Gregorius in Romanum pontificem electus Gisulpho Salernitano principi salutem in Christo Iesu. (Textus) Dominus noster Alexander papa mortuus est, cuius mors ... (fol. 131r) (Epistola ultima) (Lib. IX ep. 13) (Inscriptio) Gregorius episcopus seruus seruorum Dei R. (nobili *add. ed.*) Flandrensium comiti salutem et apostolicam benedictionem. (Textus) Perlatum nobis est, quod Teruannensis archidiaconus ... (Finis) exinde laesionem faciatis uel fieri permittatis.
- fol. 134r-309r **Gregorius VII, Epistolae** (See Vat. lat. 4907 for further information.)
Variants:
 (Rubrica) septimi *om.*; vii *add.* (Epistola prima) (Inscriptio) vii *add. post* Gregorius <308r> (Epistola ultima) (Inscriptio) Guglielmo *pro W.*: s<alutem> *om.* (Textus) Petrum *pro P.* (Finis) principum (*sic*) diademate *pro principiam* diademati; Finis *add.*

The *Epistolae* in this MS are very close to variant version in Vat. lat. 3979, although they do not show absolute internal correspondence; the letters are numbered and correspond with the numeration of the edition. The MS lacks the following letters: Lib. II: 16, 52a, 55a, 73, 76; Lib. III: 17*a, 17a, Lib. V: 2, 14a; Lib. VI: 17, 17a; Lib. IX: 22, 29a. The MS was written by several 16th-century hands in dark brown ink; it is undecorated. The modern stamped numeration replaces an older one in which the first 38 folios were unnumbered, fol. 39-131 were numbered 1-92 and the foliation began again on the present 134. The two watermarks are not in Briquet: a stag in a circle, and a unicorn in a circle. Fol. 1r is a title page: 'Ex Gregorio VII libri decem'. The leather binding is original. Fol. 42v, 132r-133v and 309v and <+I>r-<IV>v are blank.

Vat. lat. 4907

saec. XVI

225 fols. chart. 333 (208) x 225 (130) mm. Quiniones, saec. XVI.

fol. 1r-225r **Gregorius VII, Epistolae**

(Invocatio) In Dei nomine. (Rubrica) Incipit liber primus registri septimi Gregorii pape anno dominice incarnationis millesimo lxxiii indictione xi.
 (Praefatio) <R>egnante Domino nostro Ihesu (Iesu *ed.*) Christo anno clementissime incarnationis eius millesimo lxxiii ... (Epistola prima) (Inscriptio) <G>regorius in Romanum pontificem electus Desiderio abbati monasterii sancti Benedicti Montis Cassini salutem in Christo Ihesu (Iesu *ed.*). (Textus) Dominus noster papa Alexander mortuus est, cuius mors super me cecidit ... (fol. 218v) (Epistola ultima) (Inscriptio) Gregorius episcopus seruus seruorum Dei W. (Gilielmo *ed.*) regi Anglorum s<alutem>. (Textus) <C>ommunis amor et sincera

deuocio quam erga beatum P. ... (Finis) Si regum fulgori compares et principiam diademati (principum diatemati *ed.*) longe erit inferius, quam si plumbi [me] metallum ad auri fulgorem compares.

225r (Inscriptio) Gregorius episcopus servus servorum Dei archidiaconibus Taruaennensis ecclesiae Enolfo et Huberto et canonicis si canonicè uixerint salutem et apostolicam benedictionem (Textus) <C>lericos de Castro Sancti Pauli de quibus canonici Sancte Mariae... (Finis) quousque canonicè quod peccauerint emendent. Data Rome VII kalendas decembris Indictione secunda

Ed. MGH Epp. Sel. 2, ed. E. Caspar, passim, using this MS (siglum V). The following letters in the numeration of the edition are missing: I.79, II.34-35, IX.12, and IX.22. In this MS the letters are not numbered. **Bibl.** W.M. Peitz, *Das Originalregister Gregors VII. im vatikanischen Archiv* (SB Akad. Vienna 165, 5; Wien 1911) 110, 115.

The MS is written in gray ink in a fine, clear 16th-century cursive hand. There are occasional corrections in a second hand (e.g. fol. 21v). Capitals are usually missing; when present they are red, as are the rubrics. The bottom of fol. 1 has been torn away and repaired. Catchwords vary, some centered with decoration, some vertical on the inner margin line. The writing surface was prepared with prickings, still visible on some folios. The MS has suffered mildew damage on the early folios. For the watermark, cf. Briquet no. 7312. The MS has an old brown leather binding with sewings on the spine. Fol. 225v is blank.

Vat. lat. 4913

saec. XVIex.

Scr. Miguel Tomás Taxaquet. Giovanni Battista Fontana.

<I> +161 fols. + ZZ 14a-25 + 25a + 103a-g + 105a-c + 131a chart. 344 (308) x 223 (188) mm, origin Italy (Rome). saec. XVIex.

fol. 1r-2v <Incertus auctor, **Descriptio codicis Archivi Sancti Petri C.110**>

(Inscriptio) Laboranti natura fuit humanitas. Nulli peccatori forma diuinitas, fieri sed et ipse potes hⁱ (?) in alio miserere tui (*sic*). Magistri Laborantis Dei gratia cardinalis sacrosancte Romane ecclesiae ... opus decretorum siue uia canonum ut in proemio appellat ... (Finis) ad Laborantem cardinalem responsio de appellationibus. (The inscription is copied from ASP C.110 fol. 1rb.)

fol. 4v <Incertus auctor, **Notabilia varia**>

(These notes, in a rapid, difficult cursive hand, include references to Laborans and Cresconius, and to Cardinal Francisco Alciato and Achilles d'Estaço.)

fol. 5r-35v <**Sixtus Vicedominus O.P. et Michael Thomasius, Epistolae ad Franciscum Alciatum cardinalem Sanctae Susannae**> (Italice)

(Inscriptio epistolae primae) Illustrissimo et reuerendissimo signore patrone colendissimo. (Textus) Li mando il restante delle scritte ... (Epistola ultima) (Textus) Non ZZ hauendo mai hauuto risposta dal serenissimo Duca nostro ... (Finis) le prego dal signor Dio continua felicità et contenti. (Datum) di Modena 12 aprile del 78. (Subscriptio) Di V.S. Illustrissima et Reverendissima humilissimo et obligatissimo ZZ seruitore il Vescovo di Modena. (Annotatio *al. man.*) Tutte le parti del libro le douranno esser capitate. (Fifteen original letters were folded together to form this quire, fol. 20-35 are the blank halves of the sheets, which were used as the outside wrappings, many with traces of sealing, addresses and notations. Fol. 14a/25a, a small sheet with the lower portion cut

away, was sewn into the quire down the center, across the text. Some of the letters concern the copying of a Modena MS (Bibl. Cap. II.2) of the *Collectio Anselmo dedicata*. Three of the letters are from Miguel Tomás Taxaquet, bishop of Lérida (1577-78), formerly secretary to the *Correctores Romani*: fol. 10r, 13r, and ZZ 14a^v/25a^r. The rest are from Sixtus Vicedominus, O.P., bishop of Modena (1571-90). The earliest date given is 26 November 1577, the latest is 30 July 1578. On fol. 32v (the wrapping of the letter of fol. 8r) is a note on the response to be sent, written parallel to the binding, in the lower left corner of the page, and stricken through. **Ed.** A. Theiner, *Disquisitiones criticae*, app. I 16-20 edited fol. 9r-15r, 14a/25a, and 17r as nos. 7, 13, 8, 9, 14, 10, 15, and 12 respectively, using this MS but calling it Vat. lat. 4190; cf. p. xiii. **Bibl.** P. Fournier, 'L'origine de la collection ZZ Anselmo dedicata, *Mélanges P.F. Girard*, 2 vols. (Paris 1912) I 475-98 at 478-79 and n. 3, repr. in Fournier. *Mélanges* II 189-212 at 192-93.)

fol. 36r-75v, 78r-81iv <**Auctores varii, Epistolae**> Franciscus Richardotus episcopus Atrebatensis ad Gregorium XIII, 10 junii 1573 (fol. 36r, **Ed.** Ed. cit., app. I 27-28 no. 24, *recte* 23), Michael Thomasius in nomine Philippi Boncompagni (Card. S. Sixto) ad Jacobum Pammeliu, exemplar, 7 januarii 1575 (fol. 37r, **Ed.** Ed. cit., app. I 32 no. 31. This is apparently in reply to the letter on fol. 44r.); Michael Thomasius ad fratrem Laurentium Surium, exemplar imperfectus, 8 januarii 1575 (fol. 37r-v, **Ed.** Ed. cit., app. I 32-33 no. 32); Gasparus de Quiroga, episcopus Conchensis ad Gregorium XIII, 22 junii 1574 (fol. 38r-v, **Ed.** Ed. cit., app. I 29 no. 25); Franciscus Richardotus ad Card. S. Sixti, 11 septembris 1573 (fol. 39r-v, **Ed.** Ed. cit., app. I 14 no. 4); idem ad eodem, epistolae duae, 10 junii 1573 et 18 martii 1573 (fol. 40r-41v, **Ed.** Ed. cit., app. I 13 no. 3 and 11 no. 1); Virgilius Zuichemus ad Gregorium XIII, 17 maii 1573 (fol. 42r, **Ed.** Ed. cit., app. I 26-27 no. 22); Rector et uniuersitas studii generalis Oppidi Louvaniensis ad Gregorium XIII, 12 junii 1573 (fol. 43r-v, **Ed.** Ed. cit., app. I 28 no. 24); Jacobus Pammelius ad Card. S. Sixti, 5 augusti 1574 (fol. 44r, **Ed.** Ed. cit., app. I 21-22 no. 17); Ambrosius Morales ad Gasparem de Quiroga, 7 junii 1574 (fol. 45r-v, **Ed.** Ed. cit., app. I 29-30 no. 26); Michael Thomasius ad Gasparem Groperum, exemplar, 5 januarii 1575 (fol. 54r-v); P<etrus> Galesini ad Franciscum Alciatum, 14 januarii 1573 (fol. 56r-v, **Ed.** Ed. cit., app. I 15-16 no. 6; **Bibl.** K. Schellhass, 'Wissenschaftliche Forschungen unter Gregor XIII. für die Neuauflage des gratianischen Dekrets', *Papsttum und Kaisertum: Paul Kehr zum 65. Geburtstag* (München 1926, repr. Aalen 1973) 674-90 at 677 and n. 1); Franciscus Richardotus ad Gregorium XIII, 18 januarii 1573 (fol. 57r, **Ed.** Ed. cit., app. I 22-23 no. 18); idem ad Card. S. Sixti, 20 martii 1573 (fol. 58r-v, **Ed.** Ed. cit., app. I 12-13 no. 2); secretarius Correctorii (Michael Thomasius?) ad episcopum Placentinum, (<Petrus Ponce de Leon y Corduba?>), exemplar, s.d. (fol. 59r, **Ed.** Ed. cit., app. I 35 no. 34); Franciscus Richardotus ad Gregorium XIII, 20 martii 1573 (fol. 60r-v, **Ed.** Ed. cit., app. I 26 no. 21); Antonius Demochares ad Gregorium XIII, 10 februarii 1573 (fol. 61r-v, **Ed.** Ed. cit., app. I 23-24 no. 19); Michael Thomasius (?), minutae epistolae ad prelatos varios. exemplar, (fol. 62r-63v, 66r, s.d. (**Ed.** Ed. cit., app. I 33-35 no. 16); secretarius Correctorii (Michael Thomasius?) ad Jacobum <Amyotum> episcopum Autissidorensem, 1 maii

1573, (fol. 64r, **Ed.** Ed. cit., app. I 30-31 no. 27; **Bibl.** cf. Schellhass, art. cit. 683 n. 1); idem ad episcopum Atrebatensem <Franciscum Richardotum>, 1 maii 1573 (fol. 64r, **Ed.** Ed. cit., app. I 31 no. 28); idem ad Antonium Democharum, s.d. (fol. 64v, **Ed.** Ed. cit., app. I 31 no. 29); Philippus Boncompagni ad incertum prelatum, s.d., exemplar, (fol. 65r), <Jacobus> Amyotus episcopus Autissidori ad Gregorium XIII, 7 martii 1573 (fol. 73r-v, **Ed.** Ed. cit., app. I 24-25 no. 20); idem ad Card. S. Sixti, 7 martii (1573?) (fol. 74r-v and 80r, **Ed.** Ed. cit., app. I 20-21 no. 16); idem ad eodem, 12 septembris 1573 (fol. 75r-v, **Ed.** Ed. cit., app. I 14-15 no. 5).

(These folios, arranged in three quires, also consist mostly of original letters, except for the drafts on fol. 37r-v, 54r-v, and 64r-65r, the notes on fol. 62r-63v, and 66r, and the extraneous material on fol. 76r-77r (see below). Fol. 47-53, 55, 67-72 and 78-81 are the outer wrapping leaves, with addresses, traces of sealing, and occasional notes, e.g. fol. 69v (the wrapping for fol. 59r) reads: 'Exemplum epistolae scribendae ad episcopum Placentinum'. **Bibl.** Schellhass, art. cit. presents a detailed study of fol. 36-81; F.X. De Ram, 'Documents relatifs à la part prise par les docteurs de Louvain à la correction du Décret de Gratien', *Annuaire de l'Université de Louvain* (Louvain 1862) 198-221 reprints the correspondence of Richardot, Pammelius, and the doctors of Louvain, although addresses are often given incorrectly.)

fol. 76r-v **Johannes Baptista Fontana, <Minuta resolutionum in congregatione Correctorum die 6 mai 1578 apud Card. Alciatum>**

(Praefatio) IIII Kal. maias die Lunae in consistorio sanctissimus dominus noster Gregorius XIII censuit ... (Textus) Anno Domini MDLXXVIII pridie nonas maii die Martis hora XXII apud illustrissimum dominum cardinalem Alciatum praefectum primae congregationis affuere doctores ... (Finis) felix faustumque sit reipublicae christianae salutare commodumque. (Subscriptio) Jo. Bap. Fontana de comitibus IUD Mediolanensis manu propria. (**Ed.** Theiner, *Disquisitiones criticae*, app. I 35-37, no. 35. This text is a record of the consistory of 28 April and the ensuing meeting of *the Correctores* on 6 May 1578. On the meeting, cf. Kuttner, 'Some Roman Manuscripts' 17 n. 46.)

fol. 77r <Incertus auctor, **Nota ex archivo civitatis Mutinae**>

(Headed ZZ 'Saccetto primo/ numero 1090/ de anno 973', this note, on a small sheet, concerns a provincial synod held by an archbishop of Ravenna and includes a list of his suffragans.)

fol. 82r-161v <Incerti auctores, **Notae et documenta de libris et manuscriptis, ad Correctores romanos directa**>

(Rubrica) Scripta transmissa ab episcopo Mutinensi ... (Textus) Ad primum quod attinet uoluminis corpus ipsum ... (Nota ultima) (Rubrica) Inuentario de' libri dell'archivio del duomo di Milano (Textus) liber legis Salice ... (Finis) liber Burcardi de Rebus Ecclesiasticis (*sic*) (This portion of the MS is an unorganized collection of materials, some of which were possibly enclosures sent with some of the foregoing letters. In many different hands, with parts of individual items sometimes separated by the way the papers were arranged into quires, these materials include lists of books and manuscripts, excerpts, and historical notes. The *correctores* added notations and sometimes unrelated material to originally

blank leaves.)

Cat. Kristeller, *Iter* II 369. **Bibl.** Theiner, *Disquisitiones criticae*, app. I prints much of the material in this MS, although with numerous errors. **Bibl.** Ae.L. Richter, *De emendatione Gratiani dissertatio historico-critica* (Leipzig 1835) 1, 39-45; Kuttner, 'Some Roman Manuscripts' 13 n. 25, 14, 17 n. 46; K. Schellhass, 'Wissenschaftliche Forschungen unter Gregor XIII. für die Neuausgabe des gratianischen Dekrets', *Papsttum und Kaisertum: Paul Kehr zum 65. Geburtstag* (München 1926, repr. Aalen 1973) 674-90.

The MS is written in many cursive hands, some trained, others obviously not. The ink is generally brown; there is no color or decoration. Page size and written space vary considerably. Fol. 27 is mutilated. The MS is bound in 17th-century green leather over cardboard with a 19th-century white parchment spine. In addition to most of the recto sides of the wrappings of the original letters, <I>, fol. 3r-4r, 66v, 77v, 78r-v, 85v, 89v-90r, 92v, 96v-97v, 103f^r-v, 103g^v, 105b^r, 105c^v, 110v, 126v, 130r, 131v, 132v-133v, 134v, 139r-v, 155v, and 160v are blank.

Vat. lat. 4914

saec. XVmed.

Prov. Semmonecto Carachulo. **Scr.** Matthaëus.

<I> +321 fols. - (105-106) + <I> chart. 434 (274) x 282 (163) mm, origin Italy (Perugia?). Quiniones, saec. XVmed.

<I>ra-vb, <+I>ra-vb <Incertus auctor, **Lectura in Digestum**>, fragmenta duo (These leaves are in a 15th-century cursive and are slightly smaller than the rest of the codex.)

fol. 1ra-321va **Benedictus de Benedictis**, <**Lectura in decretales**> (X 1.2.1-1.5.1; 1.29.1-1.43.14)

(Rubrica) <I>ncipit primus liber. De constitutionibus. Rubrica. (Textus) Hec continuari potest ad precedentia duobus ZZ modis: uno modo secundum Goffredum ... (fol. 1va) (Lemma primum) <C>anonum statuta: Constitutiones canonum ab omnibus sunt seruande. H. d. secundum Io. An. ... (fol. 321ra) (Lemma ultimum) ZZ <C>ompromissum: ... (Finis) in quibus finitur compromissum de quibus in dicto § compromissum etc. (Colophon) Expliciu[n]t recollecte primi libri decretalium domini Benedicti de Benedictis de Perusio. Amen. Explicit hic liber ad laudem Dei. Qui scrixit (*sic*) nomine fuit Mathei. (**Bibl.** See Vat. lat. 2282.)

The main text is in four hands in black ink: fol. 1ra-95vb; 96ra-104vb, 111ra-227rb; and 227va-321va (Matthaëus). The author's name is noted at the top of fol. 1r. Capitals are missing or filled in later with added grotesques. A likely owner is noted at the bottom of fol. 321v, 'Semmonecto Carachulo (?)'. Decorated catchwords are centered. The MS has a 19th-century leather and parchment binding incorporating parts of a 17th-century one. Fol. 107r-110v are blank.

Vat. lat. 4915

saec. XVmed.

Prov. Franciscus de Accoltis.

<I> +741 fols. + 89a chart. 309 (235) x 210 (111) mm, origin Italy (Perugia?).

Quiniones, saec. XVmed.

fol. 1r-740v <**Benedictus de Benedictis, Lectura in Decretales**> (X 2.1.1-2.26.16)
(Invocatio) Yhesus. (Rubrica) Capra super secundo domini Francisci de Acoltis de Arretio. (Textus) Continuatur rubrica ista ad precedentes hoc ordine secundum Goffredum ... (fol. 1v) (Lemma primum) *De Quouult*: Qui promisit iudicem non declinare penitere non potest ... (fol. 739v) (Lemma ultimum) *Cum ex officii (sic)*... (Finis) Sed dominus Ny. hic tenet quod etc. (**Bibl.** See Vat. lat. 2282.)

The MS is written in an italic cursive in brown ink. Spaces for rubrics and lemmata are often left blank. Defects in the text are noted at fol. 225v, 582r, 601r, 613v, 701r (X 2.26.1). and 718r (X 2.26.10-11). The lack of X 2.19.4-7 is not noted at fol. 253r. At <I>v is written 'Capra super 2° decretalium'. Early in the MS the centered catchwords are richly decorated; later they are decorated more plainly. For the watermarks, cf. Briquet no. 2669. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <I>r and fol. 253v-263v, 445v-447v, 582v-587v, 601v-603r, 614r-617v, 701v-702v, 718v-719v, 730v, and 741r-v are blank.

Vat. lat. 4916

saec. XV

antea 174.

<I> +271 fols. + <III> chart. (memb.. <I> et <+I>) 424 (257) x 283 (170) mm, origin North Italy. Quiniones, saec. XV.

fol. 1ra-4ra <Incertus auctor>, **Tractatus de nobilitate**

(fol. 1r) (Rubrica) Tractatus de nobilitate et de ortu et effectu illius. (fol. 1ra) (Textus) <C>irca materiam nobilitatis aliqua sunt querenda. Primo an aliquis debeat ... (Finis) ergo quod nobilitas reputatur ex acceptatione principis et eciam populi.

fol. 4rb-5ra <Incertus auctor>, **Tractatus de bello**

(Rubrica) Tractatus de bello et unde et qua causa ortum sit. (Textus) <Q>uoniam sepe dubitatum est unde bellum ortum habuit, dignum duxi ... (Finis) ut faciat iusticiam c. Dominus (C.23 q.2 c.2) superius allegatum.

fol. 5rb <Incertus auctor, **Quaestio de vita austeritatis**>, fragmentum
(This is a false start.)

fol. 5va-6va **Guillelmus de Cuneo, Tractatus de officiis**

(Rubrica) Tractatus de officiis. (Praefatio) Videndum est de officiis positus in primo libro ff. ueteris ... et immo primo uideamus de senatoribus. (Textus) De senatoribus debes scire quod senatores fuerunt ... (Finis) ut de istis aliqua tractari quarum uideatis ibi et sufficiant de presenti tractatu officiorum composito per me Guillelmum de Tugno legum doctorem Tholosanum.

fol. 7ra-43vb **Martinus Garatus Laudensis, Tractatus de principibus**

(Rubrica) Domini Martini Laudensis de principibus tractatus feliciter incipit. (Praefatio) <C>ompertum habeo principium illustrissime princeps apud non leues (*om. cod.*) iuris auctores ... (fol. 7vb) <Tabula operum Martini Laudensis> ... (fol. 8ra) (Rubrica textus *in marg.*) De principibus. Rubrica. (Textus) <P>incipes sunt ministri Dei in terris ... (fol. 43va) (Finis) non confiscantur l. Insulam in principio ubi Baldus ff. soluto matrimonio (Dig. 24.3.42). (Epilogus)

- <S>epe numero magnum certamen sepissime dux inter mortales fuit ... et mei Martini de Garatis iuris utriusque doctoris tue orbis (*sic*) Laudensis cuius originarii nomen descripsi. (Colophon) Deo uirgini Marie gratias summas ... 'corre(fol. 43vb)gis in manu Dei est' (Prov. 21.1). (**Ed.** Praef. in G. Rondinini Soldi, *Il tractatus de principibus di Martino Garati da Lodi* (Milano 1968) 83-85. For the text, cf. TUI 16 fol. 204va-212rb, 212rb-vb, 212vb-213va, 278ra-vb, 278vb-281rb, 456vb-457rb, 324ra-325ra; 11.1 fol. 22vb-23vb; 16 fol. 302rb-303rb; 18 fol. 2ra-3vb; 16 fol. 1ra-1a^{ra}; 12 fol. 2ra-6rb; the epilogue is unprinted.)
- fol. 44ra-48vb **Martinus <Garatus Laudensis, Centum quaestiones de coetu et auctoritate dominorum cardinalium>**
 (Rubrica) Domini Martini Laudensis de cardinalibus tractatus feliciter incipit.
 (Praefatio) <S>epenumero cogitanti mihi ac mente repetenti reuerendissime pater Astorgi ... (fol. 44rb) (Textus) In primis querendum putavi utrum cetus cardinalium ... (fol. 48va) (Finis) quod composui pro canonizatione beati Bernardini Senensis ordinis fratrum minorum. Laus Deo. (Epilogus) Reuerendissime pater et domine mi singularissime Astorgi ... questionum nostrarum centum decisiones per breues et conclusiuas camerarias quam raptim facere. (**Colophon**) Laus Deo (Christo Ihesu. Amen *cod.*). (**Ed.** G. Rondinini Soldi, *Per la storia del cardinalato nel secolo XV* (Memorie dell' Istituto Lombardo - Accademia di Scienze e Lettere, classe di lettere - scienze morali e storiche 33.1, Milano 1973) 55-86. **Bibl.** Izbicki, 'Problems in TUI' 490.)
- fol. 48vb-51vb **Martinus <Garatus> Laudensis, Tractatus de notis Bartoli**
 (Rubrica) Domini Martini Laudensis de notis Bartoli tractatus feliciter incipit.
 (Textus) Incipit libellus note Bartoli nam sententia siue opinio Bartoli regulariter praecedit ... (Finis) Adde alium casum Angeli repet. § qui prouocauit 1. Tale pactum ff. de pactis (Dig. 2.14.40.1).
- fol. 52ra-53rb **Martinus <Garatus> Laudensis, Tractatus de canonizatione**
 (Rubrica) Incipit tractatus domini Martini Laudensis de canonizatione sanctorum. Tractatus de canonizatione sanctorum. (Inscriptio) Reuerende pater et religiosissime domine frater Iohannes de Capistrano. (Textus) Imprimisque inter cetera querendum est de miraculis factis ... (Finis) et omnes ponit Hostiensis in dicto c. 1 de reliquiis et ueneratione sanctorum libro vi^o (Sext. 3.22.1). (Epilogus) Hec que raptim scripta ... uobis reuerendo patri domino fratri Iohanni de Capistrano corrigenda et supplenda submitto. (**Colophon**) Martinus Laudensis utriusque iuris doctor excellentissimus.
- fol. 53va-64rb **Martinus Garatus Laudensis, Disputatio <de legitimatione>**
 (Rubrica) Disputatio facta per eximium ac celeberrimum iuris utriusque doctorem dominum Martinum de Garatis ciuem Laudensem ac in Ticinensi gimnasio in iure ciuili publice legentem ordinarie sub anno Domini M^o cccc xlii indictione vi^a die xiii mensis aprilis. (Textus) <A>ugerius Seyo eius patre feudatario ecclesie consentiente legitimatus extitit ... (Finis) uide Baldum in l. finali C. unde cognati (Cod. 6.15.5). (Subscriptio) Mar. (**Ed.** Cf. TUI 8.2 fol. 91va-98ra, which is badly corrupted.)
- fol. 64va-67vb **Martinus <Garatus> Laudensis, Tractatus de conscientia**
 (Rubrica) Domini Martini Laudensis de conscientia tractatus feliciter incipit. Incipit opus de conscientia. (Invocatio) Christi et gloriose uirginis Marie

nominibus inuocatis. (Praefatio) Opusculum singula lectione quadragesimali pertractandum a me Martino Laudensi ... immo primus articulus erit in miseria excommunicationis uidelicet. (Textus) <V>trum episcopus uel alius excommunicator possit ... (Finis) ut omnia [d] intelliguntur de peni. di. 5^a c. 1 (De poen. D.5 c.1). (Colophon) Laus Deo et uirgini Marie. Explicit tractatus de conscientia.

- fol. 68ra-73rb **Martinus Garatus Laudensis, Tractatus de primogenitura**
(Rubrica) Incipit opus primogeniture compositum a me Martino de Garatis Laudensi in ciuitate Bononie. (Invocatio) <I>n Christi et gloriose uirginis nominibus (nomine *ed.*). (Textus) Incipit opusculum de primogenitura licet (quamquam *cod.*) in iure nostro secundum uulgi (Vlpiani *cod.*) sententiam ... (Finis) ex quibus concluditur contrariam premissam non esse bonam. (Colophon) Laus Deo. Explicit tractatus de primogenitura. (Ed. TUI 10.1 fol. 16ra-18va.)
- fol. 73va-76vb **Martinus <Garatus> Laudensis, Tractatus de moneta**
(Rubrica) Incipit tractatus de moneta domini Martini de Laude utriusque iuris doctoris excellentissimi. (Praefatio) <C>upiens strictam monete materiam amplecti non per disputandi amplam uiam ... (Textus) Quero primo quis possit udere facere pecuniam ... (Finis) et in l. Si quis stipulatus fuerit x in melle per Bar. ff. de solutionibus (Dig. 46.3.57) (infra *add. cod.*). (Colophon) Explicit tractatus de moneta. (Ed. TUI 12 fol. 203ra-205ra.)
- fol. 77ra-78ra <**Martinus Garatus Laudensis, Tractatus de ecclesiasticis ordinibus**>
(Rubrica) Domini Martini de Laude iuris utriusque doctoris famosissimi de ecclesiasticis ordinibus libellus feliciter incipit. (Textus) <Q>uoniam in ordine inprimitur character c. Consultacioni de temporibus ordinationum (X 1.11.16) ... (Finis) et ibi glossa est quod loco apostolorum successerunt episcopi. (Colophon) Laus Deo. Explicit tractatus domini Martini Laudensis de ecclesiasticis ordinibus.
- fol. 78va-81va **Franciscus Zabarella, <Tractatus de schismate, excerpta>**
(Rubrica) Franciscus de Zabarellis in c. Licet de electione (X 1.6.6) ubi agit lactissime per quadraginta questiones de electione pape facta in discordia et de remediis post predictam. (Textus) Considerandum itaque est quod licet communiter et uere dicatur papam habere ... (fol. 79va) (Rubrica secunda) Postulato respondeo ut sequitur etc. Zambarellus. (Textus secundus) Queritur autem primo si contingat esse contencionem ... (Finis) temptaui rem hanc licet arduam et per alios intemptatam. (These excerpts match fol. 216va-217vb and fol. 212va-214va in Vat. lat. 2254.)
- fol. 82ra-157ra **Baldus <de Ubaldis>, Lectura in Codicem** (Lib. X)
(Invocatio) <R>ogo te domine ut des michi Baldo magistri Francisci de Perusio gratiam tuam in uidendo ueritatem harum legum et cetera. In nomine Patris et Filii et Spiritus sancti. Amen. (Textus) Glossa presentis rubrice diuiditur in plures (duas *cod.*) partes. Nam (in *add. cod.*) primo ponitur rubrice continuatio ... (fol. 84ra) (Lemma primum) <S >*i prius*: Ista lex est bona et solempnis et ideo bene aduertendum (aduertenda *cod.*) ... (Finis) aut non transit et est personale ut supra dixi (fuit dictum *cod.*). (Colophon) Explicit lectura domini Baldi super decimo libro codicis etc. (Ed. Baldus, *Opera VIII* fol. 238va-271vb.)
- fol. 157rb-158vb **Baldus <de Ubaldis>, Lectura in Codicem** (Lib. XI)

(Textus) Quia prouincie singule comitibus horreorum (orcorum *cod.*) que (qui *ed. male*) Rome lustrabantur (stabat *cod.*) ... (Lemma primum) <N>ullam: Nauicularii qui portant blada ad ciuitatem Romanam ... (Finis) quod talis casus euenerit. Hoc dicit (et est finis *add. cod.*). (Colophon) Explicit lectura famosissimi utriusque iuris doctoris domini Baldi super x^o (*sic*) libro codicis nec reperitur plus compilasse. Deo gratias. (**Ed.** Baldus. *Opera* VIII fol. 272ra-vb.)

fol. 162ra-271ra **Martinus Garatus Laudensis**, <Commentaria in consuetudines feudorum>

(Rubrica) Domini Martini Laudensis iuris utriusque doctoris excellentissimi super usibus feudorum commentum feliciter incipit. (Invocatio) <I>n nomine Dei. (fol. 162va) (Lemma primum) *Quia de feudis*: Diuiditur totum presens opusculum in tres libros. (Lemma ultimum) *Cum domino*: ... (Finis) et si esset filius secundum Bal. Hic etc. (Colophon) Explicit opus pulcerrimum tranctans (*sic*) solum modo feudalialia compositum a famosissimo utriusque iuris doctore domino Martino de Garratis Laudensi. Deo gratias.

fol. 271va <Incertus auctor, **De temporalibus ecclesiae**>, fragmentum

(Rubrica) An bona temporalia sint hereditas Christi et apostolorum et an ecclesia de temporalibus se debeat intromittere. (Textus) <Q>uoniam a nonnullis emulis ecclesie Dei uertitur in dubium ... (Finis) sed nunc magnifeste (*sic*) scriptura atestante.

<+I>v, <+Iv>, <+III>r-v <Incertus auctor, **Adnotationes legales**>

<+II>va-vb <Incertus auctor, **De ZZ iurisdictione imperatoris in Hispania et Francia**>

(Rubrica *marg.*) Hispania prefertur Galie. (Textus) Nota textum in l. In nomine Domini C. de officio prefeci Affrice in § iubemus (Cod. 1.27.2.2) ... (Finis) sicut refert glossa ff. de origine iuris l. ii in principio (Dig. 1.2.2).

Cat. Kristeller, *Iter* II 330.

The MS was written in several cursive and humanistic bookhands in dark brown ink with sporadic annotations in the margins. Blank spaces remain for rubrics and capitals. The composite nature of the MS is suggested by the catchwords, which are at the lower right to fol. 81, framed and centered to fol. 171v, and vertical at lower right thereafter. The old ZZ shelfmark, 'no. 174', and 'sunt in isto libro folia cclxxx' are written on <+I>v. For the watermarks, cf. Briquet nos. 2639 and 11769. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <I> and <+I> show traces of glue. <I>, fol. 159r-161v, <+I>r, and <+II>r are blank.

Vat. lat. 4940

saec. XVmed.

antea 28. Prov. Guglielmo Sirleto (card. 1565-1585), Alan de Coetivy (card. 1448-1474) (?). <V> + 288 fols. - (102-110) + 134a chart. (memb.: <1>) 291 (170) x 198 (126) mm, origin Italy. Seniones, saec. XVmed.

fol. 1ra-177rb <**Johannes de Capistrano O.F.M. (s.), Speculum conscientiae idest de conscientia serenanda**> (See Vat. lat. 968 IVra-fol. 121rb for further information.) *Variants*:

<Tabula, rubricae, invocatio, inscriptio et praefatio desunt.>

fol. 181ra-267vb **Johannes de Capistrano O.F.M. (s.), Tractatus de cupiditate**

(Invocatio) In nomine Patris et Filii et Spiritus sancti. Amen. (Rubrica) In die cinerum in capite quadragesime in ciuitate Veronensi 1438. 26 februarii indictione 1. Tractatus contra cupiditatem seu auariciam incipit editus a fratre Iohanne de Capistrano ordinis minorum etc. (Lectio) 'Nolite thesaurizare uobis thesauros in terra.' Math. 6 (v. 19). (Textus) Vt discuciamus thesaurizationis materiam quanto breuioribus poterimus uerbis ... non teneatur inde ut concludam idem in foro iudiciali etc. (**Bibl.**: U.R. Bloomfield, *Incipits* no. 3234.)

Cat. Kristeller, *Iter* II 330.

The MS is in several cursive, hands in gray-brown ink. Capitals are red or blue; paragraph signs are red. The arms an fol. 1r may be those of Alan de Coetivy (card. 1448-1474). Notes on fol. 268v include ZZ 'Magister martibus in Romana curia casus habet'. <I>r has the note 'Emptum ex libris Cardinalis Sirleti'. Several of the notes an <II>r relate to the history of the MS: '28'; 'post S. Paulo in monasterio sancti Silvestri dedi tres carlenos. Deinde dedi duos ut redimeret a Lionardo hunc librum. Deinde die 2^a septembris mutuauit sibi duos. Sic sunt 7 in toto'; 'Auuto da mi Alessandro Giullii uenti uno duo et 2:8.10'. <V>va-vb has a later table of contents in the same hand as a note on contents at fol. 1r. Catchwords are at lower right to fol. 64v, after which they are centered. A fragment of a 12th-century breviary has been glued inside the cover cf. *Manuscripts liturgiques*, ed. Salmon I 662. The binding is 17th-century red leather over wood with traces of clasps. <I>v, <II>v-<V>r. fol. 52v, 111r-v, 177v-180v, 210v, 246v, 268r, and 269r-288v are blank.

Vat. lat. 4945 pars la

saec. XI

Prov. Giovanni Angelo, duc d'Altemps; Guglielmo Sirleto (card. 1565-1585). <I> +6 fols. memb. 295 (225) x 195 (150) mm, origin Italy (Nonantola?). Quaternio, saec. XI.

fol. 2ra-vb <Index Commentarii Hieronymi in Isaiam librum XVIII>

fol. 3ra-6vb <**Concilium Nicaenum**, excerpta ex fontibus variis>

Nemo qui scripturas diuinas legit ignorat quod in principio ... Canones generalium conciliorum a temporibus Constantini ... (Finis) sed immutabilis et inconuertibilis haec eadem Trinitas semper. (Colophon) Explicit synodus Niceae habita. Amen. (*al. man.*) Hanc deflorationem ex tractatu sancti Hieromini in Ysaya propheta (*sic*) Damianus clericus sancte Romane ecclesie transcribere studuit.

Ed. This compendium of texts related to the Council of Nicea is based on the Pseudo-Isidorian Decretals with additional texts interspersed. It is composed of the second letter of Pseudo-Melchiodis (*Decretales pseudo-Isidorianae*, ed. Hinschius 247-49), the short and long prefaces from the same source (ed. cit. 254-57), the metrical preface (ed. cit. 257), the symbol according to Dionysius Exiguus *altera* (Turner, *Monumenta* I 252-53), a short explanation of the symbol in Turner's 'Q' form (ed. cit. I 110), a short preface to the canons with the variants of Turner's 'Sp' (ed. cit. I 173), a list of canons and the canons (*Decretales pseudo-Isidorianae*, ed. Hinschius 258-260), followed by a second symbol and explanation of the same tradition (ed. cit. 260) except that the first line of the explanation ('Haec est ... patres') is missing, and finishing with the 'Fides sancti Gregorii maioris' of that edition (ed. cit. 260). The colophon added by the second hand (contemporary) refers to the text which originally followed, cf. Mercati. **Bibl.** Mercati,

Codici latini ZZ Pico Grimani Pio describing the MS at 125; M. Palma, 'Da Nonantola a Fonte Avellana. A proposito di dodici manoscritti e di un «domnus Damianus»', *Scrittura e civiltà* 2 (1978) 221-30, discussing the provenance of Vat. lat. 4945, although he does not specifically refer to this separated piece.

These six folios were separated from the rest of Vat. lat. 4945, probably shortly after the MS was purchased from the duc d'Altemps as the rest of the MS is bound with Paul V's arms, cf. Mercati. As presently constituted, the MS breaks into two parts: the index to Jerome, and the texts from the Council of Nicea. The Nicea texts are written in a single neat Italianate Carolingian minuscule in very dark ink. Enlarged capitals in the ink of the text open each piece. Space remains for the rubrics. The closing rubric referring to Jerome is by a separate hand and in red. The index seems to have been added on an originally blank guard folio and is an aid for the text which originally followed the Council. The entries are roughly done by several hands over a period of time. The original guard folio with title (fol. 1 now) has been torn and only a fragment (100 x 190 mm) remains with this MS, on the recto is the title (note) 'In hoc libro continetur Concilium Nicaenum copiosius quam in impresso'. On the verso are two notes which seem to be additions to the index on fol. 2ra-vb. On the recto of the raised pastedown (<I>) is the note 'Emptum ex libris Cardinalis Sirleti'. The parchment was lined with dry point. The cardboard binding probably dates from the 18th-century, cf. Mercati. <I>v is blank.

Vat. lat. 4961

saec. XIin.

antea 312; 92. **Prov.** Giovanni Angelo, duc d'Altemps; Colonna family; Guglielmo Sirleto (card. 1565-1585); Marcello Cervini (later Marcellus II); Fonte Avellana, monastery of Santa Croce.

<I> +109 fols. memb. 353 (282) x 229 (175) mm, origin Italy (Nonantola).

Quaterniones, saec. XIin.

fol. 1ra-108vb <**Collectio Avellana**> (See Vat. lat. 3787 for further information.)

Variant:

<Nota marginalis inseritur post rubricam textus *al. man.*>

fol. 109ra-vb <**Collectio Avellana**>, fragmentum F (See Vat. lat. 4903 fol. 431r-434r for further information.) *Variant:*

(Finis) Dardaniam *pro* Dalmatiam.

Ed. *Avellana*, ed. Günther, using this MS (siglum α). The fragment on fol. 109ra-vb consists of two fragments from another version of the collection as it appears in the edition at pp. 480 line 14-86 line 22 and 487 lines 11-13, cf. the edition p. xxx and following. **Bibl.** *Avellana*, ed. Günther, Part I, pp. xvii-xxv, giving a detailed description of the MS; S. Leo Magnus, *Opera*, ed. Ballerini, PL 54.563-66; Ballerini, *De antiq. coll.* PL 56.179-90, naming the collection from this MS; Maassen, *Geschichte* 787-92; Thiel, *Epistolae* viii, xxv-xxvi, and xxxvi-xxxvii, noting that this is the 'codex Sirleti' of the Roman editors; Maxentius aliique Scythae monachi necnon Iohannes Tomitana urbis episcopus, *Opuscula*, ed. F. Glorie (CCL 85A; Turnholt 1978) 115-21. using this MS (siglum G); Kuttner, 'Some Roman Manuscripts' 21 n. 59; M. Palma, 'Da Nonantola a Fonte Avellana. A proposito di dodici manoscritti e di un «Domnus Damianus»', *Scrittura e civiltà* 2 (1978) 221-30, *passim*, confirming that this MS was written at Nonantola; Mercati, *Codici latini Pico Grimani Pio* 129, showing that this MS belonged to the Colonna family and the duc d'Altemps; G. Mercati, 'Il Codice dell'Avellana e "Domnus Damianus"', in G. Mercati, *Opere minori* Vol. 2 (Studi e testi 77, Città del

Vaticano 1937) 245-49; G. Vitaletti, 'Un inventario di codici sec. XIII e le vicende della Biblioteca dell'Archivio e del Tesoro di Fonte Avellana', *La Bibliofilia* 21 (1919) 58, 62-68, on Bessarion's use of this MS, a copy of which is among his MS in the Marciana; H. Mordek, 'Dalla riforma gregoriana alla *Concordia discordantium canonum* di Graziano: osservazioni marginali di un canonista su un tema non marginale', *Chiesa, diritto e ordinamento* 89-112 at 102 n. 52.

The MS is written in brown ink by four scribes, all using variations of late Carolingian minuscule. For a detailed description of the scripts, see the *Avellana* edition cited and Palma. A contemporary corrector has inserted into the space between the rubrics and the text the marginal notations which appear in Vat. lat. 3787, q.v. There are a few marginal notations in modern hands. The capitals on fol. 1ra-2va and 84r-108v are red, as are the rubrics on fol. 2v. The capitals have some light decoration worked into the form of the letter. <I>r has a title added by a 13th-century scribe: 'Liber epistolarum super controversia duorum (*sic*) Liberii et Felicis. Incip. que gesta sunt (et alique epistole pontificum et alique imperatorum *add. al. man.*) CLXXVIII'. Just above the title, in very small script, is 'lib. mon. fontis Avellane de diuersis epistolis pontificum'. Below, added by a Vatican scribe in the 17th century, is 'Emptum ex libris Cardinalis Sirlleti'. On <I>v, in a late 16th-century hand, is the note: 'apographum huius codicis extat in Cod. 4903' and, in a more modern hand, 'necnon Cod. 3786'. In the upper left corner of fol. 1r is '312'. This is MS 92 in the catalogue of Cardinal Sirlleti's MSS. In the lower margin of fol. 109va is the ex libris 'Iste liber est monasterii sancte Crucis fontis Avellane Eughubinae dioc.', and in the margin of fol. 109vb, in a different hand, is 'Hunc librum adquisiuit domnus Damianus S. †'; cf. Mordek. Catchwords appear at the right, very low on the page. Compass prickings are visible in the outer margins. The leather binding is from the late 19th-century.

Vat. lat. 4965

saec. IX (870-71)

antea 4964, E.N.16. **Prov.** Giovanni Angelo, duc d'Altemps; Colonna family; Guglielmo Sirlito (card. 1565-85); Ratherius de Verona, Verona; S. Maria Maggiore, or chapter library.

154 fols. + 1a memb. 367 (250) x 251 (175) mm, origin Italy (Rome). Quaterniones, saec. IX (870-871).

fol. 1v-1a^r <**Ratherius Veronensis, Epistolae 17-20**>, imperfectae

///quaedam contra spem uideantur nescire ///do uni eorum, qui assertores nostri ... (Finis) et ama et iusiurandum omnino conserua. (**Ed.** *Die Briefe des Bischofs Rather von Verona*, ed. F. Weigle (MGH Die Briefe der deutschen Kaiserzeit 1, München 1949) 106-11, using this MS (siglum V). **Bibl.** C. Cipolla, 'Lettere inedite di Raterio Vescovo di Verona', *Studi e documenti di storia e diritto* 24 (1903) 52-72, with a plate of fol. 1r; F. Weigle, 'Die Briefe Rathers von Verona', *DA* 1 (1937) 147-94, with a plate of part of fol. 1r.)

fol. 1a^{va}-153vb **Concilium Constantinopolitanum IV** (869) (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants*:

(Rubrica) *Causa pro Cause* <Colophon deest.> (**Ed.** Anastasius Bibliothecarius, *Praefatio* 5, MGH Epp. 7, ed. E. Caspar ZZ et al., pp. 403-15, using this MS (siglum V); of the canons only, P.P. Joannou, *Discipline générale antique (IVe-IXe s.)* (Pontificia commissione per la redazione del codice di diritto canonico orientale. Fonti I, fasc. 9: Roma 1962) 293-342, using this MS: ZZ siglum IV.)

fol. 1a^{va}-153rb <**Anastasius Bibliothecarius, Glossae ad Concilium Constantinopolitanum IV**> (869)

- (Ed. C. Leonardi, 'Anastasio Bibliotecario e l'ottavo concilio ecumenico', *Studi medievali* ser. 3 vol. 8.1 (1967) 59-192 at 163-182, using this MS.)
- fol. 5va-153va <**Ratherius Veronensis, Glossae ad Concilium Constantinopolitanum IV**> (869)
 (Ed. Leonardi, 'Anastasio' 183-192, from this MS: ZZ C. Leonardi, 'Le "Notae" agli atti dell'ottavo concilio ecumenico', CCLM 46A, pp. 304-10, reprinting 34 glosses.)
- fol. 49rb, 65va, 91ra, 135ra, and 149va <Incertus auctor, forsan Ratherius Veronensis Glossae ad Concilium Constantinopolitanum IV> (869)
 (Bibl. ZZ Leonardi, 'Anastasio' 167 no. 30.)
- fol. 153v-154r <**Ratherius Veronensis, Epistola 22**>
 (Inscriptio) <Ser>enissimo atque piissimo imperatorum a Deo electo ... Ratherius ... miserissimi ceteris omnibus. (fol. 154r) (Textus) Tantillitatis clementissime domine uilitas atque paupertatulae ... (Finis) restituam qualemcumque, quem illi abstulit si non despicit monachum. (Ed. *Die Briefe*, ed. Weigle, pp. 115-19 (siglum V). See p. 115 n. 2 on the convoluted order of the letter in the MS. **Bibl.** See above, fol. Iv-Ia^r.)
- fol. 154r <**Ratherius Veronensis, Excerpta ex decretis Innocentii papae I**>
 (Rubrica) Ex decretis Innocentii cap. Liii. (Textus) Ubi uulnus infixum est ... (Finis) Anastasius octauae synodi contra (*sic*) describtor. (Ed. *Die Briefe*., ed. Weigle, p. 113 n. 1; C. Cipolla, 'Lettere inedite di Raterio Vescovo di Verona', *Studi e documenti di storia e diritto* 24 (1903) 54. **Bibl.** Leonardi, 'Anastasio' 186 and n. 30.)
- fol. 154v <**Ratherius Veronensis, Epistola**>. fragmentum
 ///niebat et ducem uestrum ///issimum sit omnibus utrosque eos de preda///isse et lacrimis miserorum. (Ed. *Die Briefe*, ed. Weigle, p. 118 n. a.)
- fol. 154v <**Ratherius Veronensis, Qualitatis coniectura**>, fragmentum
 <Cavilla>toribus igitur materiem (*sic*) ad id, cui instant (instant cui *ed.*) agendum ... (Finis) nullus fecit de me promere tempto ipse relatum. (Ed. F. Weigle, 'Die Briefe Rathers von Verona', DA 1 (1937) ZZ 194.)

Bibl. Leonardi, 'Anastasio' 59-192, with plates of 18 different folios from this MS; B. Bischoff, *Anecdota Novissima. Texte des vierten bis sechzehnten Jahrhunderts* (Quellen und Untersuchungen zur lateinischen Philologie des Mittelalters 7; Stuttgart 1984) 11; P. Supino Martini, 'La produzione libraria e quella epigrafica', *Scrittura e Civiltà* 2 (1978) 45-95; Mercati, *Codici latini Pico Grimani Pio* 106-43, esp. 131, showing this MS belonged to the Colonna family and the duc d'Altemps before entering the Vatican library in 1612; MGH Epp. VI, Karolini Aevi, ed. Perels, collates the letters of Nicolaus I from this MS (siglum D) at 263, 433, and passim, see also Vat. lat. 3789.

The main text was written in brown ink in Carolingian minuscule by the copyists of Anastasius Bibliothecarius. This is a working MS with hundreds of corrections, in both the main text and Anastasius's glosses. On fol. 1a the opening inscription is red with a yellow wash; the initials are in ink with yellow. In the rest of the text a rubric or initial is occasionally red or an initial has some red decoration. The works on fol. 1v-1a^r and 153v-154v were added by Ratherius of Verona, along with his glosses to the main text, in the 10th century. Fol. 1v-1a^r and 153v-154v are drafts, very roughly written. On fol. 1a^r the ex libris: 'Liber sancte (in a 14th-century hand) Mariae Maioris Veronensis seu Capituli Veronensis' (in a 16th-century hand). The latter hand is also responsible for 'Capituli ecclesie Veronensis' at the top of fol. 2r. 'Liber

maioris ...' and 'Emptum ex libris Cardinalis Sirleti' appear on fol. 1r, along with the former shelfmarks, '4964' and 'E. N. 26'. Attached to fol. 43r is a slip with notes by A. Mai. Quires are irregular but predominantly quaternions, each signed with a centered roman numeral; cf. Leonardi, 'Anastasio' p. 146 for a full collation. The MS was numbered in the 16th century, except for fol. 1, which has since been numbered; the original '1' is now '1a'. The MS has a new binding of quarter leather on wood boards with clasps. Fol. 12r is blank.

Vat. lat. 4976

saec. XVIex./XVIIin.

211 fols. chart. 326 (246) x 220 (138) mm, origin Italy (Rome). Quiniones, saec. XVIex./XVIIin.

fol. 1r-211v <**Collectio Caesaraugustana, recensio 2**> (*olim* recensio 1), imperfecta (Rubrica) Incipiunt capitula libri primi sacrorum canonum. <Tituli libri primi> ... (fol. 3r) (Rubrica) Augustinus in secundo libro de ordine. (Textus) Ad discendum dupliciter ducimur, auctoritate, atque ratione ... (Finis) Sic enim dicit, ZZ 'et fecit Deus hominem, ad imaginem Dei fecit eum' (Gen. 1.27) /// (cf. Barb. lat. 897 fol. 193vb, Lib. 10 c. 48).

Bibl. *Pelagii I epistulae*, edd. P. Gassó et C. Batlle xxxv-xxxix, reexamining the MS tradition of the *Caesaraugustana* and replacing Fournier's two recensions with three, wherein this form becomes *recensio 2*, but not mentioning this MS; S. Kuttner and W. Hartmann, 'A new version of Pope John VIII's decree on sacrilege (Council of Troyes, 878)', *BMCL* 17 (1987) 1-32 at 26-27 and n. 14, clarifying the Gassó-Batlle division into three recensions and listing this MS as of *recensio 2* in the new classification (note that all previous scholarship, including the remaining bibliography included here will list this MS as belonging to *recensio 1*, except as noted); P. Fournier, 'La collection canonique dite "Caesaraugustana"', *Nouvelle revue d'histoire de droit français et étranger* 45 (1921) 52-79, repr. in Fournier, *Mélanges* II 815-41 at 54 (816) and 70 (832) no. 2, Fournier-Le Bras, *Histoire* II 269 and 280 n. 2; ZZ Ballerini, *De antiq. coll.* PL 56.352. Blumenthal, *Early councils* 104 n. 13, on the occurrence of the anti-investiture canon of 1108 (fol. 48r); Conrat, *Geschichte* 390-93, using and quoting from this MS for Roman law excerpts in the Collection; E. Tejero, 'El matrimonio en la *Collectio Caesaraugustana*', *Proceedings Cambridge* 115-34, mentioning this MS at 117.

Written in dark brown, perhaps originally black ink, in the fine secretarial cursive of the Vatican *scriptores*, this copy ends abruptly with five lines of text on a folio left otherwise blank. The scribe also copied the cross-references to Gratian. On fol. 4v-209r there are marginal references, possibly to the exemplar (H.2 p.2 ... H.2 89) since they are accompanied by lines that seem to divide the sentences. Every folio has a catchword. The early 17th-century binding is of leather over wood, with vestiges of the clasps. Fol. 2v is blank.

Vat. lat. 4977

saec. XII

antea 2.8 Prov. ZZ Antonio Agustín, abp. of Tarragona (1577-86).

<I> +89 fols. memb. (chart.: <1>) 242 (178) x 166 (117) mm. Quaterniones, saec. XII.
fol. 1r-v, 1v-6v <**Gratianus, Decretum**, excerpta>

Forma uero apostolorum hec est ... (Finis) et ecclesie Dei satisfaciant. (**Bibl.**

Kuttner, 'Some Roman Manuscripts' 7-9, describing the contents of the excerpts

which were identified in the margins by Agustín.)

fol. 2 r-v <**Hugo de Sancto Victore, De sacramentis**, excerpta>

(Rubrica) De his qui occulte nubunt uel postquam nupserint aliqua uerenda contra coniugium faciunt. (Textus) Quidam uxorem duxit sine presentia testium solo ad inuicem maritali consensu ... (Finis) ut in matrimonio quod eius attestazione firmatum est fidem seruet (seruat *ZZ cod.*) (Ed. PL 176.488-94 passim; edited as an entity by Kuttner, 'Some Roman Manuscripts' 25-26 as a *quaestio* on clandestine marriage, with the identification corrected in BMCL 2 at p. 5.)

fol 6v-23v <**Collectio in 74 titulos digesta**, excerpta>

(Textus) Si difficile et ambiguum aput te iudicium esse perspexeris inter sanguinem ... (Capitulum ultimum) Hoc ad nos peruenisse non dissimili ... (Finis) per distincta ecclesiastici ordinis exercentur officia. Videat quod immitetur /// (ed. 87 line 9) (Ed. *Diuersorum patrum sententiae siue Collectio in LXXIV titulos digesta*, ed. J.T. Gilchrist (MIC Ser. B: Corpus collectionum 1; Città del Vaticano 1973). The excerpts, drawn from the Liège recension, have no identifiable common theme.)

fol. 24r-89v <**Collectio canonum**>, imperfecta

/// aut meritum obediencie aut experientiam ... et qui non meruit ordinari. (Inscriptio *marginis*.) Siricius papa. (Textus) Vos autem iam non estis in carne ... (Rom. 8.9) et ubi (ubi *cod.*) poterit nisi in corporibus sicut legimus ... (Excerptum ultimum) (Invocatio) In Dei nomine. (Textus) Ego .ill. indignus presbyter uel diaconus corde et ore (Finis) altare Deo optuli astantibus uenerabilibus ill. ill. (Ed. The first complete text is from Siricius, 'Directa ad decessorem' cap. VII, cf. PL 67.235B-C Contrary to Fournier's identification, the incomplete text beginning the collection is not from the Sirician letter. It is unidentified. The last text, unidentified, is an oath anathematizing Henry IV and Guibert of Ravenna (anti-pope Clement III). **Bibl.** P. Fournier, Un groupe de recueils canoniques italiens des X^e et XI^e siècles, *Mémoires de l'Institut national de France* 40 (1916) 95-213 at 206-08, repr. in Fournier, *Mélanges* 213-331 at 324-26; Fournier-LeBras, *Histoire* II 125-27; M. Fornisari, 'Un manoscritto e una collezione canonica del secolo XI provenienti da Farfa', *Benedictina* 10 (1956) 199-210 at 199 n. 4; R.E. Reynolds, *The Ordinals of Christ from their Origins to the Twelfth Century* (Beiträge zur Geschichte und Quellenkunde des Mittelalters ZZ 7 Berlin-New York 1978) 92, on the ordinal at fol. 37r; Blumenthal, *Early Councils* 109, 113 and using the MS (siglum Vb) for the edition of the canons of the Lateran council of 1110 (fol. 89r-v); Gossman, *Urban II* 18, printing the canon 'Gregorii papae et Urbani papae' from fol. 50r, but not able to identify it from the corpus of either Gregory VII or Urban II; Gilchrist, 'Reception' part. 1, p. 69, and Brommer, 'Rezeption', 133, on texts of Gregory VII and Theodulph of Orleans, respectively, in this collection.)

Bibl. *Diuersorum patrum sententiae siue Collectio in LXXIV titulos digesta*, ed. J.T. Gilchrist (MIC Ser. B: Corpus collectionum 1; Città del Vaticano 1973) lxi, noting that Fournier's supposition that this is an composite MS (fol. 1-23 and 24-89) cannot be correct because fol. 24 is the last folio of the 3rd quire; ZZ Kuttner, 'Some Roman Manuscripts' 7-9 and S. Kuttner, *Medieval Councils, Decretals, and Collections of*

Canon Law (London 1980) Retractiones 1-2; F. Patetta, *Studi sulle fonti giuridiche medievali*, ed. G. Astuti (Torino 1967) 157.

The MS is written in late Carolingian minuscule by multiple hands. The ink is red-brown through fol. 6v, thereafter very dark brown, perhaps originally black. Rubrics are red from fol. 24v. From fol. 6v capitals are red, some with decoration in ink. Notes in the hand of Antonio Agustín identifying texts can be found throughout the MS. This is no. 285 of his *Bibliotheca latina* (cf. Kuttner 7). Traces of the instructions for the rubricator are often visible along the outer edges. There are no catchwords. Prickings are visible throughout. Through fol. 8 the parchment is prepared with two rows of compass prickings. Damaged margins were repaired with parchment; some folios are partly protected with thin sheets of yellow paper. Fol. 89r-v is badly stained. The MS has a 19th-century parchment binding. Fol. 4v is blank.

Vat. lat. 4978

saec. XV, XVI

Scr. Gregorius Haloandrus (fol. 1ra-2vb).

4 + lxxxv fols. - lvii chart. 412 (340) x 286 (222) mm, origin Italy. Seniones, saec. XV, XVI.

fol. 1ra-2vb **Canones apostolorum**

(Rubrica). Canones sanctorum apostolorum per Clementem a Petro apostolo Romae ordinatum episcopum in unum congesti. (Textus) Episcopus a duobus aut tribus episcopis ... (fol. 2va) (Finis) publicare non oportet ob quadam archana qua in se (fol. 2vb) continent et actiones nostras apostolorum (Colophon) Finis apostolicorum canonum Gregorio Haloandro interprete. (Ed. F.X. Funk, *Didascalia et constitutiones apostolorum*, 2 vols. (Paderborn 1905; repr. Torino 1970) I 565-93, not using this MS. The MS text corresponds to, but differs substantially from ZZ Lib. 8.47 of Funk's text.)

fol. i^{ra}-xli^{tb} <**Pseudo-Isidorus, Decretales**, excerpta>

(Rubrica *marg. al. man.*) De sacerdotibus. (Inscriptio) <P>oncianus episcopus Criboni (*sic*) salutem. (Textus) Oppido cor uestrum caritati uestre congaudet quod studium sancte religionis ... (Finis) saluatore Ihesu Christo annuente tradidimus perhenniter atque feliciter possidendam (*sic*). (Rubrica) Sextum C. ZZ (Datum) <D>iuinitas nos (*sic*) conseruet per multos annos ... Rome sub die tercio kalendarum (*sic*) aprilium ... uiris clarissimus consulibus. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius 147-247, 249-254. **Bibl.** See Vat. lat. 630 fol. 1va-309rb.)

fol. xli^{tb}-xlvj^{va} **Concilium Nicaenum**

(Rubrica) Sequitur de Niceno concilio. (fol. xli^{va}) Quo tempo (*sic*) sit Nicenum concilium. (Textus) <C>anones generalium conciliorum a temporibus Constantini ... (fol. xlv^{vb}) (Finis) non similiter inquisitionem de heresibus habuerit. (Rubrica subscriptionum) Et conscripserunt CCC.xviii episcopi qui in eodem concilio conuenerunt. (Subscriptiones) <O>sus episcopus ciuitatis Cordulensis (*sic*) prouincie Spanie ... Theophilus Guthias. Lanidos Bosphoron. (Colophon) Expliciuunt nomina episcoporum Niceni concilii. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius, 254-57, 260, 258-60; Turner, *Monumenta I* 36-90. **Bibl.** See Vat. lat. 1319 fol. 241ra-243rb. The text seems to be a conflation of several traditions. It is basically the pseudo-Isidorian text with an addition to the preface, the symbol appearing both before and after the canons,

and the subscriptions according to the Dionysio-Hadriana tradition following the second copy of the symbol.)

fol. xlvi^{va}-xlvii^{vb} <**Pseudo-Isidorus, Decretales**, excerptum>

(Rubrica) Incipiunt decreta quedam ex sinodalibus gestis sancti Siluestri pape per capitula. (fol. xlvi^{vb}) <Tabula titulorum> ... (Rubrica textus) Primum. C. (Textus) <T>emporibus sancti Siluestri pape et Constantini (fol. xlvii^{ra}) piissimi augusti factum est magnum concilium ... (Finis) gradus suscipi nisi quinque episcoporum designatus sit cyrographis. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius, 449-51, the excerpt *Ex synodalibus gestis Siluestri*. **Bibl.** See Vat. lat. 630 fol. 1va-390rb.)

fol. xlvii^{vb}-xlix^{vb} <**Constitutum**> **Sylvestri**

(Rubrica) Incipiunt canones Siluestri pape. (Textus) <E>odem tempore cum multi nobiles gaderent (*sic*) quod Constantinus esset baptizatus ... (Finis) hunc Silvester episcopus in urbe Roma et omnibus episcopis aspersit. (Datum) Actum in termis Traianis xiii kl. iunias domino Constantino augusto quarto et Pristo (*sic*) consulibus. (Colophon) Expliciunt decreta quedam ex synodalibus gestis sancti Siluestri pape. (Ed. Cf. Mansi 2.620-32. **Bibl.** See Vat. lat. 3788 fol. 198ra-200rb. The text lacks any episcopal names in c. 1. The text is a conflation of the two edited in Mansi, with wide variations from both.)

fol. xlix^{vb}-li^{rb} **Concilium Constantinopolitanum I** (381)

(Rubrica) Incipit sinodus que facta est Constantinopoli aduersus heresim Macedonianam ab episcopis numero .cl. sub Teodosio [era] maiore Siagrio Eueuerio (*sic*) consulibus era ccccxviii. <Tabula titulorum> ... (fol. l^{ra}) (Textus) <H>ee regulae siue distinctiones sunt exposite ab episcopis ... (fol. l^{va}) (Finis) Expectamus resurrectionem mortuorum et uitam futuri seculi. Amen. Et subscripserunt centum quinquaginta episcopi qui in eodem concilio conuenerunt. <Subscriptions> ... (Colophon) Explicit canon concilii Constantinopolitani. (Ed. Turner, *Monumenta* II 406-38. The text is the pseudo-Isidorian version.)

fol. li^{rb}-lxxxv^{vb} **Concilium Ephesinum**, fragmenta

(Rubrica) Incipit translacio primi Ephesini concilii. Tractatus primus beati Cyrilli Alexandrini episcopi de incarnatione Domini ad tocium Egypti monachis contra (fol. li^{va}) Nestorium Constantinopolitanum episcopum. (Textus) <V>enerunt quidem aliqui eorum qui nobiscum sunt secundum consuetudinem ... (Finis) pietati et contra eam sapientem Nestorium deposuimus /// (The text breaks off in mid-sentence at the end of a page and quire, with the catchword *tam a sacri-* at the bottom of the last verso. **Ed.** *Acta conc. oecum.*, ed. Schwartz, 1.3, ZZ pp. 3-10 line 12, 18 line 11-26 line 21, 37 line 3-40 line 28, 41 line 27-43, 40 line 29-41 line 26, 44-47 line 8, 26 line 23-37 line 2, 47 line 14-48 line 31, 49 line 21-50 line 30, 49 line 5-18, 52 line 17-109 line 23. **Bibl.** See Vat. lat. 1319 fol. 1ra-91vb.)

Bibl. H. Mordek, 'Codices Pseudo-Isidoriani. Addenda zu dem gleichnamigen Buch von Schafer Williams', AKKR 147 (1978) 471-78 at 474-76.

The MS is written in gothic bookhand except for the *Canones apostolorum* which were added in the fine Italic hand of Gregorius Holoandrus. The ink is dark brown. Space was left for initials (only one was done, on fol. lxxxv^{vb}); - the next letter is often decorated. The main scribe added occasional corrections and

running titles. There are a few marginal notes in a contemporary hand. Catchwords are at the lower right, sometimes framed or decorated. For the watermarks, cf. Briquet no. 8390. The MS is bound in leather over wood boards with traces of clasps. Inside the front cover, a binding scrap contains the words '... die xv martii /// Imprimis hospitali /// reformationis /// sed econtra ...'. Fol. 3r-4v are blank.

Vat. lat. 4979

saec. IX

antea G99. Prov. Antonio Agustín, abp. of Tarragona (1577-86); Ratherius de Verona; Verona, S. Maria Maggiore, or chapter library.

II + 124 fols. memb. (chart.: I-II) 388 (275) x 277 (202) mm, origin Italy (Verona).

Quaterniones, saec. IX.

fol. 1ra-124vb <**Collectio Dionysio-Hadriana**>, fragmenta

(Rubrica) Incipiunt canones Serdicensis numero xii. 1. De episcopis etiam laicam (*sic*) communione priuandis qui ciuitates mutauerint. (Textus) Osius episcopus dixit. Non minus mala consuetudo quam pernitiōsa (*ed.* 175D) ... (Finis) omnibus pariter huius culpae reis anathematis poena (*ed.* 325D) /// (**Ed.** and **Bibl.** See Vat. lat. 631 fol. 342ra-406vb; Ballerini, *De antiq. coll.* PL 56.208-09, referring to this MS as 4969 (they also used the MS for their edition of the letters of Leo I, q.v.; PL 54.557-58); F. Maassen, 'Bibliotheca latina iuris canonici manuscripta', *Sb. Akad. Vienna* 53 (1866) 373-427 at 398; R. Kottje, 'Einheit und Vielfalt des kirchlichen Lebens in der Karolingerzeit', *ZKG* 76 (1965), 323-342; Mordek, *Kirchenrecht* 246. At least a third of the collection is missing. The text begins with the Council of Sardica and ends in c. 1 of Symmachus's Roman council of 1 March 499. There are substantial lacunae; see C. Leonardi, 'Von Pacific zu Rather', *DA* 41 (1985) 390-417 at 391-94 for an identification of the surviving sections and probable contents of the missing folios.)

fol. 11vb-124va, passim <**Ratherius de Verona, Glossae et notabilia**>

(**Ed.** C. Leonardi 'Von Pacific zu Rather', *DA* 41 (1985) 390-417 at 407-17 from this MS, 186 notations are included, made up of 'Nota' marks, crosses, variant readings, noteworthy words, and glosses; C. Leonardi, 'Le "Cruces" alla "Collectio Dionysio-Hadriana"', *CCLM* 46A, pp. 310-14, publishing the 16 autograph notabilia and glosses of Rather.)

Bibl. C. Leonardi, 'Von Pacific zu Rather', *DA* 41 (1985) 390-417, with plates of portions of fol. 3r and 19r and including a careful collation of the surviving quires of the codex; Kuttner, 'Some Roman Manuscripts' 22; C. Leonardi, 'Per una storia dell'edizione romana dei concili ecumenici (1608-1612) da Antonio Agustín a Francesco Aduarte', *Mélanges Eugène Tisserant* 6 (Studi e Testi 236; Città del Vaticano 1964) 583-637 at 618 n. 214.

The MS is written in a fine Carolingian minuscule in dark brown ink, possibly by several scribes, at Verona in the school of Pacificus (cf. Leonardi, 'Von Pacificus ...'). The codex is a very fragmentary one. The first 10 quires are missing. Quire xxii has fallen away between fol. 83v and 84r, as has quire xxiv between fol. 91v and 92r. Two double folios from the center of quire xxvii are missing between fol. 116v and 117r, as are the two central leaves of quire xxix between fol. 121v and 122r. Quire xxviii is the last surviving quire. At least three further quires would have been necessary to complete the collection. Major sections begin with a line of display script in varying combinations of red, yellow, and green, with rubrics

written in uncial script. Sometimes the first initial of a section is decorated in red, yellow, and green. Capitals are generally red, as are the rubrics. The text is corrected (to a second exemplar?) in several contemporary hands, one of which may be that of Pacificus of Verona. Marginal notes are in several hands, including those of Pacificus, Rather of Verona, and Antonio Agustín. (The manuscript was No. 284 of Agustín's Bibliotheca latina.) Quires are marked in a contemporary hand with roman numerals on the last leaves centered at the lower margin line. Construction varies, but most quires are quaternions. Pricking is occasionally visible. On Ir is the note 'G99 Corpus canon.' The MS has a parchment binding, probably of the 16th century. [Iv]: Antiquus codex canonum Sanctae Romanae Ecclesiae, cuius priores X quaterniones [+ cancelled] desiderantur, iis autem Apostolorum et orientalium Conciliorum Canones continebantur. Iv-IIr are blank.

Vat. lat. 4980

saec. XII; XI/XII

76 fols. memb. 360 (275) x 245 (166) mm. origin Italy. Quaterniones, saec. XII; XI/XII. fol. 1ra-75vb <**Burchardus Wormacensis, Decretum**>, fragmenta (See Vat. lat. 1355 fol. 1r-310r for further information.) *Variants:*

///et abneptis, quartus. Trinepos et trineptis, quintus (ed. 781C-D) ... (Finis) ut cum intellegat uidebit /// (ed. 996A)

fol. 2v <**Arbor consanguinitatis cum figura**>

(Not listed in Schadt, *Arbores*, the figure is a typical Burchardian form.)

fol. 76ra-vb <**Burchardus Wormacensis, Decretum**>, fragmentum (Lib. 6.34med.-40med.) (See Vat. lat. 1355 fol. 1r-310r for further information.)

(**Ed.** PL 140.772D/773A-775B.)

Bibl. Fransen, 'La tradition' 115 on the variant nature of the lacuna in Book 12; H. Mordek, 'Handschriftenforschungen in Italien, QF 51 (1971) 626--71 at 644-45 and n. 55, and 647, with a good description of the fragments; Ballerini, *De antiq. coll.* PL 56.321, recognizing these fragments as part of Burchard's *Decretum*.

The MS has been badly preserved. Although the chapter numeration is often confused, apart from the characteristic lacuna ZZ and fol. 76 (see below), the fragments appear to present an integral text, not excerpts. Surviving are: Book 7.10med. (781C-D)-30prin. (786C); Book 8.25fin. (796C)-11.tab.(856B); Book 11.3med. (858B)-17.39fin. (927A); and Book 19.tab. (med.) (945C)-53 (996A). The top of fol. 35 is torn off, causing the loss of part of the table and the beginning of Book 13. The lacuna in Book 12 is limited to cc. 19-20, and these have been added at the end of the book. Fol. 6-13 have been misbound and should be read: 9r-10v, 6r-v, 13r-v, 7r-v, 12r-v, 8r-v, and 11r-v. The inscriptions identifying the canons are written in the margins by the scribe. The *praefatiunculae* are not always present; when they appear, they follow the table as part of the first rubric.

The MS is written in brown ink in Italian Carolingian minuscule. Marginalia in a 16th-century hand appears occasionally in Book 19. Large book initials are formed in romanesque white vine design on a multi-colored background. Some folios appear to have been torn out for their initials. Chapter capitals and rubrics are red. No quire numbers have been preserved. Fol. 76 appears to have been part of a different MS. It is smaller, 305 (245) x 213 (150) mm, and has been glued to fol. 75. It is written in an earlier, more upright, version of Italian Carolingian minuscule. In this fragment, inscriptions are in the margins; chapter capitals are red. The leather binding is from the late 19th-century.

Vat. lat. 4981

saec. XII

86 fols. memb. 360 (265) x 265 (173) mm. origin Italy. Quaterniones, saec. XII.
fol. 1ra-86vb <**Burchardus Wormacensis, Decretum**>, fragmenta (see Vat. lat. 1355
fol. 1-310r for further information.) *Variants:*

/// judicabitur reus, sed etiam ex concilio manebit obnoxius (ed. 572A) ... (Finis)
quod a sua ZZ compage resoluitur, et ad junctura caritatis dissociatur (ed. 857C)
///

Bibl. Fransen, 'La tradition' 115; Pelster, 'Decret' 143; *Coll. Farfensis* ed. Kölzer §49 n. 159; H. Mordek, 'Handschriftenforschungen in Italien, QF 51 (1971) 626-71 at 645 and n. 55, correcting Pelster, 'Decret'; Reynolds, 'Epistula' 291, noting that this MS has the common Burchardian form of the *Epistula ad Leudefredum* at fol. 37v-38v (Dec. 3.50); Lowe, *Beneventan Script* I 165 and II 151.

The MS is in very bad state of preservation. Only two large sets of fragments remain. Within these fragments, folios are often torn with loss of text. The first set contains: Book 1.89fin. (PL140.572A)-94.Int. 23 rub. (574D); 1.94.Int.40 (575D)-Int.44med. (576C); 1.94.Int.78fin. (579A)-182med. (603A); 1.188fin. (605A)-Book 2.156med. (651D); Book 3.39med. (679D)-58med.(685 A) (with partial loss of text in cc. 47-58); 3.133med. (699D)-143med. (710D); and 3.154med. (703D)-Book 5.48 (762A). The second set contains: Book 8.16med. (795B)-37fin. (799A); 850fin. (803B)-71rub. (807A); 8.86med. (809A)-9.54rub. (824C); Book 9.59prin. (825C)-73med. (827D); Book 10.45fin. (845D)-46fin. (847C); and 10.47med. (849C)-11.2med. (857C). Inscriptions to the canons are set in the column after the rubric. *Praefatiunculae* are present before the tables of chapters. Within the tables, the chapters are often not numbered; they are also seldom numbered in the text itself. The *ordo synodi* which follows Book 3 is the alternate form also found in Vat. lat. 1355, q.v. The *admonitio synodalis* is not present. The order of chapters at times varies from the editions, and there are many bad readings.

The MS is written in a beautiful Beneventan script in brown ink. Space remains for large initials at the beginning of each book. Rubrics for the books are sometimes written in display script with the lines of text alternating in red and brown. Chapter capitals and rubrics are red. Marginalia in a 13th-century hand note key points in the text; the same annotator also corrected some passages in the text. As noted above, many of the folios are in poor condition, either darkened by fire or badly torn; many have been mounted on new parchment. Although the original MS was probably all quaternions, the loss of many leaves has caused the present collation to be irregular. The MS is ruled in dry point, and prickings are still visible on some folios. There is an older hand-numbering, which reflects an earlier misbinding, and a new stamped foliation. The latter is followed here. The leather Vatican binding is from the 19th-century.

Vat. lat. 4982

saec. XVI.2 (e. 1572-73)

<II> + 304 fols. chart. 355 (280) x 229 (177) mm, origin France (?). Terniones, saec. XVI.2 (c. 1572-73). Mordek 865-881

fol 1r-66v <**Benedictus Levita, Capitularium, (or Capitularii) liber III (VII) et additiones II-IV**>

<Tabula titulorum> ... (fol. 9v) (Rubrica) Incipit liber septimus. Nonnulla haec (*add. sup. lin.*) capitula pro breuitate libri canonum atque leuitate a domno Karolo ...et postea a domno Hludouico eius filio suisque proceribus aucta sunt. Cap. I. (Textus) Vt unaquaeque ecclesia siue unusquisque sacerdos ... (Finis) sicut (*res add. ed.*) ad fiscum nostrum pertinentes contineri solent. Finit. (**Ed.** MGH Leges 2.2, ed. G. Pertz, pp. 98-158. **Bibl.** E. Seckel, 'Studien zu Benedictus Levita', I NA 26 (1900) 37-72, II-V NA 29 (1904) 277-331, VI NA

31 (1905) 59-139, VII,1 NA 34 (1909) 321-81, VII,2 NA 35 (1910) 105-91, VII,3 NA 35 (1910) 433-539, VIII,1 NA 39 (1914) 327-431, VIII,2 NA 40 (1915) 15-130, VIII,3 NA 41 (1919) 157-263; E. Seckel (†) und J. Juncker, 'Studien zu Benedictus Levita', VIII,4 ZRG Kan. Abt. 23 (1934) 269-377 und 24 (1935) 1-112; E. Seckel, 'Benedictus Levita decurtatus et excerptus', *Festschrift der Berliner Juristenfakultät für Heinrich Brünnner* (München 1914) 377-464 at 382, where Seckel describes this MS as a partial copy of a lost Beauvais MS known to Baluze, 403 n. 4, und 445 n. 9; Fournier-Le Bras, *Histoire* I 145-71; Fuhrmann, *Einfluss und Verbreitung* 163-67, esp. n. 52 discussing the aborted attempts at a new edition. At the top of fol. 1r is the note 'Est liber VII^{us} capitularis Caroli M. et Ludoici Pii quod P. Pitheus edidit.' This excerpt contains Book III (identified as Book VII of Ansegesis's *Capitularium*) with Additions II-IV. The scribe has accidentally included the first capitulum of *Additio IV* in the opening rubric before the table; it is then missing at the beginning of the text itself.)

fol. 66v-67r <**Infeudatio terrarum in diocesi Bellovacensi**>

Pantaleon de Britolio cum diu iniuste detinisset alodum sancti Petri de Troissonis curte ... (Finis) de alodo et omnibus ad alodum pertinentibus ab illo die in antea in damno essent. (Datum) Hec dimissio, haec absolutio, haec contentio facta est in ecclesia beati Petri apostoli ante ipsius altare prima dominica post octavas paschae V. kl. mart. anno ab incarnatione Domini MLXXX tempore Guidonis episcopi regnante Philippo Rege. <Subscriptiones> (The subscriptions are divided into groups according to the parties of the dispute.)

fol. 67v-75v <**Capitularia Karolini aevi**, excerpta>

(Rubrica) Incipiunt capitula quae acta sunt anno quarto regni domni Karoli gloriosi regis domni Hludouici imperatoris filii in conuentu habito in uilla quae dicitur Colonia ... indictione VI. Cap. I. (Textus) De honore uidelicet et cultu Dei atque sanctarum ecclesiarum ... (Capitulum ultimum) Vt sic (*om. cod.*) simul coniuncti et uos fratres ad inuicem et nos cum fidelibus nostris ... (Finis) manibus propriis eadem subter firmauimus (*firmamus cod.*). (Ed. MGH Capit. 2, edd. A. Boretius and V. Krause, pp. 253, 255, 112-16, 383-87, 261-62 (MS 3), 403-16 passim, 68-74 (MS 3), using this MS where noted. Marginal notes in a contemporary hand make references to the appearance of texts in other collections, including the printed edition of Sirmond.)

fol. 76r-98v **Leontius Neapolis episcopus, Vita Johannis Eleemosynarii Alexandrini patriarchae, interprete Anastasio bibliothecario**

(Rubrica) Incipit praefatio. (Anastasio ad Nicolaum papam *add. al. man.*). (Praefatio) Cogitante ac diu tacite soliciteque ... (fol. 76v) <Tabula capitulorum> ... (fol. 77v) (Rubrica) Incipit praefatio Leontii episcopi (Neapoleos *add. sup. lin.*) Cypriorum insulae de uita et actione sancti patris nostri Iohannis archiepiscopi Alexandrini. Cap. I. (Praefatio secunda) Intentio quidem una est nostra quoque et eorum (*forum cod.*) qui ante nos fuerunt studiosorum ... (Textus) Cum peruenissem Alexandriam ego indignus ad amplectendos sanctos ... (Finis) gloria honor imperium nunc et semper, et in secula seculorum. Amen. (Colophon) Expliciunt acta sancti Ioannis Heleimonis ... Leontius (*sic*) episcopus

Neapoleos Cypriorum insulae ea studiose suppleuit ... Anastasio peccatori interpretari praecepit. (Ed. PL 73.337-84. 'Vita Johannis Eleemonis p. Alexandrini, interprete Anastasio bibliothecario' has been added in the upper margin of fol. 76r.)

fol. 99r-150v <**Capitularia Carolini aevi**, excerpta>

(Rubrica) Ista capitula constituta sunt a domno Carolo in synodo apud Suessionis ciuitatem in monasterio sancti Medardi anno incarnationis Dominicae DCCCLIII in mense aprili (Textus) Vt missi nostri per ciuitates et singula monasteria tam canonicorum quam monachorum ... (Capitulum ultimum) Quia dominus noster Ioannes sanctissimus papa ... (Finis) in perpetuum mansurum statuet et firmabit. (Ed. MGH Capit. 2, edd. A. Boretius and V. Krause, pp. 267-70 (MS 12), 75-76 (MS 4), 271-74 (MS 10), 177-78, 76-78 (MS 3), 434-35 (MS 6), 279-82 (MS 6), 283-91 (MS 4), 293-96 (MS 1), 427-49 (MS 6), 153-58 (MS 7), 297-302 (MS 4), 159-65 (MS 6), 311-32 (MS 1), 165-67 (MS 4), 338-41 (MS 3), 191-94 (MS 3), 342-44 (MS 4), 99-104 (MS 7), 350-53 (MS 5), using this MS as noted. The excerpts also include a letter of John VIII (JL 1032) at fol. 148r (MGH Epp. 7, edd. E. Caspar and G. Laehr, p. 316, using this MS, but misciting the MS as having the text on fol. 153r). The copyist noted that a folio was missing in the original manuscript and left space in his transcription at fol. 127v.)

fol. 151r **Fulbertus episcopus Carnotensis**, <**Epistola**>

(Rubrica) De forma fidelitatis inter domnum et fidelem suum. (Inscriptio) Glorioso duci Aquitanorum W. Fulbertus Carnotensis episcopus orationis suffragium. (Textus) De forma fidelitatis aliquid scribere monitus ... (Finis) deprehensus fuerit perfidus et periurus. (Ed. PL 141.229-30 or C.22 q.5 c.18 (Friedberg I). The text has the inscription as in PL but omits the end of the letter, agreeing with Gratian. A note in the margin (by Holste?) identifies the text as from Gratian. This version has several textual variations from both Gratian and the PL edition; the variations are noted by the annotator.)

fol. 153r-183v <**Concilium Lemovicense II** (1031)>

(Textus) Factum est illo tempore, ut Dei nutu in festiuitate dedicationis templi Domini saluatoris ... (Finis) Et episcopus ait, Dominus dixit in euangelio, Omnis qui reliquerit ... aut filios aut agros. (Matt. 19.29) (Nota scriptoris) Reliqua desunt. (Ed. Mansi 19.507-48; the MS ends a few words short of the edition, although both are incomplete. A note in the upper margin identifies the source of the text: 'Ex ecclesia sancti Martialis Lemouicensis'.)

fol. 185r-196v <**Collectio Quesnelliana**, excerpta>

(Rubrica) Secunda epistola sine titulo cuiusquam, sic incipit. (Textus) Comperi quosdam existimationi meae detrahentes ... (fol. 196r) (Excerptum ultimum) (Rubrica) Incipit libellus beati Augustini de fide catholica contra omnes haereses. (Textus) Credimus in unum uerum Deum Patrem omnipotentem ... (Finis) uel fuerit ueneratus, anathema sit. Explicit. (Ed. *Collectio Quesnelliana*, edd. Ballerini, PL 56.741-42, 743 (ref. to PL 54.1169-73), 664-73, 673-78, 585-87. The excerpts are cc. 66, 67, 52, 53 (lacking the *forma fidei*), and 40. There are only two lines of text on fol. 187v, the rest of the side being blank.)

fol. 197r-197v **Assertiones Gilberti Porretani Pictauiensis episcopi** <**et symbolum contra iisdem**> eodem ?

- (Rubrica) Assertiones Gilberti Porretani Pictauensis episcopi. (Textus) Quod diuina natura, quae diuinitas dicitur ... (Symbolum) Credimus et confitemur simplicem naturam diuinitatis ... (Finis) dicas, incarnatam esse, sed in filio. (**Ed.** Mansi 21.711-13. **Bibl.** John of Salisbury, *Historia Pontificalis*, ed. M. Chibnall (London 1956; repr. Oxford 1986) 15-41 for John's record of this confrontation between Gilbert and Bernard of Clairveaux, including John's version of the symbol. Cf. also fol. 247r-248r *infra*.)
- fol. 199r-200r **Innocentius II**, <**Epistolae duae**> (JL 8148, 8149) (See Vat. lat. 1340 fol. 369vb-370ra for further information.) *Variants*:
(Rubrica) Decreta Innocentii secundi. (Inscriptio) Clareuallensi *pro* Clareuallis (A note in the upper margin of fol. 199r identifies the source of the text: 'Ex bibliotheca sancti Victoris'.)
- fol. 200r-204r <**Concilium Lateranense II**> (1139) (See Vat. lat. 1340 fol. 370ra-371vb for further information.)
(A later hand has added marginal references to Gratian's *Decretum*.)
- fol. 205r-236v <**Concilium Trosleianum**> (909)
(Rubrica) Concilium Remense (*sic*). (Praefatio) Sanctum et Deo authore celebratum ... (fol. 207r) (Canones) (Rubrica) De honore et cultu ecclesiarum Dei (mundi *cod.*). (Textus) Igitur decernimus ut cultus (cuilibet *cod.*) atque ecclesiarum honor (honore *cod.*) ecclesiarum Dei ... (Finis) uirtus et gloria in secula saeculorum. Amen. (Subscriptiones) X-P (Reuerendus *cod.*) Herveus Remorum archiepiscopus his dictis annuens subscripsit ... Otgarius (Otcarius *cod.*) episcopus Ambianensis subscripsit. (**Ed.** Mansi 18.263-308, but the text is corrected against Reg. lat. 418 fol. 3r-73r, not the edition. **Bibl.** G. Schmitz, 'Das Konzil von Trosly (909). Überlieferung und Quellen', DA 33 (1977) 341-434. An annotator has underlined the date and location of the council ('in pago Suessionico in loco Trosleyo') and noted the discrepancies in the incipit. A note in the upper margin identifies the source of the text: 'Ex bibliotheca sancti Remigii Remensis'.)
- fol. 237r <Incertus auctor, **Gesta Hervei archiepiscopi Remensis**, excerpta>
Anno nongentesimo secundo incarnationis dominicae, decimo sexto uidelicet (*om. cod.*) kl. octobris ... (Rubrica) Versus retro altare sancti Remigii in Chuosla saltus Vosagi. (Textus) Hanc aram templumque simul sub honore dicauit ... (Finis) septembris radiens lampade Phoebigena. (**Ed.** MGH Scriptores 30.2, ed. F. Baethgen, pp. 755-76, reprinting A. Werminghoff, 'Reise nach Italien im Jahre 1901', NA 27 (1902) 565-604 at 598-99, from Reg. lat. 418 fol. 73v-74v.)
- fol. 237v-238r **Johannes** <**X, Epistola**> (JL 3553)
(Rubrica) Rescriptum domini Ioannis papae ad consulta Eruei Remorum archiepiscopi de Normannis ... ubi demum habetur absolutio sui suorumque. (Inscriptio) Ioannes episcopus seruus seruorum Dei reuerentissimo confratri nostro Herueo Remorum archiepiscopo. (Textus) Vestrae fraternitatis uestraeque reuerendae sanctitatis mellifluas litteras ... (Finis) pro nobis piis supplicationibus intercedere. (**Ed.** PL 131.27-29. A marginal note by the annotator reads: 'Ioannes IX uel potius X'.)
- fol. 241r-v <**Concilium Liftinense**> (743)
(Rubrica) De alio synodali conuentu. (Textus) Modo autem in hoc synodali

- conuentu qui congregatus est ad kl. martias in loco qui dicitur Liftinas ... (Finis) et damnetur quindecim solidis. (Ed. MGH Conc. 2.1, ed. A. Werminghoff, pp. 6-7, not mentioning this MS.)
- fol. 241v-245v **Bonifatius, archiepiscopus Mogontiae (s.), Epistolae duae**
 (Rubrica) Item epistola Bonifacii archiepiscopi. (Inscriptio) Domino charissimo et in Christi amore ... Aecheldobaldo regi Bonifatius ... in Christo charitatis salutem. (Textus) Confitemur coram Deo et sanctis angelis ... (fol. 245r)
 (Epistola secunda) (Rubrica) Item epistola Bonifacii archiepiscopi. (Inscriptio) Domine dilectissime et in amore Christi ... Bonifacius exiguus indignus episcopus sorori Buygam abbatissae aeternam in Christo salutem. (Textus) Notum sit tibi, soror charissima de illo consilio ... (Finis) inter nos numquam (nunquam *cod.*) deficere scias. Vale in Christo. (Ed. MGH Epp. 3. ed. E. Dümmler, pp. 340-44, 277-78. The letters are to Aethelbald, king of Mercia, and to Abbess Bugga. The text of the first letter is incomplete, breaking off with the words 'si uniuersum mundum lucretur etc.')
- fol. 247r-248r <**Concilium Remense**> (1148) (See Vat. lat. 1340 fol. 371vb-372vb for further information.) *Variants:*
 (Rubrica) Decreta Eugenii papae III. (Textus) sententia *om. et add. al. man. marg.* (A note in the margin reads 'edidit C. Baronius ad an. Christi 1148.' This text has been heavily corrected by a second hand. Cf. also fol. 197r-v *supra.*)
- fol. 249r **Gregorius <Thaumaturgus, episcopus Neocaesareae (s.), Expositio> fidei**
 (Rubrica) Fides Gregorii maioris. (Textus) Vnus Deus principium et Pater uerbi uiuentis ... (Finis) haec eadem Trinitas semper. (Ed. PL 84.104; the text is as it appears in the *Collectio Hispana.*)
- fol. 249r-250r <**Pseudo-Isidorus, Decretales, excerptum**>
 (Rubrica) Quod omnes de filio Dei et Spiritu sancto male sentientes similes sint Iudaeis et de unitate Trinitatis. (Textus) Quod si quis patiatur Deum Patrem (Finis) ordinabiliter offerentibus solertius intendamus. (Ed. *Decretales pseudo-Isidorianae*, ed. Hinschius, pp. 508-09.)
- fol. 251r-299r <**Remigius Lugdunensis (s.)>, De tribus epistolis liber**
 (Rubrica) In nomine Domini nostri Iesu Christi. Incipit libellus de tribus quibusdam epistolis uenerabilium episcoporum quid de earum sensu et assertionibus iuxta catholicae ueritatis regulam sentiendum sit. (Praefatio) Quorundam uenerabilium uirorum, trium, uerum, episcoporum ... (fol. 251v)
 (Textus) Primus igitur qui ut supra diximus miserabilis illius monachi ... (Finis) quam quidem promittentes circa fidem exciderunt. Explicit. (Ed. PL 121.985-1068. **Bibl.** HLF 5.449-461. A note in the upper margin identifies the source of this section: 'Ex bibliotheca domini Tilletii.')
- fol. 301r-v <**Concilium**> **Andegauense** (453)
 <Tabula capitulorum canonum> ... (Rubrica) Incipit constitutio Andegauensis. (Textus) Cum ad ordinandum episcopum ... (Finis) aduersus contemptorem licebit exurgere. (Ed. CC 148, ed. C. Munier, pp. 137-39, with the table following the canons.)
- fol. 303r-304v <**Auctores varii, id est**> **Bonifatius, archiepiscopus Mogontiae (s.); Daniel, episcopus Vintonensis and Karolus Martellus, Epistolae**
 (Rubrica) Epistola Bonifacii episcopi ad Stephanum. (Inscriptio) Domino

excellentissimo ... Stephano papae Bonifatius exiguus episcopus ... in Christo caritatis (fidem *add. cod.*) salutem. (Textus) Sanctitatis uestrae clementiam intimis ... (Epistola ultima) (Rubrica) Epistola Karoli. (Inscriptio) Dominis sanctis et apostolicis in Christo patribus episcopis, ducibus ... uir Carolus maiordomus benecupiens uester. (Textus) Cognoscatis qualiter apostolicus uir in Christo pater Bonifatius ... (Finis) et de annulo nostro subter sigillauimus. (Ed. MGH Epp. 3, ed. E. Dümmler, pp. 394, 257, 170-71).

Bibl. K. Schellhass, 'Wissenschaftliche Forschungen unter Gregor XIII.', in *Papsttum und Kaisertum. Paul Kehr zum 65. Geburtstag*, ed. A. Brackman (München 1926; anast. repr. Aalen 1973) 674-90 at 684 nn. 3 and 4 and 690 Nachtrag, disputing Seckel's claim the MS is a copy of a Beauvais original; J.L. Nelson, 'Legislation and consensus in the reign of Charles the Bald', in *Ideal and reality in Frankish and Anglo-Saxon society. Studies presented to J.M. Wallace-Hadrill*, edd. P. Wormald et al. (Oxford 1983) 202-27 at 206-07 and nn. 22 and 24, accepting the Carolingian capitularies in this MS as from the Beauvais MS; G. Schmitz, art. cit. 356-58, with a short description of fol. 205r-238v, considering them as 'nicht zweifelhaft' copied from Reg. lat. 418. and discussing the use of the MS by the *Correctores Romani*.

The MS is a composite, written in brown ink by multiple scribes in variations of secretarial script. The hand usually changes with each section, identifiable by the blank folios signaling a change. As noted above, passim, the sections usually have a note on their source in the upper corner of the first folio. Seckel has suggested the first section is from a lost Beauvais MS. Fol. 205r-238v are from the library of Reims and appear to be copied from Reg. lat. 418, q.v. Schmitz, art. cit. 357-58, suggests the contents of the MS were gathered at the request of J. Amyot, bishop of Auxerre, for the *Correctores Romani* in 1572-73. <I>r has an old title glued to it: 'Capitulare Caroli Magni et Ludoici Pii, et Caroli Calvi' written in a hand contemporary with the MS. On fol. 35r is a note signed by L. Holste. Many of the other notes scattered through the MS may be in his hand. There are catchwords on each verso. For watermarks, cf. Briquet no. 8077, and one unidentified (two 'X' over one another, with a crown above and 'Edmond ///' below). The MS has a 19th-century parchment binding. <L>v-<II>v, fol. 36v, 151v-152v, 184r-v, 198r-v, 204v, 238v-240v, 246r-v, 248v, 250v, 299v-300v, and 302r-v are blank.

Vat. lat. 4983

saec. XVI

Prov. Antonio Agustín, abp. of Tarragona (1577-86); Miguel Tomás Taxaquet, bp. of Lerida (1577-78).

634 fols. chart. 335 (241) x 230 (145) mm, origin Italy. Quaterniones, saec. XVI.

fol. 1r-2v <**De modo celebrandi concilium**>

ZZ (Rubrica) Incipit ordo de celebrando concilio. (Textus) Hora diei prima ante solis ortum eiciantur ... (Finis) et tranquille excclesiastica negotia terminentur. (Ed. G.P. Pozzi, II 'De modo celebrandi Concilium' nel manoscritto Vat. lat. 5748 (Città del Vaticano 1965) 29-52. The manuscript the editor worked from lacked internal rubrics, and he included the extra material, including much of the prefatory material to the Dionysio-Hadriana; see Vat. lat. 5748 and E. Seckel, *Die erste Zeile Pseudoisidors, die Hadriana-Rezension ...*, ed. H. Fuhrmann (Sb. Akad. Berlin 4; 1959) 1-46.)

fol. 2v-3r **Definitio de tumultu concilii patrum**

(Rubrica) Diffinitio de tumultu concilii patrum. (Textus) In loco benedictionis

- considentes domini sacerdotes ... (Finis) et trium dierum excommunicationis sententiam perferat. (**Ed.** Pozzi, op. cit. 52-54. **Bibl.** See above.)
- fol. 3r-4r <**Collectio Dionysio-Hadriana, praefationis excerptum**> (See Vat. lat. 1337 fol. 1ra-vb for further information.) *Variants:*
(Rubrica) De III. synodis principalibus. (Textus) Canon graece, latine regula nuncupatur ... (Finis) sic concilium a societate multorum in unum. (**Bibl.** See above.)
- fol. 4r-7r <**Collectio Dionysio-Hadriana, praefationis Adnotationes I-III**>
(Rubrica) Item ratio de canonibus apostolorum, et de sex synodis principalibus. (Textus) Apostolorum canones qui per Clementem ... (Finis) sub anathematis uinculo alligauit. (**Ed.** Pozzi, op. cit. 60-74. **Bibl.** See above. For *Adnotatio II*, see also Vat. lat. 1341 fol. 1vb-2rb.)
- fol. 7r-13v <**Pseudo**>**Ambrosius, Libellus de dignitate sacerdotali** (See Vat. lat. 1344 fol. 130ra-132bis^{rb} for further information.) *Variants:*
(Rubrica) Incipit libellus sancti Ambrosii de uita et ordinatione episcoporum. <Colophon deest.>
- fol. 13v-20v **Gregorius <I (s.), Epistola**> (JE 1092)
(Rubrica) Gregorius papa Ioanni Constantinopolitano, Eulogio (eologio *cod.*) Alexandrino, Gregorio Antiocheno, Ioanni Ierosolimitano et Anastasio ex patriarchiae Antiochiae. (Textus) Consideranti mihi, quod impar meritis ... (Finis) in unitate Spiritus sancti, per omnia secula seculorum Amen (**Ed.** MGH Epp. 1 ed. P. Ewald and L.M. Hartmann, pp. 28-37.)
- fol
. 22r-607v <**Anselmus Lucensis (s.), Collectio canonum**>, recensio C aucta
(Rubrica) Incipiunt capitula libri primi <Tabula capitulorum libri primi> ... (fol. 25r) (Rubrica) Incipit auctentica et compendiosa collectio regularum et sententiarum sanctorum patrum et auctorabilium conciliorum. Incipit liber primus de primatu et excellentia Romanae ecclesiae. Quod post Christum a Petro sacerdotalis ordo cepit. Anacletus papa iii. (Textus) In nouo testamento post Christum dominum nostrum a Petro sacerdotalis caepit ordo ... (Finis) quod quidem sacerdotes esse saltem credere omnino errare est. (**Ed.** *Anselmi episcopi Lucensis collectio canonum una cum collectiones minores*, ed. F. Thaner (Oeniponte 1915, anast. repr. Aalen 1965), using this MS (siglum V₄); the unfinished edition ends on fol. 476r of this MS; for Gelasius I, 'Valde mirati sumus ...' see *Avellana*, ed. Günther I 369-98, using this MS (siglum A³). **Bibl.** P. Landau, 'Erweiterte Fassungen der Kanonessammlung des Anselm von Lucca aus dem 12. Jahrhundert', *Sant'Anselmo, Mantova e la lotta per le investiture*, ed. P. Golinelli (Bologna 1987) 323-37 (trans. into Italian as 'Intorno alle redazioni più ampie del XII secolo della raccolta dei canoni di Anselmo da Lucca' at 339-48), esp. 333-36 (siglum V₄); idem, 'Die Rezension C der Sammlung des Anselm von Lucca', *BMCL* 16 (1986) 17-54, a detailed examination of the recension based on this MS with a presentation of the additions together with incipit lists; Ballerini, *De antiq. coll.* PL 56.326. citing this MS is a recent copy of Anselm of Lucca, P. Fournier, 'Observations sur diverses recensions de la collection canonique d'Anselme de Lucques', *Annales de l'Université de Grenoble* 13 (1901) 427-58 at 428, 443-49, repr. in Fournier, *Mélanges* II 635-66 at 636, 651-

- 57, identifying this as a copy of Recension C; Fournier-Le Bras, *Histoire* II 176 n. 1, 193 n. 2, 195; Gossman, *ZZ Urban II* 40-41; A.M. Stickler, 'Il potere coattivo materiale della Chiesa nella riforma gregoriana secondo Anselmo di Lucca', *Studi Gregoriani* 2 (1947) 235-85 citing this MS (siglum V₄) at ZZ 243 n.15, and 268 n. 101; Mordek, *Kirchenrecht* citing this MS at 136 n. 179, and 137 nn. 180 and 182; Fuhrmann, *Einfluss und Verbreitung* citing this MS at 780 n. 13; Conrat, *Geschichte* 364 n. 9 and 365 n. 7; and see Vat. lat. 1363.)
- fol. 607v-615r <**Isidorus Hispalensis (s.), Etymologiae, excerptum**> (Lib. 8 c. 5) (Rubrica) In fine totius libri. De heresibus Christianorum. (fol. 608r) (Textus) Quidam etiam heretici qui (*om. ed.*) de ecclesia recesserunt ... (Finis) licet de ecclesia non recesserit tamen hereticus appellari potest. (**Ed.** PL 82.298-305; and see Vat. lat. 3830 fol. 20r-23v.)
- fol. 616r-618v <**Ordo Romanorum pontificum**> (Petrus- Innocentius II) (**Textus**) Petrus sedit annos xxv. mensem unum, dies septem ... (Finis) Honorius sedit annos -. Innocentius sedit annos -.
- fol. 619r-621r <**Ordo Romanorum imperatorum**> (Caesar-Conradus III) (**Textus**) Gaius Iulius Cesar regnavit annos v ... (Finis) Lotharius regnavit annos -. Conradus regnavit annos -.
- fol. 621v <**Concilium Lateranense I**> (1123), cc. 20-22 (**Textus**) Paternarum traditionum exemplis commonita pastoralis officii ... (Finis) irritum erit et canonice ultioni subiacebit. (**Ed.** *Conc. oecum. decreta*, ed. C. Leonardi, as canons 20-22, although here c. 22 is divided in two. **Bibl.** Kuttner, 'Some Roman Manuscripts' 14 n. 28; M. Brett, 'The canons of the First Lateran Council in English manuscripts', *Proceedings Berkeley* 13-28 at 20-22 and nn. 26-28.)
- fol. 625r-634r <Incertus auctor, **Collectio canonum**> (Rubrica) Institue (*sic*) lib. 1, cap. X. (Inscriptio) Primus liber institutionum tit. x. (Textus) Item (*Inter ed.*) eas (*enim add. ed.*) personas que parentum ... (Canon ultimum) (Rubrica) Quod monachus (*sic*) licet penitentiam dare et baptizari. Bonifatius papa. (Textus) Sunt nonnulli nullo dogmate fulti ... (Finis) si eos digne contigerit hoc misterio sublimari. (**Ed.** For fol. 625r-630v, PL 161.1203-1304. These canons were copied out as a single piece, then numbered continuously by Antonio Agustín from 1 to 76. After numbering, Agustín identified many of them in the margin. The first thirty-five are taken from Ivo of Chartres's *Panormia*, book 7, cc. 53-90. Agustín drew a small line after the last of these, then correlated many of the others with Gratian's *Decretum*, most of which are found in C.16 q.1 and C.18 q.2. The last, the famous Pseudo-Bonifatius IV decretum (JE †1966, cf. Vat. lat. 1347 fol. 74r) is equated by Agustín with C.16 q.1 c.25.)

Bibl. F. Fossier, 'Premières recherches sur les manuscrits latins du cardinal Marcello Cervini (1551-1555)', *MEFR* 91 (1979) 381-456 at 442 suggests that this MS may be equated with Cervini's MS 46, sent from Montepulciano to Rome in 1574; but Kuttner, 'Some Roman Manuscripts' 14-20, states that this MS is a copy of a lost 12th-century MS which had belonged to Hieronymus Parisetti, and that it belonged to Antonio Agustín (no. 283 of his catalogue), who had purchased it from Miguel Tomás Taxaquet, bishop of Lerida.

The MS was written in dark brown ink (perhaps faded from black) in fine secretarial cursive by two scribes, with a change of hand at fol. 625r. There is no decoration, other than penwork initials copying romanese and gothic forms by the first scribe. There are extensive marginal notes by Antonio Agustín, particularly for correspondences with Gratian's *Decretum*. The MS suffers from water damage beginning on fol. 220, which affects the text from fol. 460. For the watermark, cf. Briquet no. 969. The unmarked parchment binding may be original. Fol. 21r-v, 615v, 622r-624v, and 634v are blank.

Vat. lat. 4988

saec. XV

antea 196. Prov. Antonio Agustín, bp. of Lerida (1561-76), abp. of Tarragona (1577-86).

92 fols. + 1a + 89<a-e> + 89a chart. 290 (216) x 218 (113) mm, origin Italy. Seniones, saec. XV.

fol. 1a^r-28v, 36r-46v, 80r-87v **Johannes XXII; Benedictus XII; Clemens VI; Innocentius VI; Urbanus V; Gregorius XI; Urbanus VI; Bonifatius IX; Innocentius VII; Gregorius XII; Eugenius IV; Nicolaus V, Regulae cancellariae apostolicae**

(Invocatio) Aue gratia plena. (Rubrica) Regule date in cancellar<ia> per dominum Iohannem papam XXII. (Praefatio) Infrascripte sunt regule restrictue tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut (quod *cod.*) simus omnes attentis ... (Finis) in quibus sic arctati successiue ad ipsos ordines promouentur. (Ed. Ottenthal, *Regulae* 1-89, 238-68, using this MS (siglum A). The *regula* of Eugenius IV on fol. 36v is unedited.)

fol. 29r-v <**Eugenius IV, Bulla unionis Graecorum**> (See Vat. lat. 2934 pars I for further information.) *Variants:*

<Rubrica deest.> (Datum) in ecclesia maiori solemniter *pro* solemniter in ecclesia maiori.

fol. 30r-32r **Concilium Constantiense (1414-1418)** (Sessio 38)

(Textus) Frequens generalium conciliorum celebratio agri Dominici precipua cultura est ... (Finis) super hoc edita specialiter in suo robore duratura.

(Colophon) Supradicta statuta et decreta publicata fuerunt et lecta in sessione publica in sacro generali Constanciensi concilio anno Domini 1417^o et die 20 mensis octobris etc. (Ed. *Conc. oecum. decreta*, ed. P. Prodi, pp. 438-43.)

fol. 32v-35r <**Martinus V, Concordata cum natione Germanica in concilio Constantiensi**>, imperfecta

(Rubrica) Ista sunt ordinata et decreta per dominum nostrum papam Martinum quintum super reformatione. (Praefatio) (Et *add. cod.*) Ego Iohannes episcopus (*om. cod.*) Ostiensis sancte Romane ecclesie cardinalis et uicerecancellarius infrascriptas constitutiones et statuta transiidi (tradita *cod.*) in cancellaria ...

(Rubrica textus) De numero et qualitate cardinalium. (Textus) Statuimus ut deinceps numerus cardinalium sancte Romane ecclesie adeo sit moderatus ...

(Finis) seu alias (aut alias *cod.*) intelligentem sacerdotem /// (Ed. A. Mercati, *Raccolta di concordati* (Roma 1919) 157-62.)

fol. 35v-36v <**Eugenius IV, Const. Quasi lucernam**>

(Ed. H. Denifle, *Chartularium Universitatis Parisiensis IV* (Parisiis 1897) 538 no. 2407.)

fol. 47v-78v, 89r-92v <**Tancredus de Corneto, Practica**>, imperfecta (See Vat. lat.

2656 fol. 1a^fa-27ra for further information.) *Variants*:

(Invocatio) Ave gratia plena. Ad laudem et honorem eterni Dei. Amen. (Rubrica) Incipit summula questionum cui (*sic*) nomen est compendiosa eo quod in ea uarie et diuerse questiones sub compendio terminantur et incipit prohemium. (Rubrica ante textum) De questionibus circa iurisdictionem continentem duodecim questiones et prima utrum ualeat sententia eius qui ultra quantitatem sue iurisdictionis iudicat et in quo. (Textus) iuxta *pro* circa (Finis) sicut etiam est in nomine generali sub quo plures speties ZZ (spetiens^{ac}) continentur.

Bibl. Ottenthal, *Regulae* xxx-xxxii and xxxvii-xxxviii.

The MS is in several cursive bookhands, some of a humanistic type, in gray (to fol. 79) or black (fol. 80 onward) ink. The first part of this composite collection (fol. 1r-28v) has red capitals and paragraph signs. The *regulae* of Nicolaus V have been bound into the midst of the *Practica* of Tancredus. They are followed by four blank unnumbered folios (89<a-d>), and the Tancredus text starts again on fol. 89a (so numbered). Fol. 1r is marked 'In pluteo II'. Fol. 1a^r has the former shelfmark '196' (crossed out), the ex libris 'Antonii Agustini episcopi ZZ Ilerden.' and the numbers '24.1.2 [4]50'. Notes on the contents appear on fol. 2r. For the watermarks, cf. Briquet nos. 8348 and 7646. Catchwords are at lower right. The MS has a 19th-century parchment binding. Fol. 1v, 79r-v, and 88r-89<d>v are blank.

Vat. lat. 4989

saec. XV.1

antea 461. **Prov.** Antonio Agustín, bp. of Lerida (1561-76), abp. of Tarragona (1577-86); Luis Gomez, bp. of Sarno (1534-43).

<II> + 149 fols. + <II> memb. 234 (155) x 164 (107) mm, origin Germany. Seniones, saec. XV.1.

<II>r <**Adnotationes ZZ de regulis cancellariae apostolicae**>

fol. 1r-149v **Johannes XXII; Benedictus XII; Clemens VI; Innocentius VI; Urbanus V; Gregorius XI; Clemens VII; Benedictus XIII; Johannes XXIII; Martinus V; Eugenius IV; Nicolaus V, <Regulae cancellariae apostolicae>**

(Rubrica) Regule date in cancellaria per dominum Iohannem papam xxii.

(Praefatio) Infrascripte sunt regule restrictiue tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut (quod *cod.*) simus omnes actenti ... (Finis) in quibus sic arctati succesiuue ad ipsos ordines promouentur. (**Ed.** Ottenthal, *Regulae* 1-24 no. 46 and 26-54 no. 35 (fol. 1r-33v), 124-50 no. 147a (fol. 40v-65v), 171-86 (fol. 73r-91v), 187-213 no. 110 (fol. 93r-122v), 214-15 no. 117 (fol. 123r), 238-52 no. 102 (fol. 126v-135v), 255-68 (fol. 137r-149v), using this MS (siglum E). The *Regulae* of Clement VII at fol. 33v-40v, with the exception of the unedited texts at the end, match the collection in Vat. lat. 3983 fol. 65r-69v.)

Bibl. Ottenthal, *Regulae* xxxi, xxxv, xxxvii, and xli-xlii.

The first part of the MS (fol. 1r-122v) is in a cursive hand in dark gray ink. Other scribes added the texts on fol. 123r, on fol. 137r-149v, and the notes on <II>r in similar hands. The text at fol. 126v-135v is in a humanistic bookhand in a lighter gray ink. Annotations in a later hand, possibly that of Luis Gomez, include notes on omitted *regulae* at fol. 33v, 66r, and 136r. Other notes (e.g. fol. 55v) appear to be by Antonio Agustín. <I>r has a fragment of a formulary. <II>r is also marked '[in pluteo .II.]'. Fol. 1r has the

following ex libris marks: 'Ludouici Gomez episcopi Sarnensis auditoris rote [cancellarie S.P. regentis] regens. 461.'; 'Antonii Augustini episcopi Ilerdensis'. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <I>v, <II>v, fol. 66v-72v, 123v-126r, 136v, and <+I>r- <+II>v are blank.

Vat. lat. 4990

saec. XV.1

197 fols. chart. (memb.: 49 et 60) 297 (218) x 203 (144) mm, origin Switzerland (Basel); Italy. Seniones, saec. XV.1.

fol. 1r-14v <**Constitutiones sive Extravagantes variorum R.R. pontificum**>, nominantur: Johannes XXII, *Const. Ratio iuris* (fol. 1r-3v); Benedictus XII, *Const. Decens et necessarium* (fol. 3v-5r); Gregorius XI, *Const. Quamuis a felicitis recordationis* (fol. 5r-6r); Martinus V, *Const. In apostolicae* (fol. 6r-10r), *Quoniam nouissima* (fol. 10r-v), *Romani pontificis* (fol. 10v-14v). (Ed. See Vat. lat. 2665 fol. 108r-131v.)

fol. 15r-17v <**Martinus V, Reformationes curiae**> (See Vat. lat. 2665 fol. 156r-160v for further information.) *Variants*:

(Rubrica) Reformationes pape Martini. (Praefatio) papa dominus Martinus quintus *pro* Martinus papa quintus (Colophon) constitucones (*sic*) me presente in cancellaria *add. post* predicte; die xvi mensis *om.*; in audientia ... nostri *om.*

fol. 17v-20v <**Constitutiones sive Extravagantes variorum R.R. pontificum**>, nominantur: Johannes XXII, *Const. Execrabilis* (Extrav. commun. 3.2.4) (fol. 19v-20v); Benedictus XII, *Const. Ad regimen* (Extrav. commun. 3.2.13) (fol. 18v-19r), *Dudum certis* (fol. 19r-v), Johannes XXIII, *Const. Congruit et convenit* (fol. 17v); Martinus V, *Const. Romanum decet pontificem* (fol. 18r). (Connecting passages were added at fol. 17v-18r and at the end of the constitution of Martin V on fol. 18r. The first appears to derive from the Council of Basel ['hoc sacro probante concilio'], while the second seems to derive from the chancery of Martin V.)

fol. 20v-23v <Incertus auctor>, **Casus extravagentium**

(Rubrica) Casus extrauagantium Iohannis xxii. (Lemma *in marg.*) *Quorundam exigit*: Approbando declaracionem Nicolai pape iii et cle. S. super regula fratrum minorum ... (Lemma ultimum *in marg.*) *Postulasti*: ... (Finis) ergo ista debent dari camere in fructibus primi anni. (Bibl. *Extravagantes Iohannis XXII*, ed. Tarrant, p. 3 n. 4, identifying these texts; T.M. Izbicki, 'The problem of canonical portion in the later Middle Ages: The application of "Super cathedram", ' *Proceedings Cambridge 459-73* at 461 n. 11, mentioning a brief *casus* on Clement V's renewal of *Super cathedram* at fol. 22v (miscited as Vat. lat. 3990), The popes represented are: Boniface VIII, fol. 21v-22r; Benedict XI, fol. 22r; Clement V, fol. 22v; John XXII, fol. 20v-21v; and Benedict XII, fol. 22v-23v.)

fol. 23v-24r **Benedictus XI, Const. Dudum bonae memoriae** (Extrav. commun. 5.4.1)

fol. 23v-24r <**Johannes Monachus, Apparatus in c. Dudum bonae memoriae**> (Extrav. commun. 5.4.1)

(Lemma primum) *Dudum*: Hec epistola plures processus narratos extra vi libro de scisma. c. 1 (Sext. 5.3.un.) retractat (*retracta cod.*) ... (Finis) et eiusdem diuisio notat Azo C. de abolitionibus (Cod. 9.42) (Ed. *Corpus iur. can. glos.* [3] iv fol. 48va-49rb.)

- fol. 25ra-27vb ZZ <**Tabula actorum concilii Constantiensis**>
- fol. 28r-30v, 34r-35r **Concillum Basiliense** (1431-1447), <excerpta>
 (Rubrica) Bulle concilii Basiliensis. (Bulla prima) (Inscriptio) Sacrosancta generalis sinodus Basiliensis in Spiritu sancto legitime congregata uniuersalem ecclesiam representans ... (Textus) Attendentes circa statum et commodum nobiscum in uinia Domini ... (fol. 34r) (Bulla ultima) (Invocatio) In nomine Domini. Amen. (Inscriptio) Nos officiales etc. Iudex ordinarius. (Textus) Notum fieri cupimus ... (Finis) et gaudere possint et ualeant ita uidelicet quoddam singuli archiepiscopi episcopi. (Five texts are present: *Attendentes circa statum* ('17 maii' 1434) (fol. 28r-v); *Plasmatoris omnium* ('6 aug.' 1435) (fol. 28v-29r); *Congruit illis* ('27 oct.' 1436) (fol. 29r-30r); *Vt pax* ('16 sept.' 1435) (fol. 30r-v); *Notum fieri cupimus* (fol. 34r-35r).)
- fol. 37r-39v **Concilium Constantiense** (1414-1418), <excerpta>
 (Invocatio) In nomine sancte et indiuidue Trinitatis Patris et Filii et Spiritus sancti. Amen. (Textus) Hec sancta sinodus Constantiensis generale concilium faciens ... (Finis) Non obstante quo ad omnia et /// (**Ed.** *Conc. oecum. decreta*, ed. P. Prodi, pp. 408-09 v. *infligendis* (Sessio 4), 417-18 (Sessio 12); Mansi 27.733, 744-45; *Conc. oecum. decreta*, ed. P. Prodi, p. 421 (Sessio 14); Mansi 27.777-80 to 779.)
- fol. 40r-44v <**Alexander V, Constitutiones**>, id est: *Const. Rerum omnium* (fol. 40r-44r)
 (**Ed.** Mansi 27.83-91); *Hodie sententiam* (fol. 44r-v).
- fol. 49r-130v **Concilium Basiliense** (1431-1440), <Acta>
 (Rubrica) Decreta concilii Basiliensis (et sunt quadraginta due se<ssio>nes al. *man.*). (Textus) Ad omnipotentis Dei gloriam fidei catholice exaltationem christianeque religionis profectum ... (Finis) quicquid in contrarium scienter uel ignoranter fuerit actemptatum (attentatum *ed.*). Datum Basilee in sessione nostra publica in ecclesia maiori Basiliensi solemniter celebrata pridie nonas augusti anno a natiuitate Domini millesimo quadringentesimo quadragesimo. Gesta concilii Basiliensis in quadraginta duabus sessionibus (Gesta ... sessionibus *add. al. man.*). (**Ed.** Mansi 29.5-11, 13-20, 21-27. 32-34, 34-36. 30-32, 36-64, 67-79, 90, 91, 92-101, 101 'Quicumque clericus' - 121, 128-47, 151-59, 161-65, 159-60, 165-82, 222-25, 225-27, 182-211. The following texts are not in the official acts: 'Quereret forte quis quare ad tantum ...' (fol. 77v-78r); Eugenius IV, Ep. *Extimaret forsā* (fol. 78r-79r) (**Ed.** Mansi 29.579-80); 'Cum iam dudam ... uniuersalis ecclesiae.' (fol. 103v-104v).)
- fol. 131r-147v, 152v-197v **Johannes XXII; Benedictus XII; Clemens VI; Innocentius VI; Gregorius XI; Urbanus VI; Bonifatius IX; Innocentius VII; Gregorius XII; Alexander V; Johannes XXIII; Martinus V; Eugenius IV, Regulae cancellariae apostolicae**
 (Rubrica) Regule cancellarie Iohannis pape xxii. (Praefatio) Infrascripte sunt regule restrictiue tradite de mandato ... (Textus) In primis iniunxit nobis ut supra ut simus (quod sumus *cod.*) omnes actenti ... (Finis) eum deinceps fieri contigerit concessionibus esse iudicandum. (Subscriptio) Placet domino nostro pape et ponatur in libro C. Ariminensis. Lecta fuit et publicata in cancellaria apostolica presens constitutio die xvii mensis aprilis M cccc xxxviii pontificatus domini

nostri domini Eugenii pape quarti anno octauo Morinensis (**Ed.** Ottenthal, *Regulae* 1-24 no. 46, 26-54 no. 35, 55-81 no. 86, 82-83 no. 4, 83-84 no. 6, 85 nos. 1, 3-4, 169 no. 28-170 no. 31, 171-86 no. 71 (fol. 131r-147v); 187-251 no. 93 and 251 no. 3 (fol. 153r-192r); 252 no. 103-253 no. 104, 250 no. 85-252 no. 102, 253 no. 105 (fol. 192v-193v); 254 no. 107 (fol. 194v); no. 111 (fol. 195r-v), using this MS (siglum G). There is an unprinted *regula* 'Dominus noster a principio sue creacionis ... fuerunt publicate. I. Ostiensis' on fol. 152v. Other unprinted *regulae* appear on fol. 192r-v, 193v-194r, 194v-195r, and 195v-197v.) fol. 147v-152v <**Johannes XXIII, Privilegia concessa universitati studii Parisiensis**> (Privilegium primum) (Inscriptio) Beatissime pater. (Petitio) Supplicans s. u. deuoti oratores uestri ambasiatores ... (Textus) Sanctissimus dominus noster dominus Iohannes papa xxiii vi idus iulii pontificatus sui anno primo in fauorem ac pro incremento uniuersitatis Parisiensis studii declarauit ... (fol. 150v) (Privilegium ultimum) (Rubrica) Prerogatiue concessae magistris uniuersitatis studii Parisiensis. (Textus) Primo dignetur s. u. magistris et graduatis in isto rotulo contentis ... (Finis) uel saltim a duodecim dietis a fine diocesis Parisiensis computando. (Subscriptio) Seruetur prout supra B. Datum Bononie non. augusti anno primo. Rector Bertholdus. I. Ostiensis. (**Ed.** The last document is edited from this MS in H. Denifle, *Chartularium Universitatis Parisiensis* IV (Parisii 1897) 184-87 no. 1891.)

Bibl. Ottenthal, *Regulae* xxv n. 2, xxxv-vi, and xliii; Finke, *Acta Concilii Constanciensis* IV xxiii.

This composite collection is divided into three parts: fol. 1r-24r; fol. 25r-130v (written at Basel); and fol. 131r-197v (written in Italy, probably in the curia). The MS is in several cursive hands in brown ink. Some rubrics have red paragraph signs and red underlining. Other paragraph signs are also red, and capitals have red decoration. Except for fol. 49 and 60, which form the outside of a gathering, the leaves are of paper; for the watermarks, cf. Briquet nos. 3868, 11082, and 15547. Catchwords are at the lower right. Yellow protective paper has been placed over damaged upper edges of some folios. The MS has a 19th-century parchment binding. Fol. 24v, 31r-33v, 35v-36v, and 45r-48v are blank.