

Vat. lat. 7106

saec. XIII

antea 369.

35 fols. + 25a-c memb. 267 (198) x 195 (137) mm. Quiniones, saec. XIII.

fol. 1ra-25va <Incertus auctor, **Commentarium super librum primum Sententiarum Petri Lombardi**>, imperfectum (D.39 *med.-fin.*)

(Textus) Res uisa est causa uisionis in nobis. Ita in diuino oculo ... (fol. 22rb)

(Finis) qui est uia, ueritas et uita perfecta. Amen. (Colophon) Explicit primus sententiarum egregii doctoris. <Tabula titulorum> ... (fol. 22vb) <Tabula materiae>.

fol. 26ra-35rb <**Bernardus de Botone Parmensis, Casus longi Decretalium, Lib. IV**>

(Rubrica, *marg. sup., al. man.*) fragm. casus decreti (*sic*). (Textus) v. *De Francia*. Casus. Quidam iuuenis de Francia duxit in uxorem ... (Finis) non dedignantur sacros canones imitari. Hic sufficit pro utroque capitulo. (Ed. and **Bibl.** See Vat. lat. 1438 fol. 81ra-158vb.)

fol. 35va-vb <**Ludolphus, Ethica**, excerptum> (II, vv. 1-19)

(Textus) Laus et honor pueris solet euenire ... (Finis) ubi custos dicere nescit solum (nil scit preter *pro* nescit solum *ed.*) amen. (Ed. R. Peiper, 'Beiträge zur lateinischen Cato-Literatur', *Zeitschrift für Deutsche Philologie* 5 (1874) 165-86 at 172-86; see 179-83 for this excerpt. **Bibl.** Walther, *Proverbia* II 704-05.)

The Commentary on the Sentences is in a cursive hand on the erased sheets of a notary's book or court record book; one can see the names Guido Pinaldi and Lamberto Giamboni, and a notation 'pro dote, solui florenos, sub pena', and dates that include month and day. The three folios after 25 (i.e., 25a-c) are ruled in two columns but are blank except for a cursive note on 25v: 'Questiones super materiam sententiarum'. Corrections and variants were added by the scribe himself. Spaces remain for small capitals at the beginning of each article. The text of Bernard of Parma's Casus is in a Gothic hand, with red rubrics and Italianate initials; the folios here are smaller, 204 x 137. The title 'fragm. casus decreti' was added in a much later cursive hand, and was partly clipped off when the folios were trimmed. Compass prickings are visible in the margins from fol. 26 onwards. The verses on fol. 35v are in a faded medieval cursive hand. A different cursive hand added a note after the end of the text on fol. 35rb: 'Cum in iuuentute rex Ungarie denunciauit summo pontifici ...'. Fol. 1r has the number 369 in the upper margin. Only one catchword survives, in a decorated border at the lower right of fol. 10v. The binding is a contemporary parchment one.

Vat. lat. 7188

saec. XV

antea 374. **Prov.** Lorenzo Zaccagni.

201 fols. + 24bis + 118a chart. 285 (198) x 208 (123) mm, origin Italy; Germany. Seniones, saec. XV.

fol. 1r-30r **Heryaeus** <**Natalis O.P., Tractatus de jurisdictione et exemptione religiosorum**>

(Rubrica) Erueus magister generalis ordinis predicatorum (predicatoris^{ac}).

(Textus) Ad euidenciam dicendorum de exemptione cum exemptio nichil aliud sit

... (Finis) graue esset tollere illud quod facit ad quietem multorum diuino seruitio uocantium etc. (Colophon) Explicit tractatus de exemptione magistri Heruey etc. Explicit tractatus de exemptione. (**Ed.** Herveus Natalis, *De iurisdictione*, ed. L. Hödl (München 1959); O. Raynaldus, *Annales ecclesiastici*, ed. J.D. Mansi IV (Luccae 1747) 567-80. **Bibl.** Kaeppli, *Scriptores* II 241 no. 1914.)

fol. 31r-43v, 138r-161v, 136r-v, 126r-135v, 137r-v <**Guillelmus Petri de Godino O.P., Tractatus de causa immediata ecclesiasticae potestatis**>, imperfectus (Praefatio) Circa potestatem a Christo collatam prelati ecclesie sex per ordinem sunt uidenda ... (Rubrica textus) Primus articulus. De potestate Petri. (Textus) Quantum ad primum de potestate Petri apostoli singularem (singulari cod.) sunt quinque conclusiones principales ... (Finis) quod status illorum fuit /// (**Ed.** *The Theory of Papal Monarchy in the Fourteenth Century. Guillaume de Pierre Godin, Tractatus de causa immediata ecclesiasticae potestatis*, ed. W.D. McCready (Toronto 1982), using this MS (Siglum V⁷), 105-139.635; 327-340.382; 340.382-352; 139.637-219.903; 219.903-222.51; 222.51-260.334; 260.334-263.440. **Bibl.** Kaeppli, *Scriptores* II 155 no. 1632.)

fol. 44r-v <**Jacobus de Theramo, Processus Belial**>, fragmentum (Praefatio) Vniuersis Christi fidelibus atque orthodoxe sancte matris ecclesie fidei cultoribus hoc breue compendium inspecturis ... (Textus) Postquam per esum ligni duplicem habuimus mortis dampnationem ... (Finis) manibus et pedibus penetratis die /// (**Ed.** *Processus Iuris Ioco-Serius* (Villerianis 1601) [not seen]. **Bibl.** M. Munsterberg, 'Satan's Law-Suit Against Christ', *Boston Public Library Quarterly* 6 (1954) 150-59. A later hand has written 'Moses et Belial' at the top of fol. 44r.)

fol. 45r-100v <Incertus auctor, **Repertorium alphabeticum**> (Lemma primum) *Alimenta*: An debeantur filio qui habuit partem et ea/// ... (Lemma ultimum) *Confexio*. ... (Finis) dic in uerbo Arbitrari dixi. (Most of the entries cite Baldus de Ubaldis, *Additiones ad Speculum iuris*.)

fol. 103r-111v <Incertus auctor, **Casus extravagantium**> (Rubrica) Innocentius III^{us} Nicolaus III^{us} Bonifacius VIII. (Lemma primum) *Cum bonus pastor*: Patriarche archiepiscopi episcopi abbates priores in curia Romana uel infra duas dietas (sic) extra ecclesias eis commissas existentes ... (Lemma ultimum) *Ad perpetuam etc. Solicite debet uitari*: Quod illi qui in curia Romana annunciant prouisionem de eo factam nichil debent recipere alias incurrunt excommunicationem ipso facto. (**Bibl.** *Extravagantes Iohannis XXII*, ed. Tarrant 3 n. 4. This collection is keyed by a system of folio numbers in the left margins and by a series of titles in the right margins to a collection of texts in another MS. That collection occupied its fol. 1-77. The texts are arranged here roughly chronologically, beginning with Innocent III and ending with Gregory XI, whose constitutions are listed after those of Urban VI found on fol. 110v-111r.)

fol. 113r-118a^v <Incertus auctor, **Casus extravagantium**>

(Rubrica) De summa Trinitate. (Lemma primum) *Sacro approbante. Vnam sanctam*: Quod papa habet iurisdictionem spiritualem etc. ... (Rubrica ultima) De uerborum significatione (Lemma ultimum) *Cum nonnullis*: ... (Finis) nec in tali reservatione includuntur beneficia manualia ad nutum etc. (This set of *casus* is arranged by titles, and it is indexed to the same collection of texts as that described above at fol. 103r-111v by a series of folio numbers in the left margins. The names of popes and councils also appear there, including texts which are not listed in connection with the preceding work: Boniface IX (e.g. fol. 114v), the Council of Constance (e.g. fol. 118r); Martin V (e.g. fol. 113r); the Council of Florence (fol. 113r).)

fol. 119r <**Catalogus pontificum**> (Innocentius III-Urbanus VI) GREGORIUS XI ALS LETZTE

(This table is on a scrap of paper attached to the folia. It lists the popes in the *casus* at fol. 103r-111v above, giving an indication of where their constitutions begin in the original collection and giving, the number of constitutions present for each pope listed.)

fol. 162r-173v <**Hervaeus Natalis O.P., Tractatus de potestate papae**>, imperfectus (Textus) /// omnis alia potestas quantum ad correctionem abusus ... (Finis) tanto est immediatior effectui quia quanto causa est /// (Ed. Hervaeus Natalis, *In quatuor libros sententiarum commentaria quibus adiectus est eiusdem auctoris Tractatus de potestate papae* (Parisiis 1647, anast. repr. Farnborough, Hants. 1966) 363-401 at 369-84. **Bibl.** J. Miethke, 'Die Traktate "De potestate papae". Ein Typus politiktheoretischer Literatur im späten Mittelalter', *Les genres littéraires dans les sources théologique et philosophiques médiévales* ... (Louvain-la-Neuve 1982) 193-211 at 210 v. Hervaeus Natalis.)

fol. 174r-200v <**Auctores varii, Consilia**>, nominantur: Bartolus de Saxoferrato (fol. 174r ZZ [imperfectum], 174v-176r, 176r-177r, 177r-178r, 178v, 178v-180r, 180r-v, 180v, 180v-181r, 181r-v, 181v-183r, 183r-184r, 184r, 184v-185r, 185r-186v, 186v-187v, IST 186v NICHT ABGESONDERT ?DANN: 187r-v; 187v-188v, 188v-189r, 189r-v, 189v-190v, 190v-192r, 192r, 192v-193r, 193r-194r, 194r-195r, 195r-196r, 196r-198r, 198r-199r, 199r-v, 199v-200v); Franciscus Tigrini (fol. 184v-185r, 192r, 192v-193r) (**Bibl.** Calasso, 'Bartolo' 652. This is an incomplete collection, that is mutilated at the beginning. The first text was no. 15 of an incomplete numeration which ends with no. 29 at fol. 185r. At fol. 200v the scribe wrote 'Viso testamento' but did not continue. These texts have been extensively annotated.)

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Bignami, *Bibliothèque* 156 n. 103; *Theory of Papal Monarchy*, ed. McCready 61-62.

The MS is a composite collection that, according to Bignami, belonged to Lorenzo Zaccagni (†1712). Fol. 44 is of Germanic origin, but the other texts are of Italian origin. The MS is written in several late Gothic hands in dark brown ink. To fol. 44r capitals and paragraph signs are red, with a red rubric at fol. 31r. The old shelf mark '374' appears at fol. 1r. Fol. 125v has notes on the general councils of Constance, Basel and

Ferrara-Florence. At fol. 126r is written: 'fragmenta iuris canonici et ciuilis'. The first two quires are quinions; the rest, senions. Catchwords are at lower right, except for one which is centered on fol. 173v; to fol. 43v they are framed in red, thereafter, occasionally in ink. Fol. 45 is damaged. For the watermarks, cf. Briquet nos. 11726, 14463, 5747, 4076, 9936, 5153, 3570, and 788. The MS has an old parchment binding, possibly contemporary with the assembling of the collection. Fol. 30v, 101r-102v, 112r-v, 119v-125r, and 201r-v are blank.

Vat. lat. 7189

saec. XV-XVI

Prov. Juan de Torquemada O.P., card. 1439-68 (fol. 1r-233v). **Scr.** Juan de Torquemada O.P. (fol. 1r-233v).

<III> + 438 fols. + 225 bis + 415-424bis + 422ter chart. 300 (247) x 221 (114) mm, origin Italy (Rome?); Portugal (?). Saec. XV-XVI.

fol. 1r-233v <**Johannes de Turrecremata, O.P., Commentaria in Decretum**> (Pars 1: D.21 c.3med.- D.49)

(Textus) /// propter quam unitatem Apostolicis ecclesiam unum corpus esse dicit ... (Finis) Cayn qui de peioribus aserebat oblacionem Deo faciebat. (Colophon) Finis [Deo gratias] huius distinctionis Deo gratias in qua [propter] gratia uitande prolixitatis facimus finem huius primi uoluminis. (**Ed.** Turrecremata, *Commentaria* I 196a-397a. **Bibl.** See Vat. lat. 2267 and Vat. lat. 2572; Sella, 'Nuove sigle' 12 (*lan.* = Lanfrancus fol. 102v). There are marginal notes and extensive rewriting. This is the missing volume of the autograph series Vat. lat. 2572-2576, fitting between Vat. lat. 2572 and 2573. It begins with the rest of the incomplete sentence ending 2572. It is not listed in Garrastachu, 'Torquemada' 206-09, but is in Kaeppli, *Scriptores* III 38 no. 2731.)

fol. 235ra-238rb <**Bartolus de Saxoferrato (?)**>, **Tractatus de ritu iudiciorum ad practicam**

(Invocatio) Ihesus. (Textus) <M>emorie iudicis (iudicantis ed.) qui in tribunali quolibet praeest (presidebit cod.), occurrunt infrascripta ... (Finis) non auditur appellans de iure nec iudex ipsam (om. ed.) appellationem recipiet. (Colophon) Deo gratias. Amen. Explicit libellus de officio iudicis et que scire ipse debet. Amen. (**Ed.** Bartolus, *Opera* X fol. 144vb-145ra. **Bibl.** Calasso, 'Bartolo' 659; Casamassima, *Codices* 28, for Coburg MS Cas. 12, which also has a gloss. The text is written in a late humanistic cursive.)

fol. 235ra-238va <Incertus auctor, forsan **Johannes Mottola, Apparatus in Tractatum de ritu iudiciorum ad practicam**>

(Lemma primum) <M>emorie: necessario in scriptis redigitur quia memoria hominis labilis est ... (Finis) nota ff. ex quibus casus (*sic*) in possessionem erant ut lex Fulcinus (Dig. 42.4.7) Io. Muctula. (**Ed.** Cf. Bartolus, *Opera* X fol. 145ra-146rb for an 'Explicatio' which is highly similar to this gloss but is not as long. **Bibl.** D'Amelio, *Indagini* 69(-70) n. 120, suggesting Mottola as the author, noting that this is a longer form, and quoting from fol. 236r. The gloss is written, perhaps by the same writer as the text, in a small, individualistic cursive that becomes

irregular on the last folios.)

fol. 239r-244r <**Andreas Bonellus de Barulo, Differentiae inter ius Romanorum et ius Langobardorum**, seu Commentaria in leges Longobardorum>

(Praefatio) Vtilitas huius opusculi cum (ad *cod.*) per se patet commendatione (quodammodo *pro* patet commendatione *cod.*) non indiget ... (Textus) Differunt quidem (<D>yfert *pro* Differunt quidem *cod.*) primo inter se ius Romanum et (*ius add. cod.*) Langobardorum ... (Finis) in hoc opusculo nolui (uollo *cod.*) compilare. (Colophon) Deo gratias amen. Explicit tractatus differentiarum inter ius Romanorum et ius Langobardorum. (Ed. *Andree de Barulo jurisconsulti celeberrimi in leges Langobardorum opulentissima Commentaria, in Leges Langobardorum. Cum argutissimis glosis D. Caroli de Tocco ...* (Venetiis 1537) 232va-240rb, this text ending at 240ra. The MS ends with tit. 36, the edition having 38 titles plus additions. **Bibl.** F. Liotta, 'Bonello, Andrea', DBI 11 (1969) 776-79 ar 778-79; D'Amelio, *Indagini* 58 n. 99; eadem, 'Una falsa continuità: il tardo diritto longobardo nel mezzogiorno', *Per Calasso* 369-411 at 393 n. 70, 394 and n. 75; Dolezalek, *Verzeichnis* 2. The text is written in a highly irregular and personal cursive.)

fol. 244r-255r <Incertus auctor, **Commentaria in leges Langobardorum**>

(Rubrica) Constitucio que incipit iuris gentium. (Textus) Nota ex glossa istius constitutionis quod appellatio familie ... (Finis) contra 2° nubentes que defraudare. (Colophon) Deo gratias et uirgini Marie ac beate /// in cuius uigilia perfeci hac scripturam ac gracias ago tote curie celesti. (Written in the same hand as fol. 239r-244r.) ERGAENZUNG AM RAND TEILWEISE UNLESERLICH

fol. 256r **Dubia in causa Capuana prebendae**

(Rubrica) Dubia resoluenda in causa Capuana prebende ZZ in primis uidetur. (Textus) An per merita probatoris sit probata opcio pro parte dompni Bisuli ... (Finis) ipsum presbiterum Bisulum uiuum prout eciam uiuit adhuc. (The leaf is written in a very neat humanistic bookhand and annotated in the cursive hand of the immediately preceding pieces. There are references to the years 1437 and 1439, and to 'allegationes domini Iacobi'; the notations continue upside down on the verso.)

fol. 257r-263r <Incertus auctor, **Lectura**> in **Authenticorum libros**, excerpta (Auth. 1.1-5.8 rub.), imperfecta

(Rubrica) Ex libro auctenticorum et ex collectione prima cepta relegi per me XXV. nouembris M° cccc. lv Rome. Rubrica de heredibus et falcidia. Constitucio prima Si heres soluere noluerit. (Textus) Ex glossa i. *In nomine* nota principem condere leges ... (Lemma ultimum) § *Quia igitur*: ... (Finis) que regi omnium Deo dedicate sunt posse commutari. Aut. Vt de cetero commutationes rerum ecclesiasticarum non fecte fiant ad piissimum imperatorem. (This quaternion is written in a good, even 15th-century cursive. Space remains for an enlarged capital at fol. 257r. Lemmata are usually underlined. Only three lines of text appear on fol. 263r. The rest of the folio is blank.)

- fol. 264r <Incertus auctor, **Tractatus de protestatione**>
 (Textus) Quadruplex est protestatio: declaratoria uoluntatis protestantis. Secunda prohibitoria seu inhibitoria ne aliquid fiat ... (Finis) ut si debitor denunciatur fideiussori quod soluit. (Written in a neat humanistic cursive, this may be in the same hand as the previous piece.)
- fol. 265ra-rb **Beneuentus de Rambaldis de Imola**, <**Commentarium super Paradiso Dantis**>, fragmentum
 (This is fol. xxxiii of Vat lat. 4780, as recorded at <I>r: 'f. 265 est folium extremum codicis Vat. lat. 4780 A.C.' and in the note at the upper left of the folio: 'fragmentum operis Benuenuti de Rambaldis de Imola.')
- fol. 266r-267v <Incertus auctor, **Commentaria in Digestum**>, fragmentum (Dig 1.12.1.11-1.15.3)
 (Textus) Idem ait et ideo forum suarium sub ipsius cura ... (Finis) idem hic de iuribus dicimus /// ut sententiam Accursii debi/// (There is a Vatican library stamp in the middle of fol. 266r. This fragment is written in a sprawling late 15th- or early 16th-century secretarial cursive and shows extensive reworking by the scribe.)
- fol. 268ra-279vb <Incertus auctor, **Repetitio c. Si pater**> (Sext. 3.11.1), fragmentum
 (Textus) /// dicit tutum esse ita tenendum. Dominus Anthonius tamen concludendo ... (Finis) procedit opinio glosse. Sed si dixerit talis sit michi heres /// (**Bibl.** Sella, 'Nuove sigle' 15 (*Ra. fulgo.* = Raphael Fulgosius fol. 271). There is a Vatican library stamp in the middle of fol. 268rb. The fragment is written in a late 15th-century cursive with some marginal annotations by the scribe.)
- fol. 280r-v <Incertus auctor>, **Tractatus brevis de dosibus medicinarum secundum A.C.**
 ZZ (Rubrica) Tractatus brevis de dosibus medicinarum secundum A.C. (Textus) Primum fundamentum in dosibus medicinarum attendendum est iuxta gradus ... (Finis) foliis uel floribus et ita de aliis etc. (**Bibl.** Cf. Thorndike-Kibre, *Incipits* 1118 for a similar text by Johannes Cermisonus. The text is written in an English hand. There is a Vatican library stamp on the recto. The leaf is smaller than those on either side, and it has suffered water damage.)
- fol. 281ra-va <Incertus auctor, **Opus philosophicum**>, fragmentum
 (Textus) ///tempus, ante substantias que seruantur suis sempiternis ... (Finis) unitatem fatiens a/// non adquisitum sicut ostendimus. Finitus sermo. Deo gratias. (The fragment is written in a neat Gothic bookhand with red and blue paragraph marks. The line space at the end of paragraphs are filled with a red decorative pattern. Only part of fol. 281va has text. The rest of the folio is blank. The text is in poor condition on the verso, and the leaf has been repaired. It appears to have been the last leaf of its original MS. There is a Vatican library stamp on the recto.)

fol. 282ra-286rb <Incertus auctor, **Opus theologicum**>, fragmentum
(Textus) /// extollitur et dignitate /// ocilitate omnibus ... (Finis) quia fortissimus est et robustissimus est. (Fol. 282 is damaged with loss of text at 282ra and 282vb. The incipit is taken from the first complete line at 282ra. The hand is English cursive. The text ends with one line on fol. 286rb. Space remains for capitals. There is a Vatican library stamp on fol. 286rb.)

fol. 287ra-vb <Incertus auctor, **Opus philosophicum**>, fragmentum
(Textus) /// et apparet quedam genera magis alibi dicitur alba ascendentia et decendentia? ... (Finis) partes diuidendo secundum nature obedienciam et abilitatem et per genera parua /// (The fragment is written in a rough Gothic cursive.)

fol. 288r-v <**Johannes de Lignano, Tractatus de horis canonicis**>, fragmentum
(Textus) /// preceptum aliter facit quam debet iam non facit ... (Finis) quod dicat septem salmos uel salterium unum /// (**Ed.** TUI 15.2 fol. 558ra-559vb at 559ra-rb. This appears to be a neat copy of an early sans serif type font.)

fol. 289r-366v, 419bis^f-427v (recte // 419bis^f-427v, 294r-354v, //, 363v, 289r-292v, //, 366r- v, 293v, 364r-365v, 355r-362v //) <**Petrus Barbosus, Commentaria in**> l. *De acquirenda vel omittenda hereditate* (Dig. 29.2), imperfecta
(Textus) /// (fol. 419bis^f) et pro hac sententia Bald. repetitione l. *In suis* n° 58 § de liber. ... (fol. 427v) per testatorem fuit grauatus prout potest l. *Filiusfamilias* 117 (fol. 294r) in primo vers. qui ab intestato (Dig. 30.1.114[117].2) ff. de leg. 1° nam ne id (Dig. 32.1.48) § si fisco (Dig. 36.1.6.3) ... (fol. 289r) In d. l. *Si quis mihi bona* (Dig. 29.2.25) in gl. i. ibi et in alio ... (fol. 366v) ex quo aperte colligitur filio adeunte omnia iura ... (fol. 362v) ad instantiam substituti cum agatur de repellendo substi. /// (**Bibl.** 'Barbosa (Pedro)', *Grande Enciclopédia Portuguesa e Brasileira*, 40 vols. (Lisboa [1935-1960]) 4.198. This is in the late 16th-century cursive that fills the rest of the volume. The whole section is badly misbound, but here, in addition to the misplacement of the earliest part of the surviving text, the remainder is in a very irregular order. The order predicated above is based on the running titles, which generally give the name of the law within the title, and the catchwords. In addition to the text beginning in the middle of the discussion of the rubric, there are lacunae between Dig. 29.2.21 and Dig. 29.2.25 (fol. 354v/363v) and between Dig. 29.2.25 and a more general discussion of Dig. 29.2.35-78 (fol. 292v/366r) which is now incomplete. Because of the obviously missing folios and the blanks left by the scribe, it is difficult to determine exactly what text would be missing. There are large sections of marginalia, often reworking the text, by the scribe. The running titles are composed of 'D. Barbosa' on the left and the name of the law in the title on the right. There is a Vatican library stamp on fol. 289r.)

fol. 367r-379v **A**<ntonius> **Vazius Cabacus, Commentaria in l. De actionibus empti venditi** (Dig. 19. 1), imperfecta
(Rubrica) Sequitur titulus De actione empti a D. A. Vaz. In declarationem P. Iulianus § offeri in cod. Quaestio quando que competat efficaciter actio ex empto.

(Textus) Pro introductione huius tituli praesupponendum est quod totus hic tractatus in duas diuiditur partes ... (Finis) non poce (*leg. posse*) expelli propter pactum uel propter legis dispositionem quod /// (**Bibl.** 'Cabaço (António Vaz)'. *Grande Enciclopédia Portuguesa e Brasileira* 40 vols. (Lisboa [1935-1960]) 5.240; Sella, 'Nuove sigle' 7, noting sigla for Petrus Boherius at fol. 371v and Bartholomaeus de Saliceto at fol. 370v. Running titles give the author, 'D. Cabaço', and 'Ad P. Iullianus § offerri tit. act. emp.')

fol. 380r-387r, 424r-418bis^v (*recte* 424r-418bis^v, 380r-387r) <Incertus auctor,

Commentaria in> **tit. De libelli oblatione** (X 2.3)

(fol. 424r) (Invocatio) In nomine Domini nostri Iesu Christi amen. (Rubrica) Sequitur titulus de libelli oblatione. (Textus) Huius tituli rubrica cum praecedenti potest hoc modo continuari ... (fol. 418bis^v) in libertate proclamante alter eum seruum suum (fol. 380r) esse dicat, iudex debet cognoscere utrum ex libertate ... (fol. 387r) (Finis) breuissime expedita omnia quae pertinent ad hunc titulum de libelli oblatione. (Colophon) Laus Deo omnipotenti eiusque matri beatissimae uirgini Mariae.

fol. 388r-423r, 428r-437v (*recte* 428r-437v, 388r-423r) <Incertus auctor, **Commentaria in**> **tit. De rebus ecclesiae alienandis vel non** (X 3.13), imperfecta

(fol. 428r) (Invocatio) In nomine Domini Iesu Christi amen. (Rubrica) Sequitur titulus De rebus ecclesiae alienandis uel non explicandus anno Domini 1569. (Textus) Rubrica huius tituli cum precedenti sic potest continuari ... (fol. 437v) Sequitur lex in c. 2 /// /// qui /// (fol. 388r) c. erit autem lex 4a dist. (D.4 c.2) sic et praescripta consuetudine non debent ... (fol. 423r) (Finis) Bald. in l. iubemus a 1^a C. de sacros. ecclesiis (Cod. 1.2.10) quem sequitur Dom. in 2 c. fin. de immunit. ecclesiarum lib. 6 (Sext. 3.23.2). (Colophon) Laus Deo. Et per haec sunt Deo duce expedita et laetissime explicata omnia quae pertinent ad hunc titulum extra de rebus ecclesiae. (**Bibl.** Sella, 'Nuove sigle' 7, noting the siglum for Petrus Phillippus de Cornia and *Ruinus* at fol. 420v; the later is probably a reference to Carolus Ruinus (Ruini) († 1536). Not only is the text misbound, but at least a quire is missing between the two pieces. Fol. 437v breaks off at the end of the commentary on c. 1 and fol. 388r starts in the middle of c. 5.)

The MS is a composite of fourteen fragments, some as small as a single leaf. The divisions are generally as noted above. The inks vary from gray-brown to black. Catchwords are at the lower right when they exist. Fol. 289-437 are all in the same late 16th-century rough cursive. The slant of the hand and shade of ink vary constantly, suggesting they were written over a considerable period of time. Blank folios and portions of folios appear irregularly, usually with no explanation. As noted above, they are badly misbound. They appear to be a series of *reportationes*, perhaps coming from lectures given at the University of Coimbra during the period when both Pedro Barbosa and Antonio Vaz Cabaço were lecturing there. Cf. Dolezalek, *Verzeichnis I*, description of Escorial k.II.2 for such a collection. It is possible that the commentaries on X 2.3 and 3.13 are by the same person; the textual openings are nearly identical. It is also possible that fol. 424 is meant to follow directly after fol. 423, the two commentaries being written as a continuum. On fol. 234r-v are various drafts and notes, including part of a letter to a monastery in the diocese of Urgel. Fol. 374v is covered with numbers and *probationes pennae*, the text covering only the bottom third of the page. Watermarks vary with the fragments. The MS has a parchment binding contemporary with the youngest texts among the fragments. Fol. 387v is blank except for the running title 'De libelli oblatione.' <I>-<III>v, fol. 46v, 49v, 255v, 262r-v, 263v, 264v, 265v, 286v, 293r, 387v, and 438r-v are blank.

Vat. lat. 7202**saec. XIV****Scr.** Jacobus Padulis.

288 fols. memb. 357 (306) x 236 (141) mm, origin France (?). Seniones, saec. XIV.

fol. 1ra-288vb **Monaldus O.F.M., Summa <de casibus conscientiae>**, imperfecta in prin. (See Vat. lat. 2327 fol. 1ra-252va for further information.) *Variants:* (Textus) /// obedientiam et reuerentiam promittere diocesanis episcopis ... (Rubrica epilogi) Finale proemium compendiose editum. (Epilogus) Predictis *pro* Preteritis; ZZ ut cumque *pro* uirisque (fol. 288va) (Colophon) Dedicamus gratias etiam. Amen. (fol. 288vb) Explicit summa conducta a fratre Munaldo secundum ordinem alphabeti. Iacobus presbiter qui uocatur Padulis fecit hoc opus.

The MS is written in the Gothic bookhand of Jacobus Padulis in dark brown ink. The first folio has been torn out, and only a scrap from the bottom, bisecting the Vatican stamp, remains. Major capitals are red and blue with elaborate penwork decoration. Minor capitals are red with violet or blue with red decoration. Rubrics are red. Paragraph signs are red or blue. Catchwords are framed and centered. Prickings are visible along the outside edge of the folios. The MS has a 19th-century leather binding.

Vat. lat. 7213-7218**saec. XVIII (ca. 1722)****Prov.** Bernardo Maria Conti O.S.B., card. 1721-30.6 vols.: 532, 513, 513, 448, 580, 210 fols. chart. ca. 325 (200) x 225 (120) mm., origin Italy (Rome), saec. XVIII (ca. 1722). VGL. M.B. MITTTEILUNGEN**Innocentius III, Registrum annorum V-IX necnon fragmentum anni III**

Ed. *Diplomata, chartae, epistolae et alia documenta ... ediderunt* L.G.O. Feudrix de Bréquigny, F.J.G. La Porte du Theil, *Pars altera ... Tomus primus, Innocentii papae III epistolae ...* (Parisiis 1791), from these MSS; more recently O. Hageneder and A. Haidacher, *Die Register Innocenz' III.*, 2 vols. published (Graz-Köln 1964-). **Bibl.** H. Feigl, 'Die Überlieferung der Register Papst Innocenz' III. (Handschriften und Druckausgaben)', *MIÖG* 65 (1957) 242-95, describing these MSS at 255-57 and commenting upon the 1791 edition at 282-90. These MSS are copies of ASV Reg. Vat. 5 and 7, quoted as 'apographum Conti' in the notes of PL 214 and 215 and known as the 'Conti copies' in modern literature because they were commissioned by Bernardo Maria Conti (card. 1721-1730).

Vat. lat. 7213-7217 are written in one clear and even hand by a professional copyist in brown ink. The single 'libri' (years) V-IX gathered in two volumes in the original registers have been separated by the copyist, forming a series of five volumes, the fragment of Liber III added to Reg. Vat. 5 (see Feigl 244 n. 13) being copied in Vat. lat. 7213 fol. 18r-132r (see the introductory note fol. 2r). In the margins are observations from at least two 18th-century hands, including: a) short summaries of the letters; b) occasional corrections of the text; c) complete identifications of decretals (based on the *Liber extra*), and d) occasional indications of biblical or canonical sources of the letters and historical explanations. One of the

annotators seems to have been Domenico Giorgi (1690-1746; see R. Aubert, DHGE 20 [1984] 1450f.), who projected an edition of the Innocentian Registers. These notes left some traces in the apparatus elaborated by La Porte du Theil and reproduced in PL 214 and 215 (see, e.g., PL 214.1027 n. 212 referring to Vat. lat. 7213 fol. 183r).

Vat. lat. 7218 is of slightly smaller size and was written by a different, although contemporary, scribe and may be of different provenance. It contains a carefully organized alphabetical index of recipients of the Innocentian letters, covering not only the parts of the registers transcribed in the preceding volumes, but also *libri* I, II, and X-XVI. This volume still has its original 18th-century binding, whereas Vat. lat. 7213-7217 were rebound in the 19th century.

Vat. lat. 7219-7221

saec. XVIII.1

3 vols.: 513, 272, 393 fols. chart. ca. 325 (200) x 225 (120) mm, origin Italy (Rome), saec. xvii.

Gregorius IX, Registrum annorum I-V

Ed. L. Auvray, *Les registres de Grégoire IX*, 4 vols. (Paris 1896-1955) I col. 1-419. Vat. ZZ 7219 contains *libri* (years) I and II (*ed. nos.* 1-285), 7220 *liber* III (*ed. nos.* 286-409 and 410-431), 7221 *libri* IV and V, ending incomplete in the middle of letter V 75 (*ed. nos.* 432-659).

The MSS are copies of ASV Reg. Vat. 14 and 15. The three volumes are written by the same scribe as the preceding copies of the Innocentian registers. There are no annotations at all. Fragments of former back titles glued in on the first folios respectively indicate that the volumes formed parts XXI, XXII, and XXIII of a previous collection, which may have included Vat. lat. 7213-17. The volumes have 19th-century bindings similar to those of Vat. lat. 7213-7217.

Vat. lat. 7222

saec. IX.1

Scr. magister Baldo, annotator.

490 fols. + 123bis + 322bis memb. 300 (210) x 202 (155) mm, origin Germanic (Salzburg). Quaterniones, saec. IX.1.

fol. 1-483 <**Collectio Dionysio-Hadriana**>, imperfecta (mutil. in prin.) (See Vat. lat. 631 fol. 342ra-406vb for further information.) *Variants*:

(Tabula titulorum canonum) /// XVI. De his qui in pecudes uel in masculos aut olim polluti sunt aut actenus hoc uitio tabescunt (Finis) ZZ anno sexto post consulatum eius anno sexto pro anno sexto. (Colophon) interdictam pro interdicta (**Bibl.** Mordek, *Kirchenrecht* 246; this MS is not listed by either Maassen, *Geschichte* or R. Kottje, 'Einheit und Vielfalt des kirchlichen Lebens in der Karolingerzeit', ZKG 76 (1965) 323-42. The text is incomplete, the preceding table now beginning with the 16th canon of the council of Ancyra and ending at the 35th canon of Africa, see below. The table lists only the canons, not the decretals. The canons begin correctly at pag. 13. Notations have been added in the margins

which are highly similar to those in Reg. lat. 1021.)

PAG 13 (RUBRICA) INCIPIUNT ECCLESIASTICAE REGULAE
SANCTORUM APOSTOLORUM ... (RUBRICA SECUNDA) INCIPIUNT
CANONES APOSTOLORUM DE ORDINATIONE EPISCOPI (TEXTUS)
EPISCOPUS A DUOBUS AUT TRIBUS EPISCOPORUM ORDENATUR...

fol. 483-487 <**Concilium Romanum (732)**>

(Invocatio) In nomine domini Dei saluatoris ... (Textus) Praesedente sanctissimo ac ter beatissimo Gregorio papa secundo iuniore ... (fol. 486) (Finis) anathema sit. Responderunt omnes tertio anathema sit. (Subscriptiones) Et subscriptio. Gregorius gratia Dei ... Gemmulus diaconus sanctae sedis apostolicae. (**Ed.** and **Bibl.** O. Günther, 'Kritische Beiträge zu den Akten der römischen Synode vom 12. April 732', NA 16 (1891) 237-49, not using this MS, and see *Liber pontificalis*, ed. Duchesne III (ed. Vogel) 101, rejecting Günther's attempt to attribute the council to Gregory II rather than Gregory III.)

fol. 487-488 <**Magister Baldo (?)**>, **De singulis capitulis quos in canonicis libris invenimus**

(Rubrica) De singulis capitulis quos in canonicis libris inuenimus. (Textus) Vnum capitulum quod reus est de sanguine animarum ... (Finis) magistri sunt cum discipuli antea non fuerunt. (**Ed.** Very similar to 'Dicta sancti Gregorii papae' (omitting the first line of the letter) edited in R. Reynolds, 'The Pseudo-Augustinian "Sermo de conscientia" and the related canonical "Dicta Sancti Gregorii Papae"', RB 81 (1971) 310-17 at 315, and discussed at 313 and n. 2; see also Vat. lat. 4160 fol. 55r-56r.)

fol. 488 <**Pseudo-Gregorius, De xii abusis saeculi sermo**> IST KEIN PROVERBIUM (Textus) Sanctus Gregorius dixit haec: sunt quae in hoc saeculo abusive fiunt ... (Finis) ZZ plebs indisciplinata populus sine lege sic suffocatur iustitia. (**Bibl.** Reynolds, 'The Pseudo-Augustinian "Sermo"' 313 n. 2, identifying this text.)

fol. 488a-490b <**Glossarium**> (Latine et Germanice)

(Rubrica) Incipiunt glosae. (Textus) Praugmaticum: causa. Conibentes: consentientes ... (Finis) circumcelliones: qui e diuersis cellis circumeunt. (**Ed.** partially edited in E. Steinmeyer et al., *Die althochdeutschen Glossen*, 4 vols. (Berlin 1879-1898) IV 321, using this MS, with a short discussion of the text at 611. The glossary is to the preceding canonical collection. The edition cited selects only the glossary entries including German words. In addition to the entries of the primary scribe, there are many additional interlinear entries in another hand.)

Bibl. R. Reynolds, 'Canon law collections in early ninth-century Salzburg', *Proceedings Salamanca* 15-34 at 23 n. 46, 24-25 and nn. 55, 57, und 59, noting the presence of the hand of Magister Baldo and the relationship of this MS to the Collection in 2 books, Vat. lat. 4160, and Reg. lat. 1021, and, at 33, speculating that the missing first folios contained Baldo's *Concordia canonum* present at the beginning of Reg. lat. 1021.

The MS is acephalous, missing at least the outer two leaves of the first quire, which now has only six leaves. If Reynolds is right and it also contained the *Concordia canonum* found in Reg. lat. 1021, q.v., it would also be missing a complete quire in addition to the two leaves. It was written, probably at Salzburg, by several scribes who alternate throughout the MS. It is in a fine Carolingian minuscule with insular traces. The text has been carefully corrected, sometimes extensively, cf. pages 78 und 368. The ink is reddish brown. The running titles are contemporary. Major rubrics, in handsome capitals, are orange or alternating ink and orange when they are more than one line long. Minor rubrics, in the script of the text, are orange. Capitals are usually orange, but those at major divisions are often drawn in ink in rope patterns, sometimes colored with orange und a touch of green. A recent hand has added rough roman numerals on the last verso of each quire. The MS has a late 18th-century leather binding. Pag. 406 is blank with no lacuna resulting.

| | |
|-----------------------|----------------|
| Vat. lat. 7277 | saec. X |
|-----------------------|----------------|

antea Ag VI; 25; 327; S. X. 20; E. 6. 3. **Prov.** Giuseppe Garampi card. 1786-92; J.C. D'Amaduzzi; Costantino Ruggieri (1714-63); Pietro Ottoboni, card. 1652-89, postea Alexander VIII (1689-91); Decio Azzolino, card. 1654-68, Christina, Queen of Sweden (1626-89). **Scr.** J.C. D'Amaduzzi (annotator).
127 fols. + 99a memb. 220 (172) x 128 (100) mm, origin France. Quaterniones, saec. X.

fol. 1v-23v **Lex romana Burgundionum**

(Rubrica) Incipit (*sic*) capitula ('cpla' in calligraphic initials) de lege romanae (*sic*). (fol. 1v-2r) <Tabula, imperfecta> ... (fol. 2r) (Rubrica secunda) De patris uel matris donacione uel munificencia dominorum (Textus) Donacionem quam pater de rebus propriis in filium, filiamue conscripserit ... (Finis) pertinebit in quinto libro Theodosiani lex ista requirenda titulo nono. (Colophon) Explicit lex romana. (**Ed.** MGH LL in 4°, 1.2, pars 1, ed. L.R. de Salis, pp. 123-63, using this manuscript (siglum A2); see p. 19 for a description. **Bibl.** G. Chevrier and G. Pieri, 'La loi romaine des Bourgondes', *Ius romanum medii aevi* I,2,b, aa, δ (1969), mentioning this manuscript at 11 (- 12) n. 29.)

fol. 23v-125r <**Theodosianus II, Valentinianus III et Maiorianus, Leges novellae**>, imperfectae (Nov. 1 Theod. II in prin.-Nov. 7 Maioriani in prin.)
<Tabula, imperfecta> ... (Rubrica) De Theodosiani codexis auctoretate (*sic*) et de legibus que late sunt post Theodosiano diui Theodosi augusti (*sic*) (fol. 24r) (Textus) /// <dubit>avit, que causa faceret ut tantis prepositis praemiis (*ed.* 3 line 2) ... (Inscriptio legis ultimae) Imperatores Leo et Maiorianus augusti, Basilio prefecto pretorio. (Finis) Curiales neruus (*sic*) esse republice ac ui<scera> (*ed.* 167 line 2) /// (**Ed.** *Theodosiani libri XVI*, ed. T. Mommsen, 2 vols. in 3 (Berolini 1905) 2, using this MS (siglum I); see especially xiii-xvii and xxv-xxviii for a description of the codex. **Bibl.** J. Gaudemet, *La formation du droit séculier et du droit de l'église aux IVe et Ve siècles ZZ* (Paris 1957) 64-65.)

fol. 125v-127v <**Gaius, Institutiones**, recensio Legis Romanae Visigothorum, excerpta>, imperfecta
(Rubrica) De numero seruorum testamento manumittendorum. Libro primo dicit.

(Textus) Omnes homines aut liberus (*sic*) esse aut seruus. (*sic*) Sed ex his ipsis ... (Finis) que dicta sunt, aliquid fecerint, illis, qui aliena presump<serint> (*ed.* 324 §6 in med.) /// (**Ed.** *Lex romana Visigothorum*, ed. G. Haenel (Leipzig 1848, repr. 1962) 314-18 and 322-24. Included are 1.1-2, 1.8, and 2.1 through §6 in med., following Haenel's chapter numbers.)

Bibl. C. Finch, 'Beneventan writing in codices Vat. lat. 3032, 5951, and 7277', *American Journal of Philology* 87 (1966) 455-57 at 456-57; I.C. Amadutius, *Leges Novellae V anecdotae* (Romae 1767), with a plate of fol. 1v on p. xix.

The codex is written in brown ink in three contemporary Beneventan scripts (fol. 1-97v and 103r in med.-117v; 98r-103r in med.; and 118r-127v). The original scribes made many emendations; a later hand added others, but the text is still very corrupt. Marginal notes can probably be ascribed to the several scholars who used the manuscript in their editions; some are almost certainly by Amaduzzi (see Mommsen xxv-xxviii for a detailed description of the codex and its provenance). The second folio of quire one is missing and with it the last part (c. 15-end) of the table of the *lex romana Burgundionum*; damage to fol. 1 has mutilated the first part of the table. Similarly, because of the loss of the first folio of the fourth quire, only the first rubric remains of the table of Theodosius II's constitutions (the *Novellae* of each emperor are grouped together, each group preceded by its own table), and the first lines of the text itself are missing. The text ends abruptly in the middle of a word in the first sentence of Majorian's seventh constitution; about three-fourths of the folio is blank. Fol. 126-127 are separate sheets stitched together. Headings are written in uncials on a yellow background, capitals have yellow and orange decorations. Fol. 1r has the titles 'Codex Theodosianus' and 'lex romana' in medieval hands, a few jottings (e.g., 'fi. (?) 32 an.5', visible under ultraviolet), and a number of old shelfmarks, some expunged: 'Ag. VI' and the later '327', both from Queen Christina's library; 'S. X. 20' of the Ottoboni Library; and 'E. 6. 3' from Garampi's library. Quires are signed at the lower left of the last versos with large decorated letters. The MS has a 19th-century leather binding.

| | |
|-----------------------|-------------------|
| Vat. lat. 7297 | saec. XV.2 |
|-----------------------|-------------------|

Prov. Domenico Capranica, card. 1434-58. **Scr.** Johannes de Azel (fol. 460v-462v); Johannes de Vado (fol. 463r-475v).
512 fols. + 293bis + 299-307bis + 373bis in 2 vol. (I = fol. 1-275, II = fol. 276-512)
chart. (memb.: fol. 2) 291 (204) x 191 (115) mm, origin Italy. Seniones, saec. XV.2.

fol. 2r <**Tabula Pontificium malum exitum habentium**>

fol. 3r-22r, 36r-38v **Guillaume Fillastre**, <**Gesta Concilii Constantiensis**, excerpta>
(Textus) In hoc igitur generali concilio Constantiensi in quo agendum fuit ... (fol. 22r) illius regni uel prouinciae (*ed.* 1456B). (fol. 36r) <O>rigo generalis concilii Constantiensis ex Pisano concilio cepit. Cum enim ... (Finis) non sincero animo procederet ad concilium. (**Ed.** Finke, *Acta Concilii Constanciensis* II 16-21, 13-15. **Bibl.** Finke, *Acta Concilii Constanciensis* II 563, 565-66. The first excerpt precedes the *tabula actionum* of the council; the second appears between the preface and the beginning of the acts.)

fol. 24r-30r, 36r, 38v-388r **Concilium Constantiense (1414-1418)** (See Vat. lat. 1335 fol.1r-150r for further information.) *Variants*:
(fol. 36r) (Rubrica) Acta generalis concilii Constantiensis (presidente papa Ioanne

XXIII usquequo et in fine presedit Martinus quintus *add. al. man.*) *praem. ante invocationem primam*; (fol. 38v) (Rubrica) Introitus pape Io<annis> xxiii ad Constantiam *praem. ante invocationem textus* (As opposed to Vat. lat. 1335, the 24th session is listed in the table of contents and is in place. A later hand has added entries to the end of the *tabula actionum* at fol. 30r to reflect the texts added after the council. The first folios of the *acta* have marginal notes on the contents.)

fol. 391r-460v <**Acta processus contra Petrum de Luna antipapam in Concilio Constantiensi**> (See Vat. lat. 1335 fol. 151r-186v for further information.)

Variants:

(Colophon) Deo gracias. Finis add.

fol. 460v-462v **Concilium Senense contra Hussitos (1423)**

(Rubrica) Gesta concilii Senensis. Contra portantes aliquid Boemis. (*sic*). (Textus) Sacrosancta synodus Senensis generalis in Spiritu Sancto legitime congregata ... (fol. 462r) (Finis) contra premissa disponentibus, non obstantibus quibuscumque. Quibus quidem dictis sic ut premittitur lectis et publicatis reuerendissimus in Christo pater et dominus dominus Alfonsus sancte Romane ecclesie Sancti Eustachii dyaconus cardinalis ... Super quibus omnibus et singulis ... Presentibus ibidem ... testibus ad premissa specialiter uocatis et rogatis. <Subscriptiones> ... (fol. 462v) Et ego Johannes de Azel ... rogatus publicaui in fidem premissorum. (**Ed.** Mansi 28.1060-63, but lacking the attestations and subscriptions.)

fol. 463r-475v **Martinus <V, Bulla> Inter cunctas**

(Inscriptio) <M>artinus episcopus seruus seruorum Dei uenerabilibus fratribus ... (Textus) Inter cunctas pastoralis (*add. marg. al. man.*) cure sollicitudines ... (Finis) in uestris litteris habenda sit mentio specialis. Datum Constancie viii kalendas marcii pontificatus nostri anno primo. (Colophon) Duplicata de curia. Iohannes Symonis. (Subscriptio) Auscultata est per me Stephanum Garnerii litterarum apostolicarum scriptorem et auscultatorem et concordat cum originali bulla preter quam in iudicibus. Et per me Iohannem de Vado earundem litterarum scriptorem et abbreviatorem et concordat ut supra. (**Ed.** Mansi 27.1204-15, but here addressing the bull to eleven individual archbishops rather than the more general address in the edition.)

fol. 477r-512r <**Tractationes inter Hussitos et Catholicos**>

(Rubrica) Que acta fuerunt et facta esse dicuntur usque ad presentem diem per sacrum concilium et suos ambasiatores cum Bohemis presenti modica relatione comprehensa uidentur. (Invocatio) In nomine domini et saluatoris Ihesu Christi. (Textus) Reuerendissimi ac reuerendi in Christo patres ceterique uenerabiles patres et domini magna in ueneratione colendi neminem uestrum arbitror ... (Finis) tamquam traditores regni istius etc.

Bibl. Finke, *Acta Concilii Constanciensis* IV xxiii, with a short description of this MS, identifying it as belonging to Cardinal Capranica; ZZ Antonovics, 'Capranica' 154 n. 89;

C.M.D. Crowder, "Constance Acta in English Libraries", *Das Konzil von Konstanz: Beiträge zu seiner Geschichte und Theologie. Festschrift ... Dr. Hermann Schaufele*, ed. A. Franzen and W. Müller (Freiburg i.B. 1964) 477-517 at 494-95, noting that the peculiar organization and contents of this MS are identical to Oxford MS Bodleian e Museo 25.

The MS was written in varying 15th-century bookhands, with changes of hand occurring with each added text after fol. 460. All are in varying shades of brown ink. Some of the scribes decorate opening capitals, but there is no color. The MS has several folio numerations. The recent system in pencil is followed here. Fol. 1r is a 15th-century title page: 'De concilio Constantiensi/// reformatione ecclesie'. Fol. 1v has a brief note in a 15th-century hand on the contents of the volume. Catchwords are generally centered. For watermarks, cf. Briquet nos. 2776, 6592, 15050, 3868, and 11694. The MS is presently bound in two volumes, both of which have late 19th-century parchment binding. Fol. 2v, 17v, 22v-23v, 30v-35v, 352v-353r, 368r-372v, 388v-390v, 476r-v, 490v, 499r-500v, 501v-502v, and 512v are blank.

| | |
|-----------------------|-----------------|
| Vat. lat. 7304 | saec. XV |
|-----------------------|-----------------|

Prov. Domenico Capranica, card. 1426-1458. **Scr.** Johannes Dorenborch (fol. 150r-242v).

242 fols. + <I> memb. 310 (197; 203) x 220 (130; 138) mm, origin Italy (Florence) (fol. 150r-242v). Quiniones, saec. XV (1442) (fol. 150r-242v).

fol. 2r-6r <**Eugenius episcopus Carthaginensis**>, **Liber fidei catholicae**

(Textus) Regali imperio fidei catholice quam tenemus, precipimus (precipimus *cod. ed.*) reddere rationem ... (Finis) usque ad (in *cod.*) finem uite huius confidimus et speramus. (Colophon) Explicit libellus directus sub die xii^o (Directa xii^o *cod.*) kalendarum maiarum per Ianuarium Zattarensem (Zatterensem *cod.*) Villaticum a Casis Medianis episcopus Numidie, et Bonifatium Foratianensem, et Bonifatium Gratianensem prouinciae Byzacena (episcopis Numidie, Bonifatio Foracianense et Bonifatio Gratianense Gazanense ES SOLLTE SEIN: ... FORACIANENSI ...GARZANIENSI; ALSO HIER MIT (sic) ABER IN DER EDITION PER; ALSO DER FALL IST RICHTIG episcopis Bazarensis *cod.*). (Ed. MGH Auct. Antiq. 3.1, ed C. Halm, p. 26-39, where it is edited as an integral part of *Victoris Vitensis Historia*. The variants are the same as those of Halm's MS 'R', except the last name, which he does not list. **Bibl.** P. Godet, 'Eugène (Saint)', *Dictionnaire de théologie catholique*, 16 vols. in 33 (Paris 1908-72) 5.2, 1496-97.)

fol. 6v-9r <**Pseudo-Augustinus episcopus Hipponensis**>, **Altercatio Augustini cum Pascentio**

(Rubrica) Incipit liber disceptationum sancti Augustini episcopi aduersum comitem ZZ Pascentium Arrianum presente Laurentio u c iudice ab utrisque partibus electo. (Textus) Laurentius uir clarissimus (nunc *pro* uir clarissimus *cod.*) partibus et personis in communis positus dixit ... (Finis) honorifice unitati, ne fiat iniuria (inuisa *cod.*) [tener] temere Trinitati. Amen. Explicit. (Ed. PL 33.1158-64.)

fol. 9r-149v <**Concilium Nicaenum II**> (787), imperfectum (See Vat. lat. 1330 fol. 1r-274r for further information.) *Variants:*
(Inscriptio) domno *pro* domino (Praefatio) decessori (decessores^{ac}) *pro* decessore (fol. 12v) (Acta) (Rubrica) Aniceam *pro* Niceam (**Ed.** The MGH edition of the *epistola dedicatoria* uses this MS: siglum C.)

fol. 150ra-242vb (*rectius* fol. 150ra-169, 171-170, 172-73, 175-74, 176-242vb) <**Concilium Constantinopolitanum IV**> (869) (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants:*
(Rubrica) Causa et prefacio celebrate octaue sinodi historice deprompta.
(Colophon) Et sic est finis huius octaue synodi scripte per me Iohannem Dorenborch clericum Monasteriensis diocesis, et complete Florentie in domo reuerendissimi patris et domini mei domini D<ominici> Sancte Marie in Via Lata sacrosancte Romane ecclesie diaconi cardinalis Firmanii uulgariter nuncupati, sub anno a natiuitate Domini Mccccxli^o, die xx^{ma} mensis februarii, pontificatus sanctissimi in Christo patris et domini nostri domini Eugenii diuina prouidentia pape quarti anno undecimo. (**Ed.** The MGH edition of Anastasius's preface uses this MS (siglum V2). **Bibl.** For the scribe Johannes Dorenborch, see Benedictins du Bouveret, *Colophons* 3 258-59; Miethke, 'Schriften des Juan González' 298ff. and printing the colophon at n. 80.)

fol. 150ra-242vb, passim <**Anastasius Bibliothecarius, Glossae ad Concilium Constantinopolitanum IV**> (869)
(**Ed.** C. Leonardi, 'Anastasio Bibliotecario e l'ottavo concilio ecumenico', *Studi medievali*, ser. 3, 8.1 (1987) 163-82, using this MS: siglum C.)

fol. 150ra-242vb, passim <Incertus auctor, **Glossae ad Concilium Constantinopolitanum IV**> (869)
(**Bibl.** Leonardi, 'Anastasio' at 113.)

Bibl. Leonardi, 'Anastasio' at 149-50 for a description of this MS.

The codex is formed of two separate MSS. The first part (fol. 1-149) was written by a transalpine scribe in black ink. The scribe wrote the glosses and notabilia. Illuminated initials are in blue on gold and colors. On the first 11 folios capitals are red or blue, decorated in the contrasting color. Rubrics are usually red. The second part (fol. 150-242) was written by Johannes Dorenborch using a Roman round script in black ink. Illuminated initials are in various colors on a gold background. Capitals are red with violet Italianate decoration or blue with red. Rubrics are usually red. In the first part the catchwords are centered; in the second they are vertical on the inner margin line. Fol. 1r has an 18th-century table of contents listing the complete contents of the composite volume. The same annotator added folio numbers on the first and last folio of each quire. In the first part, an earlier alphanumeric foliation is by the scribe. The modern stamped foliation, followed here, is on the lower right corner. The codex has a 19th-century leather binding. Fol. 1v is blank.

<IV> + 377 fols. – 202 chart 291 (183) x 211 (120) mm, origin Italy. Quiniones, saec. XV.

fol. 1r-3r <**Tabula operum**>

fol. 5r-7r, 40v-43r, 44v-46v, 49v-78v, 85r-100v [passim], 100v-115v, 172v-252r, 260r-264v, 268r-309v, 311v-377r <Auctores varii, **Opera polemica**>: Antonius de Butrio, ZZ Consilium de schismate, imperfectum (fol. 325v-329r [Ed. Paulus Castrensis, *Consilia* I fol. 214ra-215ra to 214vb]); Antonius Luschus, De modo tenendi ZZ concilium ad Petrum de Candia (fol. 44v-46r fol. 46v **KEIN ENDE**); Pseudo-Bonifacius VIII, Professio fidei (fol. 5r-6r [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 at 379, 386-87, 391]); Bononiensis Universitas, Conclusiones de schismate, imperfectae (fol. 357r-358v [Ed. Mansi 27.219-21, 221 n. a, 221-22, 222 n. b, lacking the first five lines on 219], *perfectius* fol. 375v-377r); **VGL: BRIEF GIRGENSOHN VOM 1. 8. 1990**, Henricus de Langenstein, Epistola pacis (fol. 214v-234v [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]); Johannes de Capitaneis, ab. Montis Oliveti, Epistola ad Gregorium XII (fol. 100v-115v [Milan, 29 iun. 1408]); Johannes Dominici O.P., Abusiones (fol. 49v-51v [Ed. Vincke, *Schriftstücke* 40-54 no. 6, using this MS], fol. 51v-53r [Ed. Vincke, *Schriftstücke* 75-86 no. 13, using this MS]), Epistola Michaelis archangeli (fol. 263r-264v); Johannes de Imola, Tractatus de schismate (fol. 337v-353r [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. 288r-309v); Jordanus de Ursinis, Glossae in Abusiones Johannis Dominici (fol. 53v-57v [Ed. Vincke, *Schriftstücke* 41-55 no. 7, using this MS], fol. 57v-61r [Ed. Vincke, *Schriftstücke* 77-88 no. 14, using this MS]); Matthaues de Mathesillanis, Consilium de schismate cum subscriptione Johannis de Cannetulo (fol. 323r-325v [Ed. Paulus Castrensis, *Consilia* I fol. 215ra-va]); Nicolaus de Bittonio O.F.M., Tractatus de schismate (fol. 189v-201r [**Bibl.** Vincke, 'Magister Theologiae' 178-206]); Nicolaus de Fakenham O.F.M., Determinatio de schismate (fol. 172v-189v [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, using this MS: siglum V1]); Parisiensis Universitas, Conclusiones (fol. 251v-252r [Ed. Baronius, *Annales* an. 1408 §40 (ed. Theiner 27.213)]); Paulus de Castro, Consilium de schismate (fol. 318r-320v [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. 40v-41r [Genoa, 15 sept.; **Ed.** and **Bibl.** Jean Gerson, *Oeuvres complètes* II 84-86 no. 22.1]); Petrus de Alliaco, Decem considerationes circa concordatum Massiliae (fol. 41r-43r [**Bibl.** Glorieux, 'L'oeuvre d'Ailly' 73]), Epistola Satani (fol. 262r-263r [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. 311v-317r [Ed. Petrus de Ancharano, *Consilia* fol. 24vb- 25rb]); Robertus de Francola, Tractatus de schismate (fol. 268r-288r [Ed. Martène et Durand, *Thesaurus* II 1428-32, c. 1 only]); Incerti auctores, Apparatus in Professionem fidei Bonifacii VIII (fol. 6r-7r [Ed. Finke, *Acta concilii Constanciensis* II 682-88, using this MS: siglum A]); Glossae in Abusiones Johannis Dominici (fol. 61r-69r [Ed. Vincke, *Schriftstücke* 55-69 no. 8, using this MS] oder ; , fol. 69v-78v [Ed. Vincke, *Schriftstücke* 88-104 no. 15, using this MS]); Glossae in Epistolam Dominus et Salvator (fol. 86r-87r, 87v-88v, 89r-91r, 91v-92v, 93r-96r, 97r-98r, 98v-100v); Somnium Pantasii Lesicani (fol. 201r-215v); Quaestio super opinione episcopi Ragusini (fol. 159rb-169rb); Consilia de schismate (fol. 317r-v [Ed. Vincke, *Schriftstücke* 32-34 no. 4. using this MS] ZZ, fol. 320v-323r [Ed. Vincke, *Schriftstücke* 34-39 no. 5. using this MS], fol. 330r-336v, 356r-357r, 358v-362r, 362r-366v ODER 363r) ZZ ; Considerationes de schismate, imperfectae (fol. 329r-330r [Ed. Vincke, *Schriftstücke* 134-41 no. 221]); Conclusiones de schismate (fol. 336v-337v); Tractatus de schismate, imperfectus (fol. 353v-356r), Tractatus de schismate (fol. 367r-375v).

WIE IST ES MIT DEN ORTSNAMEN - LAT: ODER NICHT?

fol. 7r-40v, 43r-44v, 46v-49v, 78v-85r, 85r-100v [passim], 115v-133v, 250r-252r
<Auctores varii, **Acta de schismate**>: Antonius de Cajetanis, Epistola ad Carolum Malatesta (fol. 130v-131v [Pisa, 26 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 F]); Benedictus XIII, Epistolae (fol. 7v-9v [20 iun. 1395], fol. 9v-10r [28 iun.], fol. 10r-v, 10v-11v, 25r-26v [Ed. Mansi 26.1014-16], fol. 46v-49r [Portovenere, 15 iun.; Ed. Mansi 26.1103-09], fol. 49r-v [15 iul.; Ed. Mansi 26.1110-11], fol. 132r-133v [Ed. Mansi 26.1119-22]); Bononienses doctores, Epistola (fol. 120v-122r); Carolus VI rex Francorum, Epistolae (fol. 16r-17v [Paris, 12 ian. 1407], fol. 17v-18r [Paris, 12 ian. 1407], fol. 18r-v [Paris, 12 ian.ZZ]), Requesta regis Francorum et ducum (fol. 7v); Collegium Avinionense cardinalium, Epistolae (fol. 34v-35r [Villeneuve d'Avignon, 16 iul.], fol. 80v-84r [1408, Ed. Mansi 26.1161-631 ZZ]), Capitula in conclavi post mortem Clementis VII (fol. 7r-v [Ed. Souchon, *Papstwahlen* I 298-99]); Collegium Romanum cardinalium, Capitula in conclavi post mortem Bonifacii IX (fol. 11v-13r [Ed. Souchon, *Papstwahlen* I 280-84]), Capitula in conclavi post mortem Innocentii VII (fol. 13r-15r [Ed. Souchon, *Papstwahlen* I 287-92]); ZZ Collegium unitum cardinalium, Epistolae (fol. 78v-80v [Livorno, 14 iul. 1408], fol. 84r-85r, 85r-87r, 87r-88v, 89r, WOHL KEIN ENDE 89r-91r 91v-92v, 93r-96v; 96v-97r, 97r-98r, 98r-v [Ed. Mansi 27.50-56], 117v-120v [Pisa, 24 sept. 1408; Ed. Mansi 26.1175-79], fol. 115v-116v [Siena, 1 aug.]), Responsiones ad oratores Venetorum et Florentinorum (fol. 122r-125r [Ed. Martène et Durand, *Thesaurus* II 1411-19], fol. 126v-130v), Responsio ad rationes Gregorii XII (fol. 125r-126v [5 oct. 1408]), Declaratio facta marchioni Montis Ferrati (fol. 250r-251v); Gregorius XII, Epistolae (fol. 15r-16r [Ed. Mansi 26.1013-14], fol. 35r-v [Ed. Martène et Durand, *Veterum scriptorum ... collectio* VII 754-55]), Refutatio concordati

Massiliae (fol. 35v-40v); Ianuensis communis, Instrumenta diplomatica de concordato Massiliae (fol. 26v-34r [Ed. Baronius, *Annales* an. 1407 §4 (ed. Theiner 27.164-66, partial edition)]); Oratores Avinionenses, Oblatio (fol. 43r-44v [Ed. Vincke, *Schriftstücke* 70-72 no. 10]); Parisiensis Universitas, Advisamentum concilio Parisiensi, imperfectum (fol. 18v-25r [Ed. Martène et Durand, *Thesaurus* II 1398-40, the MS lacking the last paragraph]), Requestae factae Carolo VI regi Francorum (fol. 252r).

fol. 133v-155v <Concilium Pisanum (1409), Acta contra Gregorium XII et Benedictum XIII> (See Vat. lat. 4000 fol. 96ra-107rb for further information.)

fol. 156r-163v <Incertus auctor, Sermo in concilio Pisano> (See Vat. lat. 4000 fol. 107rb-119rb for further information.) *Variants:*
(Textus) euuangelico pro euangelica.

fol. 163v-172v **Johannes Luke, Sermo in concilio Pisano** (See Vat. lat. 4000 fol. 112vb-119rb for further information.) *Variants:*
(Textus) concilio pro consilio (**Bibl.** M. Harvey, 'A sermon of John Luke on the ending of the Great Schism, 1409', *Studies in church history* 9 (1972) 159-69, printing excerpts.)

fol. 252v-257v <Incertus auctor, Nomina participantium in concilio Constantiensi>

fol. 258r-259v <Incertus auctor, Epistola consolatoria de morte magistri Marsilii>
(See Vat. lat. 4000 fol. 173rb-174ra for further information.)

fol. 259v-260r <Incertus auctor, Tractatulus de gratiarum actione> (See Vat. lat. 4000 fol. 174ra-va for further information.)

fol. 260r-262r **Johannes de Cascina <O.P., Sermo de gratiarum actione>** (See Vat. lat. 4000 fol. 260r-262r for further information.)

fol. 310r-311v <Incertus auctor>, **Genealogia ducum Mediolani** (See Vat. lat. 4000 fol. 201va-202rb for further information.)

Bibl. R.N. Swanson, *Universities, Academics and the Great Schism* (Cambridge 1979) 224.

The MS is written in a late Gothic cursive in black ink that has faded to gray. In addition to the separately annotated pieces, the general *opera polemica* and *acta de schismate* also mirror the contents of Vat. lat. 4000. Catchwords are next to the inner margin. Fol. 49v-51v were miscopied; the correct order is: fol. 49v-50r, 51r, 50v, and 51v. Fol. 238 belongs between fol. 233 and 234. In the old numeration, which begins on the present fol. 5r, the present 233 is 227 and the present 238 is 228. The stamped numeration errs, skipping from 201 to 203 without any break in the text. A note at the top of fol. 353v has been mutilated by trimming. For the watermarks, cf. Briquet no. 15814. The MS has a 19th-century leather binding. Fol. 3v-4v and 265r-267v are blank.

| | |
|-----------------------|---------------------|
| Vat. lat. 7316 | saec. XVmed. |
|-----------------------|---------------------|

Prov. Domenico Capranica, card. 1426-58.

V + 304 fols. chart 340 (215) x 230 (125) mm, origin Italy. Quiniones, saec. XVmed.

ZZ <I>r-<V>r <**Tabula codicis**>

(The table is in two hands, the first copies (in red ink) the parts of the tract of Johannes Leonis; the second, the fourth hand of the rest of the volume, lists the rest of the contents.)

fol. 1r-1x^r, cxxxi^r-cxxxv^v, cxxxvii^r-ccciii^v <Auctores varii, **Opera polemica**>: Johannes Leonis O.P., De synodis et ecclesiastica potestate (fol. 1r-1x^r [**Bibl.** Kaeppli, *Scriptores* II 469 no. 4728]); Petrus Lutra, Tractatus contra Michaellem de Cesena (fol. cxxxi^r-cxxxv^v [**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, from this MS]); incertus auctor, Cronica gestorum Johannis papae XXII contra opinionem Fraticellorum (fol. cxxxvii^r-ccciii^v).

fol. lxi^r-cxxxiii^v **Concilium Florentinum (1438-1445)**, <Acta> (See Vat. lat. 4128 fol. 43ra- 85va for further information.) *Variants*:

(Datum) beate *pro* sancte (The opening initial at fol. lxi^r has been incorrectly filled in as a 'Q' rather than an 'I'.)

Bibl. H.S. Offler, 'Zum Verfasser der 'Allegationes de potestate imperiali' (1338)', DA 42 (1986) 555-619 at 568 n. 56, noting that Vat. lat. 4128 is a copy of this MS; Miethke, 'Schriften des Juan González' 286(-87) n. 35, on the relationship to Vat. lat. 4128, and 289 n. 40, discussing the fourth scribe of this volume.

The MS was written by four scribes: 1) fol. 1r-1x^r; 2) fol. lxi^r-lxxxii^v; 3) fol. lxxxiii^r-cxxxiii^v; 4) fol. cxxxi^r-ccciii^v. The first is a neat *puntillo*, the second a fine cursive bookhand. The third is a small hurried cursive; the fourth is a fine Italian bookhand with flourishes. The ink throughout is light brown. Capitals opening the major works are blue on red with fleur ornée on fol. 1r and blue on fol. lxi^r. Other capitals alternate red and blue. In the lower margin of fol. 1r is the coat of arms of Domenico Capranica between two stylized floral bouquets. Fol. 1-3 are numbered in arabics, the rest in romans, fol. lxi-lxxxii are separately numbered in arabics 1-20. FOL LXI HAT "8" 9 IST LXIX LXX- n LXXI HAT 9 und 11 LXXX LXXXI HAT 21 UND 10 ES IST ABER EHER EIN VERSUCH DIE BLÄTTER ZU NUMERIEN Each scribe places catchwords in a different area: the first against the binding, the second and third centered, and the fourth off center with penwork decoration. A modern hand has numbered the quires in arabic on the first recto next to the foliation. For watermarks, cf. Briquet nos. 11662 and 11663, and Piccard nos. 1584-1608, among others. The MS has a red leather binding with the arms of Gregory XVI on the spine. <V>v, fols. lx^v, cxxv^r-cxxx^v, cxxxvi^{r-v} are blank.

| | |
|-----------------------|---------------------|
| Vat. lat. 7331 | saec. XVmed. |
|-----------------------|---------------------|

antea S Se. VII n° 4.

154 fols. memb. (chart.: fol. 1) 158 (105) x 114 (83) mm, origin central Italy. Seniones, saec.

XVmed.

fol. 2r **Nicolaus de Ausimo O.F.M., Supplementum <Summae Bartolomaei de Sancto Concordio>**

(Rubrica) Hoc supplemento clericus 4^o (*sic*) frater Nicolaus de Ausmo (*sic*).
(Textus) Vtrum alias liceat a fornicario recipere sacramenta habetur infra
Ordinatus i § iii ... (Vtrum autem a fornicario liceat accipere sacramenta *ed.*) ...
(Finis) nec eis quomodolibet suffragari. (**Ed.** Nicolaus de Ausimo, *Supplementum summae Pisanellae* (Venetiis 1474) fol. [28]ra-rb. This excerpt is accompanied at fol. 2r-v by several brief legal notes.)

fol. 3ra-107rb **Antoninus de Florentia O.P. (s.), Tractatus de censuris ecclesiasticis, sive Summa theologica**, excerptum (Pars III tit. 24-tit. 29 c.1)

(Rubrica) Incipit prologus in quarta parte summe reuerendi patris domini Antonini de Florentia archiepiscopi sacri ordinis predicatorum de materia excommunicationis siue de censura ecclesiastica. (Praefatio) Excommunicatio dicitur exclusio (scilicet *add. ed.*) a communionem. Sicut autem est triplex communio fidelium ... (fol. 3va) (Rubrica textus) Explicit prologus. Excommunicatio contra inicientes manus uiolentas in personas ecclesiasticas. Capitulum primum. (Textus) 'Si quis suadente dyabolo huiusmodi (huius *cod.*) sacrilegii uicium uel crimen' ... Ino. 2^{us} 17 q.4 (C.17 q.4 c.29). Super hoc decreto sunt 5 notanda ... (fol. 105rb) (Finis) anathematizatus idest a Deo separatus ut 24 (23 *cod.*) q.3 Certum (C.24 q.3 c.9). (**Colophon sic**) Explicit tractatus de censuris ecclesiasticis etc. (fol. 105rb-107rb) <Tabula tractati> ... (fol. 107rb) (Finis) habes supra (*infra cod.*) in tercia parte titulo de iudicibus (Pars III tit. 9). (**Ed.** *Antoninus, Summa theologica* (Veronae 1760) III col. 1295-1477. **Bibl.** Kaeppli, *Scriptores* I 91 no. 253; R. Morçay, *Saint Antonin* (Tour/Paris [1914]) 408 and 415.)

fol. 107rb-154ra <Incertus auctor, **Interrogatorium**> (See Vat. lat. 5608 fol. 1r-63r for further information.) *Variants*:

(Rubrica) Videlicet *om.* (Finis) auctoritatem cir<ca> ceteros extra de procurationib<us> (*sic*) (Sext. 1.19.4). Hec ibi. (Colophon) Deo gratias. Amen. Amen. Opere finito sit laus et gloria <Christo>. $\tau\epsilon\lambda\omicron\delta$.

fol. 154vb <Incertus auctor, **Adnotationes de censuris ecclesiasticis**>, mutilae
(One of these notes was derived from a work of St. Bonaventure. The original fol. 154 was torn in half, bisecting a Vatican Library stamp. Besides mutilating these notes, the tear also removed a few letters on the right edge of fol. 154ra.)

Bibl. S. Orlandi, *Bibliografia antoniniana* (Città del Vaticano 1961) 63-64.

The MS is written in two late Gothic bookhands in black ink: fol. 3ra-107rb and 107rb-154ra. The excerpt at fol. 2r AUCH 2v BETRFEENDEN EXCOMMUNICATIO and the mutilated notes at fol. 154vb are in a humanistic Italic cursive bookhand. The written numeration begins two folia after the stamped numeration followed here. Fol. 1r is a title page. Rubrics are red. Capitals are red with violet and blue with red decoration. Paragraph signs are red or blue. Besides the predominant senions, fol. 14-21 is a quaternion.

Catchwords are arranged in the form of a cross at lower right. The edges of the MS are red with green flecks. The MS has an old parchment binding, which may be the original, with the old shelf mark, 'S Se. VII n° 4' on the spine. Fol. 1v is blank.

Vat. lat. 7332

saec. XIV.1

<I> +146 fols. memb. 267 (184) x 191 (123) mm, origin France (Paris). Quiniones, saec. XIV. 1.

fol. 1ra-8ra **Thomas Capuanus, Ars dictandi**

<Tabula rubricarum> ... (fol. 1va) (Rubrica) In hoc prohemio reprehenduntur illi, qui precipitant sententias et confundunt iudicium, ponentes lucem tenebras et tenebras ipsam lucem. (fol. 1vb) (Textus) Iuste iudicate, filii hominum, et nolite iudicare secundum faciem ... (Finis) digne transmitti posteritatem, nemo dubitet sapientum. (Colophon) Hic finitur ars dictandi. (**Ed.** and **Bibl.** E. Heller, 'Die Ars dictandi des Thomas von Capua', SB Akad. Heidelberg 19 (1928-29) 4. Abh., with a critical edition at 10-44.)

fol. 8ra-146rb **Thomas Capuanus, Summa dictaminis**

<Tabula capitulorum primae partis> ... (fol. 10ra) (Rubrica) ZZ VORHER INCIPIUNT XXX Incipiunt epistole prime partis dominus papa scribit conuitiose increpationes ad imperatorem ... ecclesiis conquiescat. Rubrica. (Textus) Miranda tuis sensibus nostra uenit epistola (JL 7581; ed. Mansi 23.91 *male tribuit Gregorio IX*) ... (Finis) discreti uiri decanus et capitulum abordense die ad eligendum prefixa conuenientes in unum de etc. (Colophon) Explicit summa dictaminis magistri Thome de Capua cardinalis Deo gracias. Qui scripsit scribat et longo tempore uiuat. Amen. (**Ed.** and **Bibl.** Although not edited as an entity, many of the letters have been separately edited, the largest selection of which is in E. Heller, 'Der kuriale Geschäftsgang in den Briefen des Thomas von Capua', *Archiv für Urkundenforschung* 13 (1935) 198-318, editing 126 non-papal pieces; eadem, 'Die Ars dictandi des Thomas von Capua', SB Akad. Heidelberg 19 (1928-29) 4. Abh. ZZ; H.M. Schaller, 'Zur Entstehung der sogenannten Briefsammlung des Petrus de Vineia', DA 12 (1956) 114-59 at 142-47; idem, 'Studien zur Briefsammlung des Kardinals Thomas von Capua', DA 21 (1965) 371-518, discussing previous scholarship and listing the various partial editions at 394-99, and discussing this MS, a copy of the 10-book redaction, his no. 55, at 468-518 passim, esp. 478, 488, and 491.)

The MS is written by a single scribe, using medium brown ink, in a formal Gothic bookhand. Occasionally he extends a letter into the upper margin and decorates it with exaggerated penwork which may overshadow the preceding colored capital. The text has been corrected by the scribe and at least one other hand. A later hand numbered the entries in the tables and matching letters in each section. Another hand added short running titles composed of 'pars' and a Roman numeral. There is a large red and blue initial decorated with elaborate penwork on fol. 1ra. Other capitals are blue with red or red with violet penwork decoration. The paragraph signs on fol. 1ra-va alternate red and blue, rubrics are red. The same hand that numbered the tables and letters may have added the foliation in Roman numerals; that foliation has two errors, skipping from lix to lxx and from cxviii to cxx. A modern hand has numbered fols. 1 and 146, plus

every tenth folio; foliation in this description is extrapolated from that numeration. Immediately below the end of the text at fol. 146rb is a long *notabilium* on *ars dictandi* referring to Guido de Faba. Catchwords, framed and often decorated, are against the inner margin line. Picia marks are visible throughout. Tears in the parchment have been repaired with thread. The MS has an 18th-century non-papal parchment binding with ties. <I>r-v and fol. 146v are blank.

Vat. lat. 7593

saec. XV (1460-1462)

<I> + 342 fols. + 98bis, 296bis, 338a chart. 341 (226) x 232 (145) mm, origin Italy (Perugia). Quiniones, saec. XV (1460-1462).

<I>r-v <**Graduale cum neumis**>, fragmentum

(**Bibl.** *Manuscripts liturgiques*, ed. Salmon II 537. This leaf was written in Italy in the 15th-century.)

fol. 1ra-81rb **Petrus Philippus de Corneo, Recollectae <in Codicem>** (Cod. 6.9.1-6.21.18)

(fol. 1r) (Invocatio) Yhesus. (Rubrica) Incipiunt recollecte famosissimi in toto orbe doctoris domini Periphilippi (*sic*) de Cornia preceptoris mei singularissimi anno 14LX. (fol. 1ra) Rubrica. Qui admitti ad bonorum possessionem. (Textus) In glossa rubrice in principio hanc continuationem secuntur Ci. et Bar. ... (fol. 2va) (Lemma primum) l. *Bonorum*: Filius familie ignorante patre potest agnoscere bonorum possessionem sibi delatam ... (fol. 81ra) (Lemma ultimum) <*Licet*>: ... (fol. 81rb) (Finis) in quibus non requiritur ordo sacer et per consequens cessat ratio dictarum [et] clementinarum. (Colophon) Sequitur rubrica qui testamentum facere possunt. Sequitur rubrica domini Mansueri super titulo de testamento militis. (**Bibl.** Diplovatatus, *De claris iuris consultis* 407-08; M. Ascheri, *Saggi sul Diplovatazio* (Milano 1971) 13, listing editions.)

fol. 81v <Incertus auctor, **Casus de ius dicente**>

(Rubrica, *al. man.*) Quibus in casibus a semetipso ius sibi dicere liceat. (Textus) Isti sunt casus in quibus quis potest sibi ius dicere sine iudicis auctoritate. Et primus est in hereticis ... (Finis) 33 est in l. i § Vim (*sic*) fluminis ff. de fluminibus (Dig. 43.12.1.2?) etc.

fol. 84ra-99vb <**Mansuerius de Mansueriis, Repetitio tit. De testamento militis**> (Cod. 6.21), imperfecta
ZZ /// uide in l. *Respiciendum* (*sic*) § delinquent (*sic*) ff. de penis (Dig. 48.19.11.2) ... secundum Cy. notabiliter in l. ii de here. (Cod. 6.24.2?) per glossam ibi. De decima quinta /// (**Bibl.** Diplovatatus, *De claris iuris consultis* 385.)

fol. 104ra-178ra **Johannes de Montesperello** (?), <**Recollectae in Codicem**> (Cod. 6.22.2-6.24.14)

(fol. 104r) (Invocatio) Ihesus Christus. Ihesus Christus. (Textus) Societas omnium bonorum uel heredes successionem communem indiuisam habentes ...

- (fol. 104va) (Lemma primum) l. *Si is qui te<cum>*: Consciens sibi mortem propter impatientiam doloris ... (fol. 176rb) (Lemma ultimum) <*Cum in liberis*: ... (fol. 178ra) (Finis) fuit multum dubitatum quando ita contigit de facto. (Colophon) Explicit rubrica de heredibus instituendis et finis huius anno [tal is UNLESERLICH] etc. per dominum Iohannem Petru<cium> de Perusia a titulo qui testa. facere possit usque huc. Reliqua non /// et post per dominum Perphilippum de C<orn>io de Perusia. Anno Domini M^o <c>ccc^o lxxii^o die xxvi^a augusti. Plena nox erat. Scribitur tertia die quarta septembris etc. uno bo. et uno cunillo quibus arabimus (arabimus^{ac}). Deo dante etc. (**Bibl.** Diplovatatus, *De claris iuris consultis* 370-72.)
- fol. 178rb-va <Incertus auctor, forsan **Baldus de Ubaldis, Tractatus de expensis**> (Textus) *Expensa necessaria est illa sine qua res non duraret in esse suo ...* (Finis) ex predictis tria iura exceptionis offitii et abrasionis etc. Domini Baldi.
- fol. 178vb-179rb <Incertus auctor, **Repertorium**, excerptum> (Expensae) (Lemma) *Expense*: Vtrum in criminali uictus uictori condempnetur in expensis (Finis) ut extra de iniuriis et dampno dato c. pe. (X 5.36.8).
- fol. 183ra-260va <Incertus auctor, **Recollectae in Codicem**>, imperfectae (Cod. 6.25.1-6.30.22) (Rubrica) Rubrica. De institutionibus. (Textus) Baldus in hac rubrica tractat quid sit conditio ... (Lemma primum) l. *Cum auum*: Conditio mista ex facto instituti et alterius debet impleri ... (fol. 260ra) (Lemma penultimum) *Cum aliquis*: ... (fol. 260va) (Finis) de quo per Inoc. et Ioh. And. in c^o Cum causam de probat. (X 2.19.13). (Lemma ultimum) *Scimus*: ///
- fol. 267ra-276va <Incertus auctor, **Repetitio auth. Ex causa** (Auth. post Cod. 6.28.4), imperfecta (Lemma) *Ex causa*: Hec rubrica est breuis et compendiosa. Ideo quod non potest breuius summari que ponit ... (Finis) Circa hoc uerbum plura ueniunt discutienda ///
- fol. 287ra-341rb <Incertus auctor, **Recollectae in Codicem**> (Cod. 7.43.1-7.62.38) (Rubrica) Rubrica C. quomodo et quando iudex. (Textus) Aduertendum est ad uerba rubrice ibi 'quomodo et quando' quia iudex semper debet habere ... (Lemma primum) l. *Non semper*. Licet contra absentem soleat iudex sententiam ferre ... (fol. 341ra) (Lemma ultimum) <*Si quando duciano*>: ... (fol. 341rb) (Finis) ignorantia rerum causantur ex parua cogitatione et diligentia.
- fol. 342ra-rb <**Tabula alphabetica titulorum Codicis**>

Cat. Kristeller, *Iter* II 343; Dolezalek, *Verzeichnis* 2.

The MS contains lectures given at Perugia in 1460-1462; see fol. 59va, 185vb, 204r, and 247vb. The scribe seems to have delivered the lectures on fol. 287ra-341rb; see the note at fol. 327rb on the death of his wife Costanza (5 iun. 1461) and that on fol. 340vb, '14LXI die xi augusti ammisi lecturam istam'. The words

'Iacoba. Bella.' (fol. 340vb) and 'Iaco^o' (fol. 336r) may be clues to his name. This scribe wrote an Italic cursive in black ink, doing both the text and annotations. Some of the latter are marked 'TM'. Events in Perugia in 1460 are noted at fol. 106va. <I>r-v are in a late bookhand with neumes on staves. The table at fol. 342ra-rb is in a chancery cursive. The rubric at fol. 1ra is red, as are the paragraph signs from fol. 87ra onwards. The gathering at fol. 84-92 is a quaternion. Catchwords are set vertical to the text at lower right. For the watermarks, cf. Briquet no. 7464. The MS has a 19th-century parchment binding. Fol. 67v, 82r-83v, 100r-103v, 179v-182v, 261r-266v, 277r-286v, 298v, 307r, 335v-336v, 340r, 341v, and 342v are blank.

| | |
|-----------------------|------------------------|
| Vat. lat. 7667 | saec. XV (1457) |
|-----------------------|------------------------|

Prov. frater Ambrosius of Milan. **Scr.** Io. An. de Capelis (fol. 146ra).

<II> + 206 fols. - 71-80 memb. 212 (142) x 145 (95) mm, origin Italy. Quiniones, saec. XV (1457).

fol. 1ra-92va **Bernardinus Senensis, O.F.M. (s.), Tractatus de contractibus et usuris** <idest Quadragesimale de evangelio aeterno, sermones 32-45>, imperfectus (See *Vat. lat. 1044 fol. 1r-72v for further information. *Variants:*

(Rubrica) secundum sanctum fratrem Bernardinum de Senis *add. post usuris*
(Finis) A quo tremendo iudicio misericorditer nos eripiat immensa pietas
Saluatoris qui cum Patre et Spiritu sancto gloriosus et triumphator mortis regnat
in secula seculorum. Amen. (A lost quire, fol. 71-80, has resulted in a lacuna
from sermon 42med. to sermon 43med.)

fol. 92va-144ra **Bernardinus Senensis, O.F.M. (s.), Tractatus de restitutionibus**

(Rubrica) Incipit tractatus restitutionum editus a reuerendo patre Sancto Bernardino de Senis ordinis minorum, dominica quarta in XL^a ordo dicendorum per septimenam sequentem. (Lectio) Sequebatur eum multitudo magna. Io. c.6 (v.2) et in euangelio hodierno. (Praefatio) Inter cetera quae ad christianam religionem necessaria dignoscuntur ... (Rubrica textus) Dominica antedicta de mane ... Sermo 33^{us} (Lectio) Sequebatur eum multitudo magna. Iterum ibi (ubi ed.) supra. (Textus) Primo enim considerare necesse est quis restituere obligatur ... (fol. 142va) (Finis) qui demum omnium bonorum premium donat (dat cod.) benedictus dominus Yhesus Christus qui cum Patre et Spiritu sancto uiuit et regnat in secula seculorum. Amen. (Colophon) Explicit tractatus restitutionum editus per sanctissimum patrem fratrem Bernardinum de Senis ordinis minorum. (fol. 142va-144ra) <Tabula contentorum>. (**Ed.** S. Bernardinus Senensis, *Opera omnia*, ed. Collegii S. Bonaventurae, 9 vols. (Florentiae 1950-65) I 400-532, not using this MS.)

fol. 144ra-146ra <Incertus auctor>, **Additio ad Tractatum de restitutionibus**

(Rubrica) Quedam additio facta super restitutione ludorum. Vt infra uidelicet.
(Textus) Tertium quoque misterium superaddatur quod est obligationis ... (Finis)

- Zellus per correptionem excitatus quam crimosus sit iustitie torpor ex insensibilitate subortus. (Colophon) Amen. Io. an. de Capelis ob Dei reuerentiam et eius gloriosissime matris domino fratri Ambroxio de Milano scripsit anno Domini 1457 et die xxiiii^o MARZII(?).
- fol. 146ra-199vb <**Franciscus de Platea, O.F.M., Tractatus de restitutionibus**>, imperfectus
<Tabula contentorum> ... (fol. 150va) (Rubrica) § I. Utrum restitutio sit de necessitate salutis. (Textus) Restitutio primo. Vtrum restitutio sit de necessitate salutis ... (Finis) non posset esse nisi aliquid pertinens ad uictum et tunc /// (**Ed.** Franciscus de Platea, *Opus restitutionum, usurarum, excommunicationum* (Speyer 1489) fol. 14ra-52vb. The MS lacks the last three and a half columns of the text of the edition.)
- fol. 200ra-rb **Alexander <Bonini> de Alexandria, O.F.M., De bello**, fragmentum
(LECTIO) /// uenit princeps mundi huius et in me non habet quicquam. Io. 14. (Textus) Alii sunt qui non contenti decimis et primitiis ... (Finis) non tam auctor belli quam [iniuste] minister iudicandus est. (Colophon) Explicit de bello secundum Alexan. de ale.
- fol. 200rb <**Summaria duarum bullarum Alexandri IV pro fratribus minoribus et praedicatoribus**>
(Textus) Quicumque libellos famosos ... (Textus secundus) Quicumque predicare docere ... (Finis) sedi apostolice se presentent. Alexander et in alio non sine multa. (Cf. Alexander IV, 'Ex alto' (26 iun. 1259) and 'Non sine multa' (19 oct. 1256), *Bullarium Franciscanum*, ed. J.H. Sbaralea et al., 7 vols. (Roma 1759-1904) II 352-53, no. 497 and 165-66, no. 244.)
- fol. 200rb <**Nota de poenitentia**>
(Textus) Nota quod poenitentia que iniungitur si est irratio ... (Finis) non tenetur recipere secundo modo sic rariter. (In the margin is the notation 'Ric. in 4 di.18 a.2.14.5'.)
- fol. 200va-203ra <**Pseudo->Johannes de Deo, Abbreviatio Decreti**> (See Vat. lat. 2493 fol. 443va-vb for further information.) *Variants:*
ZZ (Rubrica) Incipit decretum abbreviatum, in quo et etiam breuibis uerbis totum ius decretorum continetur et omnes distinctiones et omnes cause. Et quelibet causa habet questiones suas ... prout secundum magistrum Gratianum determinatur in decretis. Vt hic patet. (Finis) et sic terminatur liber iste in tribus capitulis de Spiritu sancto. (Colophon) Explicit decretum abbreviatum a magistro Iohanne de Deo in ciuitate Bononiensi editum. (**Ed.** *Modus legendi abbreviaturas* ... (Lugduni 1564) 68-81. **Bibl.** Sousa Costa, *João de Deus*, mentioning this MS at ix (misidentifying the MS as Palatinum), 58 and 61.)
- fol. 203ra-204va <**Johannes de Deo, Concordantie Decretorum cum titulis**>

Decretalium> (See Vat. lat. 2584 fol. 9va-vb for further information. *Variants:* (Rubrica) Incipiunt tituli decretalium cum omnibus decretis cuilibet titulo in capitulo loco (*sic*) WARUM HIER SIC suo concordantibus ad omnem materiam quamcumque uolueris inueniendam. Liber primus. (Finis) est plene noticia *pro* plene est notatum. Finis. (**Bibl.** Sousa Costa, *João de Deus*, mentioning this MS at x, 129, and 133.)

fol. 205r <Incertus auctor, **Tractatus brevis de rebus necessariis ad statum perfectionis**>

(Textus) Quatuor circonstantias debet habere ad hoc quod sit perfectum ... (Finis) siue redditus non est usura Io. de le. ad litteram c. fi. extra de usuris (X 5.19.19).

ZZ Bibl. S. Bernardinus Senensis, *Opera omnia*, ed. Collegii S. Bonaventurae, 9 vols. (Florentiae 1950-65) III xxxvi briefly describing this MS; D. Pacetti, *De sancti Bernardini Senensis operibus* (Florentiae 1947) 18.

The MS is composite MS; fol. 93-150 have an old foliation 1-48 while fol. 151-201 were foliated 1-52. The MS is written in black ink, in several neat bookhands; fol. 1-149 seem to be in a single hand. Fol. 1r begins with a large blue initial with red filigree decoration. Other initials are red or blue, usually undecorated. Rubrics and paragraph signs are red. Catchwords are centered and lightly decorated. There are extensive marginal annotations in contemporary and later hands. On <I>v a strip, pasted in lengthwise, reads 'D. Bernardinus de Senis. De usuris. In quarto tabulis corio catena. Carta pergamena manu conscripta, folia 235, quint. 23.' <II>r contains a medical note in Italian and several lines of writing obliterated with ink. On 1r the shelfmark appears in the upper and lower margins, with large painted letters 'B A' in the lower margin. Fol. 205v-206r contains tables, written in a cursive hand, listing various types of sins. The MS is bound in 19th-century parchment. <I>r, <II>v, fol. 204vb, and 206v are blank.

| | |
|-----------------------|---------------------|
| Vat. lat. 7685 | saec. XVmed. |
|-----------------------|---------------------|

97 fols. chart. et memb. 168 (116) x 118 (75) mm, origin Italy. Seniones, saec. XVmed.

fol. 1r-95r **Antoninus de Florentia O.P. (s.)**, <**Confessionale**> *Defecerunt* (Recensio 1), imperfectum (See Vat. lat. 1237 fol. 70vb-143va for further information.)

Variants:

(Rubrica) Incipit tractatus de confessione fratris Anthonini archiepiscopi Florentini ordinis predicatorum. Lege feliciter. (Rubrica textus) De auctoritate seu potestate confessoris. (Textus) igitur *add. post Quantum* ... (Finis) Io. An. et Anthonius de Butrio eam allegant. (Colophon) Deo gratias. Explicit interrogatorium Anthonini. (**Bibl.** Kaeppli, *Scriptores* I 95 no. 256A. This copy lacks the forms of absolution found in Vat. lat. 1237 at fol. 142vb-143va.)

fol. 95v-97r <**Tabula confessionalis**>

Bibl. S. Orlandi, *Bibliografia antoniniana* (Città del Vaticano 1971) 191-92.

The MS is written in two late Gothic bookhands in black ink: fol. 1r-95r and 95v-97r. Rubrics, capitals, and paragraph signs are red. The inner and outer leaves of each gathering are parchment, the others, paper.

Catchwords are centered. The watermarks are illegible. The MS has a 19th-century parchment binding. Fol. 97v is blank except for 'Quid quid agas prudenter agis'.

Vat. lat. 7698

saec. XV.2

234 fols. + 151a-b memb. et chart. 138 (100) x 107 (73) mm, ZZ saec. XV.2.

fol. 1r-62v **Bernardinus Senensis O.F.M. (s.)**, <**Tractatus de restitutionibus**> (See Vat. lat. 7667 fol. 92va-142va for further information.) *Variants:*
(Rubrica) Sermo uenerabilis patris fratris sancti Bernardini de Senis ordinis minorum. Dominica 4^{ta} in XL^a ordo dicendorum per septimanam sequentem.
<Tabula contentorum *add. post praefationem*> (Lectio textus) ubi *pro* iterum ibi.

fol. 63r-160v **Bernardinus Senensis O.F.M. (s.)**, **Tractatus de contractibus et usuris**
<idest Quadragesimale de euangelio aeterno, sermones 32-45>, imperfectus
(Sermones 32-44.3.3) (See *Vat. lat. 1044 fol. 1r-72v for further information.)
Variants:
(Invocatio) Yhesus Maria Franciscus. (Rubrica) secundum sanctum Bernardinum de Senis ordinis minorum *add. post* usuris (fol. 63r) <Tabula contentorum> ... (Finis) aut ebriosus aut rapax, cum huiusmodi non licet cibum sumere. (I Cor. 5.11) (Rubrica) De innumerabili multitudine animarum que ex usura seu occasione usure periclinantur. /// (The first word of the section which should have followed, 'Quarta', appears along the left margin as a catchword.)
VERMERK AM RAND UNLESERLICH - SCHLECHT KOPIERT

fol. 169ra-213vb, 224ra-vb. 214ra-219rc **Antoninus de Florentia O.P. (s.)**,
Confessionale Defecerunt (recensio 1) (See Vat. lat. 1237 fol. 70vb-143va for further information.) *Variants:*
WOHIN: fol. 214ra sequitur tractatus de excommunicationibus (Invocatio) Iesus. (Rubrica) Incipit confessionale compositum per reuerendum in Christo patrem fratrem Antoninum de Florentia ordinis predicatorum et archiepiscopum. (Rubrica textus) De auctoritate siue potestate absoluendi quam debet habere confessor. (Textus) ut *add. post* primum (Finis fol. 218rb) super eum a superiori suo nisi in articulo mortis. (fol. 218va-219rc) <Tabula contentorum> (Kaeppli, *Scriptores* I 95 no. 256, listing this MS. This MS does not contain the additions of Nicolas de Ausimo found in Vat. lat. 1237, and it has the section on excommunications at the end of the work instead of in its usual place before the *Interrogatorium*)

fol. 219va-223rb **Antoninus de Florentia O.P. (s.)**, **Tractatus de ornatu mulierum**
(See Vat. lat. 5067 fol. 177r-191r for further information.) *Variants:*
ZZ post uendant etc. *add.* Finis. (**Bibl.** Kaeppli, *Scriptores* I 87-88 no. 249.)

fol. 225ra-228rb <**Forma absolutionis**>

fol. 228va-229rb <**Casus breues de portione canonica**>

- (Rubrica) Bonifatius viii^{us}. (Lemma primum) *Super cathedram etc.* usque infra auctoritate statuimus et ordinamus ut fratres dictorum ordinum ... (Finis) quia spiritualibus personis intelliguntur esse relicta. (**Bibl.** T.M. Izbicki, 'The problem of canonical portion in the later Middle Ages: the application of 'Super cathedram', *Proceedings Cambridge 459-73*, citing and quoting from this text at 470(-71) n. 67.)
- fol. 229va-vb <**Nota**> **de decimis**
 (Rubrica) De decimis et primitiis. (Textus) De decimis preceptum est Malachiae iii^o ubi dicitur 'Inferte omnem' (Mal. 3.10) ... (Finis) non reddendo scilicet decimas et primitias.
- fol. 230va-231ra **Nicolaus de Ausimo O.F.M.**, <**Excerpta ex operibus**>
 (Rubrica) Hec que inferius notantur extrahi de quadragesimali R.P. fratris Nicolai de Auximo ordinis minorum et de sermone ii^o excommunicationis uidelicet. (Textus), De iniunctione manus in personam ecclesiasticam. De ista auctoritate habetur ... (Finis) Et de maiori et obedientia c. Dilecta in glossa penultima (X 1.33.12) (**Bibl.** Schulte, *Geschichte* II 435; Michaud-Quantin, *Sommes de casuistique* 62-66.)
- fol. 231ra-rb <**Vocabularium**>
- fol. 231va-232va <**De celebratione festorum**>
 (Rubrica) De sanctificatione festi. (Textus) Sciendum quod ordinatum est festum celebrandum a UNLESERLICH -FEHLT propter quatuor misteria ... (Finis) per diem resurrectionis dominice precibus expietur. Gregorius in registro.
- fol. 232va-vb **De virtutibus missae**
 (Rubrica) De uirtutibus misse. (Textus) Prima uirtus audiendi missam est quod si homo daret in elymosina ... (Finis) omnium gratiarum fructum exuberat.
- fol. 233ra-va <**Casus de interdicto**>
 (Rubrica) Casus concessi tempore generalis interdicti secundum Io. An. (Textus) In primis conferri potest baptismus cum officio catecuminum ... (Finis) nisi in 4^{or} diebus priuilegiatis.
- fol. 233va-vb <**Casus de ordinatione**>
 (Rubrica) De clericis et sacerdotibus ordinatis ante legitimam etatem. (Textus) Scire debemus quod qui uult ordinari ... (Finis) non est casus reseruatus nec episcopo nec pape.
- fol. 233vb-234rb <**Tractatus de consanguinitate**>
 (Rubrica) Quomodo computatur gradus consanguinitatis secundum canones. (Textus) Sciendum est quod usque ad 4^m gradum inclusiue contrahitur ... (Finis) illi ex quo est ultra 4^m gradum.

fol. 234rb-va <**De divisionibus iuris canonici**>

(Rubrica) Quedam distinctio generalis decreti. (Textus) Liber decretorum distinguitur in tres partes ... (Finis) Vltima criminibus penas subiungere curat. (The end of the piece is a mnemonic verse.)

fol. 234va **Versus de absolutione**

(Rubrica) Sequentes uersus continent casus in quibus manus iniciens in clericum citra sedem apostolicam absolui potest. (Textus) Absoluit papa solus clericum ferientem ... (Finis) Atroces uero soli pape reseruantur. (Colophon) Hoc uersus ponit Hostiensis in c. *Cum illorum*, extra eodem (X 5.39.32) (**Ed.** Cf. Hostiensis, *In quintum decretalium librum commentaria ...* (Venetiis 1581; anast. repr. Torino 1965) fol. 114r.)

fol. 234v **Nota de thesauris**

(Textus) Nota quod in inuentione thesauri est distinguendum ... (Finis) et si certa indicia expresserit sibi redd/// ES LAESST SICH NICHT DARUEBER ENTSCHIEDEN, OB ES "REDDITUM SEIN SOLLTE

Bibl. S. Orlandi, *Bibliographia Antoniniana* (Città del Vaticano 1961) 179.

The MS is written in black ink, in two humanistic bookhands (fol. 1r-224vb, 225ra-234v.) Initials are red or in ink, those in ink have red decoration. Rubrics and paragraph signs are red; there are some enlarged lemmata in the *Confessionale*. There are some corrections and marginal annotations in contemporary and later hands. On fol. 1r are the shelfmarks '7698', and '7698 Vat.'. In the top margin of fol. 160v is the 'IHS' monogram. Fol. 161 was formerly numbered 198; the foliation has been corrected from fol. 224 onwards. A note in the lower right margin of fol. 214rb lists the seven sacraments. Fol. 218va-219rc contains a summary table of the contents of the *Confessionale*: the folio numbers cited match the small, cancelled foliation. A note on fol. 228rb lists cases reserved to the papal chancery. The is a boxed note, on fol. 232va, on the effects of communion according to Aquinas. At the bottom of fol. 234v is an erased note on contrition. Catchwords are centered and decorated."The MS is composed of gatherings of ten in which the outer and innermost leaves are of parchment, the other leaves of paper. The parchment binding dates from the latter half of the 19th-century. Fol. 161r-168v, 223v, and 230r are blank.

| | |
|-----------------------|------------------|
| Vat. lat. 7699 | saec. XIV |
|-----------------------|------------------|

antea S. Sc. vii n° 3.

258 fols. + 256a memb. 175 (123) x 124 (82) mm, origin Germany. Quiniones, saec. XIV.

fol. 1ra-251ra <**Bartholomaeus de Sancto Concordio O.P., Summa de casibus**

conscientiae> see Vat. lat. 1319 fol. 1ra-239va for further information.) *Variants*: (Textus) (fol. 1ra) *Abbas* om.; tantum *add. post suis*. (*Finis add.*) Deo gratias. Amen. (**Bibl.** Kaeppli, *Scriptores* I 164 no. 436.)

fol. 251rb-254va <**Tabula alphabetica Summae Bartholomaei de Sancto Concordio**>

fol. 257v-258r <**Tabula de numero aureo**>

The MS is written in a Gothic bookhand in black ink. Capitals are red or blue with decoration in the contrasting color. Paragraph signs are red. The edges of the MS are decorated with red flecks. The MS has a 16th- or 17th-century parchment binding. On the spine is the old shelf mark, 'S. Sc. vii n° 3'. Fol. 255r-257r, and 258v are blank.

Vat. lat. 7778

saec. XIII.1

Prov. De Rozires (?).

<II> + 122 fols. + <II> memb. 352 (289) x 233 (177) mm. Quaterniones, saec. XIII.

fol. 1ra-15rb <**Hugolinus de Presbiteris, Distinctiones**>

(Rubrica) Incipiunt distinctiones domini Ugolini. (Textus) Munerum alia sordida alia honesta ... (Finis) et cum per speciem generi derogetur ut infra de re iu. in toto iure. (Subscriptio) H. (**Bibl.** E. Seckel, 'Distinctiones glossatorum', *Festschrift der Berliner juristischen Fakultät für Ferdinand von Martitz* (Berlin 1911, repr. independently, Graz 1956) 420-28. These are in a gothic hand, with occasional scribal corrections; there are capitals with simple penwork decorations set in the margins.)

fol. 15rb **Johannes B<assianus>, Quaestio de poena apposita in stipulatione facti**

(Textus) Cum pro parte stipulationi paretur cui pena ... (Finis) non sufficit ei parere pro parte, ut ff. de ma. testamento l. *Si ita fuere* (leg. fuerit; Dig. 40.4.13) (Subscriptio) Job. (This was added in a different Gothic hand after the *Distinctiones*. Space was left for a large initial at the beginning.)

fol. 15va-vb <Incertus auctor, **Summa de rebus dubiis**>

(Textus) Pacta certe pecunie promisse si aliter factum esset ... (Finis) ar. ff. de condi. ob causa da. l. *Si pecuniam* § Sed ubi (Dig. 12.4.5.4), de purgatione more C. quod metus causa l. i (Cod. 2.19.1) notaui co. (The meaning of the last words, which are followed by a reference symbol of two points and one stroke, is unclear. This is in the same hand as the preceding *quaestio*. There is no decoration except for a paragraph sign preceding each section.)

fol. 16ra-rb <Incertus auctor, **Summa alia de rebus dubiis**>

(Textus) Cum ambiguitas uertitur in iudiciis ... (Finis) nisi probetur mala, ut de euuict. l. ult. (This is in a different Gothic hand, it begins with a small penwork-decorated initial. The scribe and one other made substantial additions.)

fol. 16va-vb **Az<o, Summa Digestorum>**, excerptum (Dig. 34.5, *De rebus dubiis*)

(Rubrica) De rebus dubiis. (Textus) Iuris preceptor seu conditor de relictis ... (Finis) cum non esset ut C. de here. insti. Si pater (Cod. 6.24.4). (Colophon) Az. in summa /// (*ed.* fol. 304va-305ra) (**Ed.** and **Bibl.** See Vat. lat. 2312 fol. 226ra-234vb and 235ra-237ra. This is in a different Gothic hand and begins with a large plain initial.)

fol. 17ra-32va et 35vb-52vb **Pilius Medicensis, Quaestiones Sabbatinae** (See Vat. lat. 2661 fol. 39ra-56ra for further information.) *Variants:*

(Rubrica) Incipit libellus questionum a Pilleo Medicus (*sic*) compositus *praem. ante* de uniuersitate; Rubrica *add.* (Finis) excitatum agentem repellat ar. ut. (**Ed.** The partial edition of Belloni uses this MS (siglum V); see also *ibid.* p. 13. **Bibl.** A. Belloni, *Le questioni civilistiche del secolo XII* (Ius Commune Sonderhefte 43; Frankfurt am Main 1989) 56. Q. 39 is skipped on fol. 27ra. The text breaks off after q. 57 on fol. 32va, and Azo's *Quaestiones* follow (see below) in the same hand and format, without any indication of the change. Pilius resumes at q. 58 on fol. 35vb, line 11. The *Quaestiones* are in a different Gothic hand from the preceding texts; the scribe made very brief marginal additions (often allegations) and occasional corrections. Long marginal additions have been added by another hand. Chapters have large plain capitals set in the margins. The rubrics are in a different hand from the text and are often partly or wholly in the margins.)

fol. 32va-35vb <**Azo, Quaestiones**> (See Vat. lat. 2661 fol. 56rb-59va for further information.) *Variants:*

(Rubrica) AM RAND; ANDERER HAND De emfiteosi et pena apposita. (Textus) Episcopus Bononiensis Lucio Titio rem quemdam (Finis) quibus *pro* que; 39 *om.* (**Bibl.** Add Belloni, *Questioni* 32-36.)

fol. 52vb-54vb <Incerti auctores, **Quaestiones variae**>

(Textus) Quidam rusticus prestetit mihi certa ... (Quaestio ultima) (Rubrica) De puteo uicino. Questio. (Textus) ZZ § Vicinia aliqua habebat puteum ... (Finis) quod iustum et honestum est secundum uniuersitatem. Non pro se. (These are in several Gothic cursive hands. There is no decoration except paragraph marks.)

fol. 55ra-114vb <**Azo, Brocardica cum additionibus Cacciavillani**> (See Vat. lat. 2343 fol. 87ra-137rb for further information.) *Variants:*

(Rubrica) r. *add. post* iniciis; xii *add. post* R' (Textus) principiis inquit *add. post* Omnia; et *om.*; probandi *pro* probanda (Finis) § Hoc edictum (Dig. 47.10.15.26) *pro* § Ait pretor. (Colophon) Finito libro reddantur laudes Deo. Gaudeat cum sanctis qui istud perficit opus. Gaudeat in cellis (*sic*) primo qui condidit istud. (These are in a different Gothic hand. Crude plain capitals are set in the margins.)

fol. 115r <Incertus auctor, **Versus de beata virgine**> SOLL MAN DAS
BESCHREIBEN? ES SIND 2 ZEILEN

(Textus) Que nunc uirgo sedens comploras funera nati ... (Finis) Te forma colimus sub cruce qualis eras. (This couplet is repeated beneath the next verse.)

fol. 115r <Incertus auctor, **Versus alii**>

(Textus) ZZ Noli tu per oras dicere confitebor cras ... (Finis) Tam ducibus quam regibus communis habetur. (Composed of four lines, these are in an elaborately elegant hand, and are probably partly *probationes pennae*; The same hand wrote 'De Rozires. Rozieres' after the verses.)

- fol. 115va-vb <**Anselmus de Orto, Tractatus de emphyteotico iure**>
 (Rubrica *margin.*, *al. man.*) De emphyteotico iure rubrica. (Textus) <T>ractaturus de quibusdam contractibus uidelicet de emphyteotico ... (Finis) inuestitura appellatur apud alios quamplures concessio nominatur. (Ed. R. Jacobi, *De summa Anselmi de Orto super contractibus emphyteosis et precarii et libelli atque investiturae* (Wimariae 1854) fol. 226ra-rb. This is in two different Gothic cursive hands. Capitals are missing.)
- fol. 116ra-119ra **Hugolinus de Presbiteris, Insolubilia**,
 imperfecta
 (Textus) /// duo et l. *Bonorum*. Item hoc uideo in contra tabulas ... (Finis) libertatem per legem non ex uoluntate defuncti. (Subscriptio) h. (Ed. V. Colli, 'Insolubilia Hugolini', *Ius commune* 13 (1985) 13-67, editing qq. 16-17 and 20-21 using this MS (siglum V); cf. p. 15. The first folio is missing. The text is in a Gothic hand and is decorated with plain initials set in the margins.)
- fol. 119rb-120rb **Hugolinus <de Presbyteris>, Tractatus de pugna**
 (Rubrica) Incipit tractatus de pugna ab Hugolino compositus. (Textus) Cum tractatus de pugna sit utilis ... (Finis) quod idem est dicendum sicut etcet. septem uel tribus sacramentalis. Explicit. (This and the next piece are in the same hand as the preceding and have the same decoration.)
- fol. 120va-vb <Incertus auctor, **Summa**> **de secundo decreto**
 (Rubrica *margin.*, *al. man.*) Questio de secundo decreto. (Textus) De secundo (*sic*) decreto uidendum occurrit ... (Finis) uel usu<capit> uel prescribit longuo (*sic*) tempore quia scies iuste possidet. (A tear at the binding edge has slightly mutilated a few lines of text. These are in a Gothic cursive hand. There is no decoration.)
- fol. 121ra-121vb <Incertus auctor, **Quaestiones de facto**>
 (Rubrica, *al. man.*) 1° de fondo (*sic*) dato in emphyteosim. (Textus) Fundum habebam, dedi in emphyteosim ... (Quaestio ultima) Quidam promisit dare creditori suo ... (Finis) qui cepit pignora in causam iudicati cum nulla sententia precessisset ff. de r/// (A tear at the binding edge has slightly mutilated a number of lines of text.)
- fol. 122r <Incertus auctor, **Nota de mutatione monetae**>
 (Textus) Consequenter proponit quod tritum est et frequenter accidit, scilicet quod princeps aliquis mutauit meliorem monetam ... (Finis) teneris soluere c. solidos illius precii cuius erant tempore contractus. (This is 15 lines long, and is in a Gothic cursive hand; it is written in one long column and has been bound in lengthwise. There is no decoration.)

The codex is an artificial composite containing four sections (fol. 1-16, 17-54, 55-115, and 116-22); the short works that occupy folios originally left blank (fol. 15rb-16rb, 52vb-54vb, 115va-vb, and 121-22) are in later hands. The original texts are in black ink, the later in brown. Rubrics are red on fol. 1-13, 15rb,

17ra-51rb, 55-114 and 116-20. Initials at the beginning alternate red and blue with decoration in the contrasting color. From fol. 13v onwards there is no color, except that fol. 17-52 and 116-20 have red initials. Paragraph signs are red on fol. 116-20. Catchwords at the beginning have been cut away; from fol. 24 they are present, just to the right of center on the verso, and from fol. 70 on they are centered below the second column in borders. There is a stamped foliation in the lower right corner; fol. 17-54 and 55-114 have separate roman numeral foliations in the upper right corner, and from fol. 115 onwards there is an arabic numeral foliation there. The binding is an old one, of green leather. <I>r-<II>v, fol. 122v, and <+I>r-<+II>v are blank. <I>r: 777 8

| | |
|-----------------------|--------------------|
| Vat. lat. 7790 | saec. XIex. |
|-----------------------|--------------------|

175 fols. memb. 424 (311) x 179 (117) mm, origin Italy. Quaterniones, saec. XIex.

fol. 3ra-173vb <**Burchardus Wormacensis, Decretum**>, imperfectum (See Vat. lat. 1355 fol. 1r-310r for further information.) *Variants:*
<Praefatio et praefatiuncula desunt. Tabula incipit a cap. lix WARUM XXXIX (Rubrica textus fol. 4rb) Incipit liber I. (Finis) que formida<bant> ne quid apud se esset unde reprehendi (ed. PL 140.1037C) ///

fol. 85ra <**Carolus Magnus, Capitulare missorum generale (a. 802)**, excerptum> (cc. 14-15)
(Textus) Vt episcopi, abbates atque abbatisse comitesque unamini (unianimiter *cod.*) inuicem sint ... (Finis) quod si se non emendent, excommunicentur. (**Ed.** MGH Capit. I, ed. A. Boretius, p. 94 lines 1-13. The ending varies from the edition, diverging after 'non emendent'. The edition continues with two lines calling for a synod, followed by recourse to the royal court. This text was added by a later hand in the column left blank because of the lacuna in Book VIII.)

Bibl. Fransen, 'La tradition' 115 on the character of the lacuna in Book XII; Pelster, 'Decret' 144-45; *Coll. Farfensis*, ed. Kölzer § 49 n. 157.

The text manifests the characteristic augmentations and lacunae observed by Fransen in many later manuscripts; otherwise it is complete except for the missing first and last folios. The *ordo synodi* appears after Book III (fol. 63va-64va) in the alternate form found in Vat. lat. 1355, q.v. The *ordo infirmorum* appears after Book XVII (fol. 129vb-130vb) in the alternate form found in Vat. lat. 4880 and 14731. The *admonitio synodalis* follows Book XIX c. 108 (fol. 163ra-164rb), and, in turn, it is followed by the fragment of an *ordo synodi* as at Vat. lat. 1355 fol. 311v. The *praefatiunculae* appear only irregularly in a shortened form as the rubric preceding the first canon. The marginal inscriptions giving sources of canons are lacking in the second half of Book I and from Book III c. 69 (70) to Book XIII c. 1. The rubrics of canons differ considerably from those of the edition. The text contains numerous errors and unusual orthography. The text on fol. 173v is unfinished, lacking capitals and rubrics. The MS is written in brown ink in Italian Carolingian minuscule by two scribes who alternate, with changes of hand at fol. 28/29, 52/53, 108/109, and 174/175. The marginal inscriptions are by the scribes. The MS has not been corrected, and there are no notes by later hands. Major textual divisions are marked by large initials, usually in rope designs in varying combinations of red, green, blue, and yellow. The initials at fol. 63vb and 135rb are very simple examples of Romanesque white vine design on a multi-colored background. Chapter capitals and rubrics are orange; both are occasionally lacking. The modern stamped numeration in the lower right corner includes the front and back guard folios. The MS was ruled in dry point, and prickings are visible. There are signs of moisture damage throughout the volume; at times the text is washed away. Fol. 173 is poorly preserved. The non-Vatican binding is green leather over wood

with the ends of the sewing showing through on the spine. Fol. 1r-2v and 174r-175v are blank.

Vat. lat. 8067

saec. XV.2-XVI.1

a-b + 314 fols. chart. 280 (232) x 202 (120) mm, origin Italy (Tuscany). saec. XV.2-XVI.1.

fol. 1r-314r <Auctores varii, **Consilia**>, nominantur: Aeneas de Lotterighis Stupha (fol. 191r-195r); Alexander Antonii de Malegonellis (fol. 3r-9r, 204v-206r); Aloysius Vellutus (fol. 1r-2r); Angelus Matthaei de Niccolinis (fol. 224r-261v); Angelus Ottonis de Niccolinis (fol. 11r-13r, 295r-296r); Antonius Bonsius (fol. 73r-80v); Antonius de Cochis (fol. 116r-122v [Pisis]); Antonius de Malegonellis (fol. 137r-140r, 140v-145r, 145r-147v, 169r-173v); Antonius de Strozis (fol. 160r-161v, 165v-167r, 191r-194r); Augustinus Ragusinus O.P. (fol. 275r-v [Florentie, 14 ian. 1510]); Baldassar de Carduciis (fol. 276r-278r), Baldus Altovita (fol. 198r-203v); Baptista Bartholomaei de Nellis (fol. 32r-37v [Bononiae], fol. 116r-122v [in studio Pisano]); Bartholomaeus Baldinoctus de Pistorio (fol. 123r-132r [Pisis]); Bartholomaeus de Ciais (fol. 191r-195r)ZZ; Bartholomaeus Socinus (fol. 46r-51r, 207r-218v); Bene Bontasus de Florentia (fol. 281r-290v); Benedictus de Bardis (fol. 54r-55v); Benedictus Michaelis de Accoltis (fol. 20r-27v, 54r,-55v); Bernardinus Ruffus (fol. 276r-277v); Bernardus Johannis de Bongiolamis (fol. 16r-19r, 291r-294v); Bernardus Volterrano O.F.M. (fol. 275r [in oppido Sancto Geminiano, 22 dec. 1509])ZZ; Borgundius Bartholomaei de Leolii (fol. 123r-132r [Pisis]); Carolus de Niccolinis (fol. 164r); Dionysius de Barizanis (fol. 298r-299v); Dominicus Bonus de Florentia (fol. 174r-v, 191r-192v, 296r-297r); Dominicus de Sancto Geminiano (fol. 300v- 301r); Felinus <Sandaeus> (fol. 51v-52r); Franciscus Ambrosinus de Exio (fol. 191r-194r); Franciscus de Gualter<ottis> (fol. 54r-55v [Pisis], fol. 191r-193v); Franciscus de Pepis (fol. 149r-151r, 154r-159v); Franciscus Guicciardinus (fol. 224r-261r, 281r-290r); Franciscus Laurentii de Machiavellis (fol. 301v [19 oct. 1419]); Garsias de Hispanis (fol. 301v-302r); Gaspar de Bonizis de Perusio (fol. 301r); Georgius Natta (fol. 106r-115v [Pisis]); Guidantonus Vespuccius (fol. 191r-195r, 207r-218v); Guillelmus Tanaglia (fol. 42v); Guitton de Optavianis (fol. 123r-131r [in studio Pisano]); Hormannoctius de Detis (fol. 163r-v, 167r-168r, 175r-182r); Johannes de Ceretanis (fol. 191r-193v); Johannes de Forniptis de Placentia (fol. 300r); Johannes Baptista Bernardi de Gambarellis (fol. 191r-194r); Johannes Hieronymi de Bongiolamis (fol. 28r, 54r-55v); Julianus Nicolai de Davanzatis (fol. 300v); Lancellotus Decius (fol. 123r-132v); Leo Francisci Leonis (fol. 44r-45r); Lucas de Corsinis (fol. 191r-193r); Ludovicus de Acciaiuolis (fol. 151v-153r, 162r-v [imperfectum]); Ludovicus de Gozadinis (fol. 281r-289v); Marcus de Asinis (fol. 58r-71r, 306r-314r); Matthaeus de Maffeis de Sancto Geminiano (fol. 276r-278r); Matthaeus de Niccolinis (fol. 154r-159v, 203v-204r); Matthaeus Nerutius de Sancto Geminiano (fol. 262r-274v); Nicolaus de Albareta de Ferraria (fol. 301v); Nicolaus de Nobilibus (fol. 83r-90); Nicolaus Guicciardinus (fol. 73r-81r, 224r-261r); Nicolaus Marius de Vandinio (fol. 281r-290r); Nicolaus Simonis

de Altovitis (fol. 103r-105v [Pisis], fol. 133r-135r, 185r-190r, 191r-193v); Otto Lapi Niccolinus de Sirigattis (fol. 38r-41v); Paradisus Mazinghus (fol. 91r-101r); Petrus Ambrosinus de Exio (fol. 28r-v); Petrus de Thomis de Ravenna (fol. 123r-132r [in studio Pisano]); Philippus Decius (fol. 123r-132v [Pisis]); Robertus Caroli de Strozis (fol. 52r-54r [in Pisano gymnasio], fol. 123r-132v [Pisis]); Sallustius Guillelmi de Perusio (fol. 42r, 54r-55v); Stephanus Johannis de Bonaccursiis (fol. 300r); Thomas de Salvettis (fol. 28v-29v, 42v-43v); Thomas de Vio Cajetanus O.P. (fol. 275r [Sancto Geminiano, 16 dec. 1509]); Thomas Guidonis de Detis (fol. 295r-296r); Incertus auctor (fol. 164v-165r).

Cat. Kristeller, *Iter* II 343. **Bibl.** P.E. Vigneaux, 'Notice sur trois manuscrits inédits de la Vaticane', *MEFR* 2 (1882) 308-55 at 341-54; P. Peruzzi, 'Angelus de Amelia, decretorum doctor, qui fuit tempore Bartoli (1307ca.- 1366ca.)', *Studi Urbinati* 44 (1975-76) 1-109 at 22 n. 65. Sella, *Nuove sigle* 4, 9, 16.

The MS is a composite collection divided into two parts between fol. 147 and 148. There are traces of an older numeration (e.g. fol. 38r); and fol. 3 is larger than the rest (290 x 215). The texts are in several cursive hands in dark brown, almost black ink. Some of the consilia have traces of their seals (e.g. fol. 37v). Fol. a^r is a title page, and fol. b^r has a note in Italian on the contents. Annotations include references at fol. 9r to the dates 1585 and 1590. The paper has been restored at several places, being covered with yellow protective paper. The MS has no regular quire structure. For the watermarks of the individual texts, cf. Briquet nos. 11931, 10637, 6656, 10624, 3668, 11636, 95, 15717, 7857, 11923, 7383, 1182, 6663, 7388, 6085, 12250, 7386, and 6881. The MS has a 19th-century parchment binding. Fol. 9v-10r, 15r, 81v, 101v, 145v, 148r, and 182v are blank except for notes. Fol. a^v, b^v, 2v, 13v-14v, 15v, 19v, 30r-31v, 45v, 56r-57v, 71v-72v, 81v-82v, 101v-102v, 131v, 135v-136v, 148v, 153v, 168v, 182v-184v, 190v, 195v-197v, 206v, 219r-223v, 278v-280v, 297v, 302v-305v, and 314v are blank.

| | |
|-----------------------|--------------------|
| Vat. lat. 8068 | saec. XVex. |
|-----------------------|--------------------|

Prov. Baptista de Limariis.

(A-I) + <II> + 329 fols. chart. 298 (214) x 215 (155) mm. origin Italy. Quiniones, saec. XVex.

Ir, fol. 11r-12r, 16v-29v, 31r-39r, 41r-115v, 117r-152r, 153r-158r, 158v-182v, 183r-v, 185r-204r, 206v-211v, 214r-218r, 219r-v, 260r-262r, 264r, 265r-276v, 278r, 299r-301v, 303v-308r, 324r, 325r-v <Auctores varii, **Consilia et quaestiones**>, nominantur: Alexander de Ubaldis (fol. 202r-203r) UNTERSTRICHEN -- UNLESERLICH; Alexander Salvi de Bencivendis (fol. 195r-198v [12 febr. 1418]); Andreas decretorum doctor (fol. 108r); Andreas de Monte Ubbiano (fol. 145v-146r); Angelus de Amelia (fol. 25v-27v [**Bibl.** P. Peruzzi, 'Angelus de Amelia, decretorum doctor, qui fuit tempore Bartoli (1307ca.-1366ca.)', *Studi urbinati* 44 (1975-76) 1-109 at 21-22, using the old numeration]); Angelus de Narnia (fol. 54r-v, 55r-v); Angelus de Ubaldis (fol. 71r-v, 82r-v, 85r-v, 99r-100r, 104v-105r, 105r, 108v, 109r, 111v-113r, 115r, 128v, 134v-138v [Paduae, dec. 1384], 151r, 158v-159r, 170r-v, 172v-173r, 192v, 219r (2), 219r-v, 219v); Antonius de Butrio (fol. 36r-v, 105v, 173v-174v, 180v); Antonius de Rosellis (fol. 195r-198v [12 feb. 1418]); Baldus de Ubaldis (11r-v, 11v-12r, 17v-18r, 24r-25r,

31r-v, -31v, 32r, 34v, 41v, 42v, 58r, 58v-59r, 66v-67r, 70v, 83r-v, 84r-v, 88v-89r, 89r-v, 94v, 94v-95r, 95r-v, 96r, 102v, 103v, 104r, 104r-v, 104v (3), 105r-v, 106r-v, 106v-107r, 107r, 107r-v, 107v, 108v, 109r (2), 109r-v, 109v, 109v-110r, 110r (2), 110v, 111r, 111r-v, 113v, 114r, 114v, 115r, 115r-v, 124v, 125r-v, 125v, 126r-v, 128v, 128v-129v, 130r-131r, 131r-v, 138v, 138v-139r, 140r, 141r-v, 144r-v, 146r, 146v, 147v-148r, 148r (2), 148r-v, 148v-149r, 150v, 151r, 151r-v, 151v (2), 152r, 153r-v, 153v (2), 154r, 154r-v, 154v, 154v-155r, 155r, 155r-v, 155v, 155v-156r, 156r-v, 156v, 156v-157r, 157r-v, 157v, 158r, 159r, 161r-v, 162r, 162r-v, 162v (2), 162v-163r, 163v-164r, 164r, 165r, 165r-v, 165v (2), 166r, 166v-167r, 167r, 167r-v, 167v-168r, 168r, 168r-v, 168v, 168v-169r, 169r, 169r-v, 169v-170r, 170v (2), 170v-171r, 171r, 172r-v, 172v, 174v-175r, 175r, 175v, 176r-v, 176v (2), 177r-v, 178r-v, 178v, 179r-180r, 191r-v, 192v (2), 194r-v, 209v, 210r, 210r-v, 210v-211r, 211r, 211v (3)); Baptista Johannis de Limmariis de Racaneto (fol. 299r-301v, 303r-305r, 305v, 306r-307v); Bartholomaeus de Saliceto (fol. 16v-17v, 18v-19r, 35v [**Bibl.** M. Bellomo, 'Una famiglia di giuristi: i Saliceto di Bologna', *Studi Senesi* 81 (1969) 387-417 at 417 no. 162], fol. 113v, 324r-325v); Batholomaeus prior ecclesiae Spoletanae (fol. 198v-200r); Bartolus de Saxoferrato (fol. 78v, 89v-90v, 90v-91v, 94r, 113r, 117r-119v [Perusii, feb. 1356; **Ed.** Bartolus, *Opera* X fol. 85vb-86vb], 127v-128r, 175v (2), 176r, 181v, 181v-182r, 182r, 182v, 183r-v, 264r); Benedictus de Barzis (fol. 75r-v, 209r); Christophorus Nicolai de Perusio (fol. 209v); Cinus de Pistorio (fol. 153r [**Ed.** G.M. Monti, *Cino da Pistoia giurista* (Gubbio 1924) at 233-234]); Contes de Armannis de Perusio (fol. 25v-27v [**Bibl.** Peruzzi, art. cit. 21-22], fol. 31v, 154r); Cyprianus de Bonavolgis de Fulgineo (fol. 45r-46r, 75v-76r); Dinus de Monte Catino (fol. 11r); Dinus de Muxello (fol. 23v-24r, 71r, 78v, 159v-160v, 161v-162r); Dionysius de Barizanis (fol. 42v-43r, 49r-v, 50r-51v, 123r-v, 203v-204r); Florianus de Sancto Petro (fol. 36v-37r, 80v-81r); Franciscus Bettoli (fol. 25v-27v [**Bibl.** Peruzzi, art. cit. 21-22]); Franciscus de Albergottis (fol. 70v, 102v-103v, 126v, 132r-v, 139v, 140r-141r, 143v-144r, 146v-147r); Franciscus de Ramponibus (fol. 16v-17v, 18v-19r, 96v-97r, 141v-142r, 142v-143v); Franciscus de Sulmona (fol. 256r-v); Franciscus Baldi de Ubaldis (fol. 202r-203r); Franciscus Bici de Aretio (fol. 180v-181r); Franciscus Tigrini (fol. 119v, 142r-v, 145v, 170r, 181r-v, 194v, 264r); Fredericus de Petrucciis de Senis (fol. 173v); Gaspar Johannis de Calis de Fulgineo (fol. 61r-63v), Guido de Suzzaria (fol. 194v); Guillelmus de Perusio (fol. 174v); Honofrius de Bartolinis (fol. 41v-42r, 47r-v, 115r, 147r-v, 148v-149r); Jacobus (fol. 164r [Paduae]); Jacobus Butrigarius (fol. 92r-v, 163r-v, 164r-v); Jacobus de Arena (fol. 113r, 170r); Jacobus de Marianis de Assisio (fol. 186r-187r); Jacobus de Saliceto (fol. 35v [**Bibl.** Bellomo, art. cit. 417 n. 162]); Jacobus Thomae de Firmio (fol. 84v-85r, 88r-v, 88v, 91v-92r); Johannes Andreae (fol. 170r); Johannes Calderinus (fol. 144v); Johannes Cole de Casellis de Reate (fol. 200v); Johannes de Canemortuo (fol. 82v); Johannes de Fantutiis (fol. 142v-143v); Johannes de Imola (fol. 29r-v, 79r, 194r); Johannes de Lignano (fol. 104r, 127r-v, 144v-145r); Johannes de Monte Granario (fol. 272r-276v); Johannes de Monte Sperello (fol. 187v-189v, 191v-192v, 192v-193r); Johannes de Pagliarensibus (fol. 133v-134r); Johannes de Plat<is> (fol. 56r-v); Johannes de Prato (fol. 214r-218r [Paduae]); Johannes de

Riccis (fol. 97r-v, 97v-98r, 107r, 107v); Johannes Namoratus de Esculo (fol. 37v-38v, 39r); Johannes Nelli (fol. 32r, 171r-v, 171v-172r); Kataldinus de Boncompagnis de Visso (fol. 35r, 37v, 95r, 190r-v, 203r-v); Lambertinus de Ramponibus (fol. 85r, 113r, 209v [Ed. A. Campitelli, 'Tre questiones conservate nel MS. Vat lat. 8069'. in *Studi in memoria di Giuliana D'Amelio*, 2 vols. (Università di Cagliari. Pubblicazioni della Facoltà di Giurisprudenza. Serie I vol. 20-21; Milano 1978) I 115-29 at 122 (also published in G. D'Amelio et al., *Studi sulle "Questiones" civilistiche disputate nelle Università medievali* [Studi e ricerche dei 'Quaderni catanesi' 1: Catania 1980] 99-214)ZZ; F. Martino, "'Questiones" civilistiche disputate a Bologna negli ultimi decenni del. sec. XIII ZZ ...' in D'Amelio et al., *Studi sulle "Questiones" civilistiche ...* 225-96 at 266]); Laurentius de Ridolfis (fol. 195r-198v [12 feb. 1418; **Bibl.** A. Lanconelli, 'Manoscritti statuari Romani. Contributo per una bibliografia delle fonti statuarie dell'età medioevale', *Scrittura biblioteche e stampa a Roma nel quattrocento. Atti del 2° seminario 6-8 maggio 1982*, ed. M. Miglio (Littera antiqua 3; Città del Vaticano 1983) 305-21 at 308(-09) n. 6, quoting the subscription on fol. 198v, but using the old foliation and citing it as on fol. 194v]); Lellus de Amelia (fol. 31v); Lovigius de Perusio (fol. 33v); Ludovicus Pontanus (fol. 81r-v ending at fol. 72r); Manfredus de Gilibertis de Spoleto (fol. 41r, 42r, 52v-54r, 76v ending at fol. 82r); Mansuetus Francisci (fol. 193v); Mannus de Tudi (fol. 123v-124v); Marcus Angelelli de Perusio (fol. 33v, 33v-34v, 44r-v, 48r-49r, 51v, 52r-v, 71v, 95v, 98v-99r, 108r, 110r, 114r-v, 125r, 192v, 201r-v); Marianus Socinus (fol. 324r [**Bibl.** P. Nardi, *Mariano Sozzini giureconsulto senese del Quattrocento* (Milano 1974) 162]); Matthaëus de Gondionibus de Spoleto (fol. 185r-v), Matthaëus Philiciani de Perusio (fol. 32v-33r, 56v-57v, 59r-60v, 123r-v, 202r-203r, 208r-209v); Mignanellus de Mignanellis de Senis (fol. 121v-122v); Montes de Camplo (fol. 37v-38v); Nellus de S. Geminiano (fol. 72r-73r [Florentiæ 19 feb. 1427], fol. 195r-198v [12 febr. 1418]); Nicolaus Alexandri de Perusio (fol. 25v-27v [**Bibl.** Peruzzi, art. cit. 21-22]); Nicolaus de Barixano (fol. 25v-27v [**Bibl.** Peruzzi, art. cit. 21-22]); Nicolaus Donadei de Tudi (fol. 123v-124v); Nicolaus Johannis de Ancona (fol. 260r-261r); Nicolaus Nelli de Balionibus (fol. 123v-124v); Odo<fredus> (fol. 170r); Oldradus de Ponte (fol. 85v, 173r-v, 194r); Panormitanus (fol. 75r [Senis]); Paulus canonicus Perusinus (fol. 25v-27v [**Bibl.** Peruzzi, art. cit. 21-22]); Paulus de Castro (fol. 21v-23v, 27v-29r [Bononiae], fol. 79v-80v [**Bibl.** N. Del Re, *Sei consigli inediti di Paolo di Castro nei codici Vat. lat. 8068, 8069, 11605 e Urb. lat. 1132* (Roma 1945) 31-34], fol. 100v-102v [Bononiae, 10 apr. 1425], fol. 119v-121v [**Bibl.** N. Del Re, op. cit. 35-41]); Paulus Petri de Corroto (fol. 206v-208r); Perusinus de Capitonibus de S. Gemino (fol. 64r-v, 64v-66r, 202r-203r); Petrus de Amandola (fol. 46r-v); Petrus de Bellapertica (fol. 164r); Petrus de Ubaldis (fol. 52r-v, 58r, 70v, 84r-v, 85r, 85v-88r, 98r-v, 130r, 138v, 140r, 141r-v, 149r-150v, 159r-v, 159v, 172v, 177r, 178v-179r); Petrus Nicolai de Racaneto (fol. 266r-269v, 270r-v, 271r-v ending at fol. 178r); Ranutius de Perusio (fol. 134r-v); Raphael Fulgosius (fol. 19v-21v); Raynerius de Monte Ubbiano (fol. 132v-133v); Recuperus de S. Miniato (fol. 167v); Ricardus de Saliceto (fol. 105v-106r, 131v-132r [**Bibl.** D. Maffei, *La donazione di Costantino nei giuristi medievali* (Milano 1964) 231 n. 4; M.

Bellomo, 'Per un profilo della personalità scientifica di Riccardo da Saliceto', *Studi in onore di Edoardo Volterra*, 5 vols. (Milano 1971) V 251-84 at 255 n. 8 and 257(-58) n. 16.7-8.]); Rugerius de Perusio (fol. 148v-149r); Sallustius Guillelmi de Perusio (fol. 51v, 73r-74v, 202r-203r); Thomas de Corsinis (fol. 110v); Thomas de Trothis de Imola (fol. 123v-124v); Thomas Claudii de Spoleto (fol. 43r-v, 49v-50r); Troiolus de Boncompagnis de Visso (fol. 43v-44r, 67r-70r); Venantius Vannutti Mercati de Camerino (fol. 93r-v); <Incerti auctores> (Ir, fol. 37r, 66r-v, 70v, 77r-78r, 84r, 108r, 113r, 165v-166r, 177v-178r, 180r (3), 182v, 190v-191r, 194r, 194v, 209v, 261r-262r, 307v-308r).

fol. 12r-15r **Dinus de Muxello, Tractatus de successione ab intestato** (See Vat. lat. 2638 fol. 1ra-3ra for further information.) *Variants:*

(Rubrica) Tractatus de succexionibus ab intestato per Dy. (Finis) ut Instit. de succe. cogna. (Inst. 3.5) hodie a iure differentia sublata est ut in prefata aut<hentica> probatur. (Colophon) Explicit tractatus Dyni de Mugello de succexione ab intestato.

fol. 15r-16r **Bartolus <de Saxoferrato>, Tractatus de bannitis seu bannitorum** (See Vat. lat. 2289 fol. 91rb-vb for further information.) *Variants:*

(Finis *add.*) Amen. (Subscriptio) Bartolus.

fol. 16r-v **Martinus de Fano O.P., Tractatus de exceptionibus impediens litis contestationem**, imperfectus

(Rubrica) Tractatus Martini de Fano de exceptionibus impediens litis contestationem. (Textus) In primis omnis dilatoria exceptio iudicii impedit litis contestationem ... (Finis) ff. qui satisda. coga. l. *Si vero* § Qui (quoniam *ed.*) pro rei (qualitate *add. ed.*) (Dig. 2.8.5.1) ii. (xi. cod.) q. i. Si manifesta (C.2 q. 1. c.15). (Colophon) Explicit tractatus Martini de Fano de exceptionibus impediens litis contestationem. (Ed. TUI 3.2 fol. 102vb-103ra. The MS lacks three opening and nine closing fines. **Bibl.** Kaeppli, *Scriptores* II 112 no. 2959.) WAS KOMMT ZUERST DIE HANDSCHRIFT ODER DIE DRUCKAUSGABE' ICH GLAUBE DIE HANDSCHRIFT ABER HIER MAL ED. MAL COD.

fol. 115v-117r **Dinus de Muxello, Tractatus de primo et secundo decreto iudicis** idest Lectura § *Si plures* (Dig. 39.2.15.15) (See Vat. lat. 2339 fol. 129r-v for further information.) *Variants:*

(Rubrica) Rubrica de primo et secundo decreto secundum Dynum legum doctorem (Textus) primo *om.* (Finis) scilicet quod sit necessaria missio si non erat in possessionibus ex primo decreto ut preallegatis legibus *add.* (Subscriptio) Dinus de Mugello etc.

fol. 152r-v <Incertus auctor>, **Discordantiae iuris civilis et canonici**

(Rubrica) Hic notantur quedam discordantie iuris ciuiliis ei canonici. De iure ciuili. (Textus) Ammonitio citationis debet precedere libellum ... (Finis) ut extra de testi. c. Testimonium (X 2.20.54) et c. Super eo (est cod.; X 2.20.13).

- fol. 158r-v **Angelus <de Ubaldis>, Forma agnitionis bonorum possessionis**
 (Rubrica) Forma agnitionis bonorum possessionis de iure pretorio per dominum Angelum de Perusio. (Textus) Constitutus Benedictus etc. Coram tali etc. Dixit et exposuit coram eo ... (Finis) secundum formam iuris ut eius beneficio uti possit. (Subscriptio) Angelus de Perusio.
- fol. 158v **Angelus de <Ubaldis>, Forma petitionis bonorum possessionis**
 (Rubrica) Forma petitionis bonorum possessionis et adipiscende possessionis per l. *Edicto* C. de edic. diui Adri. toll. (Cod. 6.33.3) per dominum Angelum de Perusio. (Textus) Constitutus Benedictus etc. Coram etc. Exhibuit et obtulit ... (Finis) qui huic petitioni seu libello contradiceret usque ad finem cause. (Subscriptio) Angelus de Perusio.
- fol. 182v-183r <**Bartolus de Saxoferrato, Commentum in tit. De aleatoribus**> (Dig. 11.5) (Rubrica) Super rubrica de aleatoribus. (Textus) Circa hunc titulum et materiam obmissis dictis canonum et eorum qui prophetarunt ... (Finis) et uide l. *Si quis cum sciendum de usuc. pro emp.* ff. (Dig. 41.4.8).
- fol. 204r-206r, 262r-263v <Auctores varii, **Repetitiones**> nominantur: Angelus de Ubaldis, l. *In suis* (Dig. 28.2.11) (fol. 262r-263v); Bartolus de Saxoferrato, Repetitio auth. *At qui semel* (post Cod. 4.19.19, ex Nov. 90.4. 1) (fol. 204r-206r).
- fol. 220r-759v <Incertus auctor, **Commentum super statuto civitatis Ancisnitanae**>
 (Rubrica) /// De in ius uocando. Rubrica i. (Textus) Super uerbo 'sue habitationi' uide Baldum in l. *Iuris ordinem*. C. de iur. o. iud. (Cod. 3.13.2) ... (Finis) et uide Baldum omnino ff. de iniusto te. in l. *Si quis filio* § Eius qui (Dig. 28.3.6.7.)
- fol. 279r-292v, 297r-298v **Antonius de Cannario, Tractatus de executione instrumentorum**
 (Invocatio) Yhesus. (Rubrica) Incipit tractatus quarantigie et exequutionis instrumentorum per clarum doctorem dominum Antonium de Cannario. (Textus) Colligam questiones quasdam per numerum circa materiam executionis instrumentorum ... (Finis) in dicta clementina *Sepe* (*om. ed.*) (Clem. 5.11.2) in fine m. glosse in (*super ed.*) uerbo 'non contradicentibus'. Laus Deo. Finis. (**Ed.** TUI 5 fol. 39ra-45vb. The MS lacks the last two quaestiones'.)
- fol. 309r-320v **Andreas Barbatia, <Tractatus de praestantia cardinalium, excerptum>**
 (Rubrica) Questio Andree Barbaggi Siculi ad reuerendum cardinalem Nicenum legatum Bononie. (Textus) Nunc uero ad (*om. ed.*) tertiam basilicam questionem disputandam domine benignissime (*metuendissime ed.*) assumam ... (Finis) capere non poterit licet sit cardinalis (*sit cardinalis capere non poterit argumento ed.*) l. *Ex imperfecto*. C. de testamentis (Cod. 6.23.3) cum symilibus. (**Ed.** TUI 13.2 fol. 72ra-76va.)
- fol. 321r **Benedictus de Barzis, <Commentum in> c. Raynutius** (X 3.26.16).
 (Rubrica) Verba domini Benedicti de Perusio in c^o *Raynutius* extra de testamentis

(testis *cod.*: X 3.26.16). (Textus) In glossa in uerbo que incipit 'ff. ad Treb. Sceuola' (Dig. 36.1.78) ... (Finis) in materia compendiose circa quam uide notata in d. c^o Si pater (Sext. 3.11.1). (**Bibl.** Padovani, *Sostituzioni* 381(-82) n. 12.)

fol. 322r-323r **Tancredus de Corneto**, <**Summa compendiosa**, excerptum>
(Rubrica) Tancredi de Corneto in suo tractatu compendiose in fine. (Textus) Ad habendum uberiorem doctrinam significationem quorundam uerborum ... (Finis) c. de hiis que sub modo l. i (Cod. 6.45.1) et ff. de condi. causa da. (Dig. 12.4). (**Bibl.** D. Maffei, *Giuristi medievali e falsificazioni editoriali del primo Cinquecento ...* (Ius commune, Sonderhefte 10; Frankfurt a. M. 1979) 30 n. 72; Peruzzi, art. cit. 38-49.)

Cat. Dolezalek, *Verzeichnis* 2; Kristeller, *Iter* II 243. **Bibl.** P.E. Vigneaux, 'Notice sur trois manuscrits inédits de la Vaticane', *MEFR* 2 (1882) 308-55 at 327-41; A. Campitelli, 'Il Codice Vaticano latino 8068', *ASD* 14-17 (1970-73) 241-66, including lists of the jurists represented and of the incipits; Sella, 'Nuove sigle' passim.

The MS is written in brown ink shading to black in several late Gothic cursive hands. At the beginning there are seven folia containing a jurisconsult's index, written in a modern hand and designated 'A-G'. The next folio, 'H', has the title of the MS: 'Consilia diuersorum iuriconsultorum ex quibus multa sunt originalia cum indice materiarum in principio'; at 1r there is an anonymous consilium. The MS has three sets of foliation. The two older handwritten ones are in the upper margin on the right; the new one (followed here) is stamped in the bottom margin on the right. From fol. 1r to fol. 10v is a subject and 'incipit' index for fol. 1-201. At fol. 213r is a letter in Italian, relative to a sentence imposed on 'doctor Mariano de Teramo'; at fol. 327v, a note of payment written by 'Baptista tunc gubernator Ymole'. At fol. 328v there is another note written by 'Pietro di Stefano di Ser Vanni'. Catchwords are framed and centered. For the watermarks, cf. Briquet no. 5576, 791, 11886, 11674, 7697, and 9951. The MS has a 19th-century parchment binding. Fol. 184v is blank except for a catchword. <I>r-<II>v, fol. 30r-v, 39v-40r, 184r, 212r-v, 213v, 218v, 264v, 277r-v, 278v, 293r-296v, 302r-v, 308v, 321v, 323v, 324v, 326r-327r, 328r, and 329r-v are blank.

| | |
|-----------------------|-----------------|
| Vat. lat. 8069 | saec. XV |
|-----------------------|-----------------|

387 fols. + 1a-b chart. 295 (181) x 208 (110) mm, origin Italy. Quiniones, saec. XV.

TEILWEISE KONTROLIERT ES SCHEINT; DASS ETWAS FEHLT; MAN SOLLTE VOM ORIGINAL AUSGEHEN UND MIT DEM KATALOG VERGLEICHEN WAS DADURCH NOCH ::::: IST; DASS IM KATALOG DIE JURISTEN NACH DEM ALPHABET GEORDNET SIND

fol. 14r-101v, 109r-127v, 128r-154v, 158r-161r, 162r-177v, 182v-195v, 202r-205v, 207r-294v, 296r-304r, 306r-328v, 331r-356v, 356v-387v <Auctores varii, **Consilia**>, nominantur: Andreas (fol. 359v-360r); Andreas Ciaffi de Perusio (fol. 144v [**Ed.** G.M. Monti, *Cino da Pistoia giurista* (Gubbio 1924) 235-36]); Andreas de Monte Ubbiano (fol. 60v-61v); Andreas de Monte Verdo (fol. 252r); frater Angelus (fol. 354r-356v); Angelus de Amelia (fol. 89v-90r, 141r-144r [**Bibl.** P. Peruzzi, 'Angelus de Amelia, decretorum doctor, qui fuit tempore Bartoli (1307ca.-1366ca.)', *Studi urbinati* 44 (1975-76) 1-109 at 21-22], fol. 373v-375r [**Ed.**

Peruzzi, art. cit. 90-93]); Angelus de Ubaldis (fol. 113v-115r, 132v-133v, 138r-v, 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22r], fol. 145v-146r, 146r-v, 146v-147r, 165r-166r, 182v-183r, 188v-189r, 189r-v [**Ed.** T.M. Izbicki, 'Ista questio est antiqua: Two Consilia on Widows' Rights', BMCL 8 (1978) 47-50 at 48-49], fol. 224r-v, 224v-225v, 277r-280r, 336r-v, 368r-370v); Angelus <de Gambiglionibus> (fol. 133v-135r); Antonius de Butrio (fol. 368r-370v); Antonius de Castilione (fol. 357v-359r); Antonius de Hosticianis (fol. 192r-v); Antonius de Presbiteris (fol. 145v-146r); Antonius de Rosellis (fol. 153v-154r); Argentinus de Forlivio (fol. 238r-v); Azo de Rangis (fol. 192v-193r); Baldus de Feschino (fol. 352v-353r); Baldus de Ubaldis (fol. 113r-v, 116r-117v, 129v, 130v-131r, 131r-v, 137v [**Ed.** A. Campitelli e F. Liotta, 'Notizia del MS. Vat. lat. 8069', ASD 5-6 (1961-62) 387-406 at 403], 138r, 139r, 145r-v, 158r, 162v-163v, 163v-165r, 172v (2), 172v- 173r (2), 173r, 174v-175v [**Ed.** Campitelli e Liotta, art. cit. 404-05], fol. 175v-176r [**Ed.** Campitelli e Liotta, art. cit. 405-406], fol. 176r [**Ed.** Campitelli e Liotta, art. cit. 406], fol. 177r, 183r-184r, 187v, 190r-v, 211v-212r, 212r-213v, 213v-215v, 223r-224r, 225v, 228r-v, 232r-233v, 237v, 240r-242v, 260r-261r, 283v-284v, 310r-311v [iul. 1330], 311v, 351v-352v, 361r-362r, 364v-367v, 372r-v, 378r-380v); Bartholomaeus de Saliceto (fol. 112r-113r, 139r-v, 170r-171v, 280r-282r); Bartolus de Saxoferrato (fol. 14r [imperfectum], 14r-v, 14v-15v, 15v-16v, 17r, 17r-18v, 18v-19v, 19v-20r, 20r-21v, 21v-22v, 22v-24r, 24r-27r, 27r-v, 28r-v, 30r-31v, 31v-33r, 33r-34r, 34r-v, 34v-36v, 36v-37v, 39r-40r, 40r-v, 40v-41v, 41v-42r, 42r-v, 42v-44v [**Bibl.** J. Kirshner, 'Civitas sibi faciat civem: Bartolus of Sassoferrato's Doctrine on the Making of a Citizen', *Speculum* 48 (1973) 694-713 at 703 n. 34, 704 n. 38, 707 n. 53], fol. 44v-46r, 46r-47r, 47r-v, 47v-49v, 50r-51r, 51r-52v, 52v-53r, 53r-55r, 55r-56v [actu legens Perusii], 56v-58r, 58r-v, 58v-60r, 60r-v, 60v-61v, 61v-62v, 62v-63r, 63r-64r, 64r-v, 64v-65v, 65v, 66r, 66r-v, 67r, 67r-68r, 68r-v, 68v-69v, 69v-70v, 70v-71r, 71r-72r, 72r-v, 72v-73r, 73v, 73v-74r, 74r-v, 74v-75r, 75r-v, 75v-76r, 76r-77r, 77r-v, 77v-78r, 78r-v, 78v-79r, 79v-80r, 80r-81r, 81r-82r, 82r-v, 82v-83r, 83r-84v, 84v-87v, 87v-89v, 89v-90r, 90r-v, 90v-91r, 91r-v, 91v-92v, 92v-93r, 93r-95v, 95v-96v, 96v-97r, 97r-98v, 98v-100r, 100r-101v, 126r-127r, 128r-v, 128v-129r, 136v-137v, 147r-v, 148v, 162r-v, 166r-v, 173r, 173v, 177v, 187r-v, 207r-209r, 209r, 215v-218r, 218v-219r, 219v, 219v-220r, 226r-v, 226v-227r, 227r-v, 231v-232r, 239r, 252r, 252r-253r); Benedictus de Barzis (fol. 121r-122r, 220r-223r); Cinus de Pistorio (fol. 144v [**Ed.** Monti, op. cit. 235-36]); Collegium Florentinum (fol. 225v-226r); Conte de Perusio (fol. 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22], fol. 163v-165r, 373v-375v [**Ed.** Peruzzi, art. cit. 90-93]); Dinus de Muxello (fol. 109r-110v); Dionysius de Barizanis (fol. 111v-112r, 135v-136v, 153v, 220r-223r); Donatus Richis de Altigeriis de Florentia (fol. 145v-146r); Egidius de Aretio (fol. 236r-237v); Florianus de Sancto Petro (fol. 124v-125v, 383r-385v); Franciscus (fol. 359r-360v); Franciscus <de Accoltis> (fol. 37v-38v, 131v, 351r-v, 378r-380v); Franciscus Accursii (fol. 231r-v); Franciscus An<tonii> (fol. 213v-215v); Franciscus Bertoli (fol. 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22]); Franciscus Ciaffi de Pisis (fol. 138v-139r), Franciscus de Albergottis (fol. 129v-130v, 140v, 145v-146r, 176v, 218r-v, 334r-335r [**Bibl.** A. Campitelli, 'Il "Tractatus de cicatricibus" di Francesco Albergotti attribuito a Bartolo da Sassoferrato', ASD 8

(1964) 269-88 at 287]); Franciscus de Bonoris de Civitate Castelli (fol. 123r-124r); Franciscus de Cappellis (fol. 280r-282r, 339r-340v); Franciscus de Fabriano (fol. 41v-42r, 177v); Franciscus de Fulchis (fol. 286v-288r); Franciscus de Ramponibus (fol. 192r-v, 210r-211r, 284v-286v, 339r-340v; 383r-385v); Franciscus de Senis (fol. 347r-349r); Franciscus Locci de Salvat<ore> de Florentia (fol. 333r-334r); Franciscus Johannis de Camerino (fol. 184v-187r); Franciscus Mansueti (fol. 202r-v); Franciscus Pagi (fol. 145r); Franciscus Tigrini de Pisis (fol. 20r-21v, 52v-53r, 67r-68r, 219v, 238v, 252r-253r, 322v-323v, 324r-325r, 325r-v, 331v-332v); Fredericus de Scala (fol. 173v-174v), Gaspar de Medicis de Camerino (fol. 184v-187r); Gaspar de Ruphinis (fol. 192r-v); Gaspar Johannis de Colle Fulgineo (fol. 122r-123r); Gregorius Bencivennis de Bononia (fol. 187v-188v, 378r-380v); Griffus de Guidonis Griffi (fol. 263r-277r [Florentiae, ian. 1398]); Guillelmus de Perusio (fol. 163v-165r, 326v-328v); Honofrius de Bartolinis (fol. 117v-119r, 254v-257r, 258v-259v, 356v-357v); Jacobus Butrigarius (fol. 167r-168v, 289r-193v [29 dec. 1339], 293v-294v, 296r-298r, 298r-302r, 303v-304r, 306r-v [**Bibl.** Kirshner, art. cit. 706 n. 48], fol. 306v-307v, 307v-308v, 308v-309v, 309v-310r, 310r-311v [iul. 1330; **Bibl.** D. Maffei, *Giuristi medievali e falsificazioni editoriali del primo Cinquecento* (Ius commune, Sonderhefte 10; Frankfurt am Main 1979) 83; E. Cortese, review of D. Maffei, *Giuristi ..., Studi medievali*, ser. 3, 23 (1981) 246-59 at 255.], 311v-312v, 312v-313v, 313v-314r, 314r-v, 314v-315v, 315v-316r, 316r-318r, 318r-319r, 319r-321r, 321r-v, 321v-322v, 336v-337v, 340v [**Ed.** Izbicki, art. cit. 50]); Jacobus de Arena (fol. 115r-116r, 196r-200r, 229r-v, 234r, 234r-235r); Jacobus de Belvisio (fol. 310r-311v [iul. 1330; vide Jacobus Butrigarius (fol. 310r-311v) *supra*]); Jacobus de Mariscalcis (fol. 383r-385v); Jeremias (fol. 339r-340v); Johannes Andreae (fol. 298r-302r); Johannes de Biccis (fol. 263r-277r [Florentiae, 28 ian. 1398]); Johannes de Canetulo (fol. 124v-125v); Johannes de Lignano (fol. 145v-146r, 350v-351r), Johannes de Piendibene de Montepulciano (fol. 158r-160v); Johannes de Podioboniti (fol. 354r-356v); Johannes de Riccis (fol. 132r-v, 288r-289r, 351r-v, 353r-354r, 354r-356v, 367v-368r, 368r-370v); Johannes de Sancto Petro (fol. 383r-385v); Johannes Neri de Pagliarensibus (fol. 375r-376v [Senis, 24 dec.], 378r-380v); Johannes Petri de Amelia (fol. 360r-361r); Julianus de Perusio (fol. 213v-215v); Kataldinus de Boncompagnis de Visso (fol. 261r-262v); Lapus abbas Sancti Miniati (fol. 302r-303v); Lapus de Castilione (fol. 351r-v); Lovigius de Perusio (fol. 220r-223r); frater Lucas (fol. 354r-356v); Ludovicus de Albergottis (fol. 168v-170r, 282r-v, 338r-339r, 372v-373v); Ludovicus Petri de Perusio (fol. 172r-v); Manfredus de Spoleto (fol. 209r-210r); Mannutius de Prato (fol. 342r-346r); Marcus Angelelli de Perusio (fol. 111r-v, 188v, 257r-258r, 260r); Matthaes de Gixo (fol. 263r-277r [Florentiae, ian. 1398]); Matthaes Philiciani (fol. 119r-121r, 124v, 220r-223r); Michael de Accoltis (fol. 148v-153v); Nicolaus Alexandri de Perusio (fol. 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22]); Nicolaus Angelis de Urbeveteri (fol. 322v); Nicolaus Antonii de Robacta (fol. 284v-286v); Nicolaus de Bansanis (fol. 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22]); Nicolaus de Cambionibus de Prato COMBBONIBUS (fol. 145v-146v, 211r-v); Nicolaus de Lellis (fol. 213v-215v); Nicolaus de Monte Granario (fol. 204r-2-05v); Nicolaus Francisci de Rambionibus (fol. 286v-288r); Nicolaus Fagianus de

Viterbio (fol. 263r-276v [Florentiae, ian. 1398]); Nicolaus Thorini de Prato (fol. 342r-346r); Paulus canonicus Perusinus (fol. 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22]); Paulus de Castro (fol. 154r-v [**Ed.** N. del Re, *Sei consigli inediti di Paolo di Castro nei Codici Vat. lat. 8068, 8069, 11605 e Urb. lat. 1132* (Roma 1945) 42-43, using the old numeration]); Paulus de Liazariis (fol. 227v-228r, 289r-293v [29 dec. 1339]); Paulus de Pisis (fol. 67r-68r); Paulus Simonis de Perusio (fol. 93r-95v); Pe<trus> (fol. 253r-254r); Petrus de Ancharano (fol. 191r-192r); Petrus de Ubaldis (fol. 139r, 141r-144r [**Bibl.** Peruzzi, art. cit. 21-22], fol. 145v-146r, 213v-215v, 228r-229r); Petrus Albisi de Pisis (fol. 127r-v, 229v-230r, 230r-v, 230v-231r, 242v-245v, 341r-342r, 346r-347v); Petrus Thomae de Corsinis (fol. 334r-335r); Philippus Thomae de Corsinis (fol. 130v, 139v-140v, 338r-339r, 352v-353r, 362r-363v, 368r-370v); Recuperatus de Sancto Miniato (fol. 334r-335r); Recuperius de Sancto Miniato (fol. 66r); Richus de Muraro (fol. 193v-195v); Robertus de Francola (fol. 245v-252r); Rosellus de Rosellis (fol. 283r-v, 338r-339r, 367v-368r, 368r-370v, 370v-371v, 371v); Sallustius Guillelmi de Perusio (fol. 160v-161r); Scolaius (fol. 354r-356v); Signorolus de Mediolano (fol. 337v-338r, 363v-364v); Stephanus Bonaccursii (fol. 367v-368r); Thomas de Corsinis (fol. 193v-195v, 302r-303v); Thomas de Formaglinis (fol. 335r-336r); Thomas de Muraro (fol. 193v); Torellus de Torellis de Prato (fol. 258r-v, 263r-277r [Florentiae, ian. 1398], 368r-370v); Ubertus de Bobbio (fol. 235r-236r); Venantius de Durante (fol. 263r-277r [Florentiae, ian. 1398]); <Incerti auctores> fol. 27v-28r, 28v-30r, 38v-39r, 130v, 132r, 148r-v, 148v, 172r, 202v-203r, 203r-204r, 239r-240r, 252r, 325v-326v, 349r-350v, 371v-372r, 376v-378r, 380v-383r, 386 -v, 387r-v).

fol. 102r-108v, 294v-296r, 304r-305v, 328v-331r, 331r-v <Auctores varii, **Quaestiones**>, nominantur: Andreas de Monte Ubbiano, Quaestio 'Super puncto quod in dubium' (fol. 328v-331r [**Bibl.** Bellomo, *Problemi* 212 n. 18]); Benedictus de Barzis de Plumbino, Quaestio 'Statuto civitatis cavetur quod vir non possit' (fol. 102r-108v [Bononiae, 20 dec. 1395; **Ed.** A. Campitelli, 'Tre "Quaestiones" conservate nel MS. Vat. lat. 8069', *Studi in memoria di Giuliana D'Amelio*, 2 vols. (Università di Cagliari. Pubblicazioni della Facoltà di Giurisprudenza Serie I, vol. 20-21; Milano 1978) I 115-29 at 126-29 (also published in G. D'Amelio et al., *Studi sulle "quaestiones" civilistiche disputate nelle Università medievali* [Studi e ricerche dei 'Quaderni catanesi' 1: Catania 1980] 99-116.)); Egidius de Aretio, Quaestio 'Super puncto quod in dubium' (fol. 328v-331r [**Bibl.** Bellomo, *Problemi* 212 n. 18]); Jacobus Butrigarius, Quaestio 'Lege municipali civitatis Florentiae cavetur' (fol. 294v-296r), Quaestio 'Quidam paterfamilias habens fratrem' (fol. 304r-305v [**Ed.** Campitelli, art. cit. 125]); Lambertinus de Ramponibus, Quaestio 'Testator dedit in testamento' (fol. 331r-v [**Ed.** Campitelli, art. cit. 122]).

fol. 127v-128r <Incertus auctor, forsan **Bartolomaeus de Novaria**>, **Casus in quibus requiritur speciale mandatum**
 (Rubrica) Casus in quibus requiritur speciale mandatum. (Textus) Nota casus in quibus requiritur speciale mandatum. Primus est in petendo ... (Finis) ut in Speculo de procu. § razione autem verso. Item quod sunt notata etc. (**Bibl.** M.

Piccialuti, 'Bartolomeo da Novara', DBI 6.740-41.)

- fol. 155r-157v <Incertus auctor>, **Allegationes in causa defensionis pro inquisito**
(Rubrica prima) Allegationes in causa defensionis pro inquisito etc. (Textus) Etsi coram tam preclaro uiro et famosissimo legum doctore ... (fol. 156r) (Rubrica secunda) Forma articulandi super predicta defensione etc. (Textus) Coram uobis etc. Iohannes Matthei etc. non reuocando procuratores suos ... (Finis) ad iurandum et deponendum non tamen astringens se ad omnia et singula etc.
- fol. 161v-162r **Franciscus de Albergottis, Tractatus de cicatricibus** (See Vat. lat. 2289 fol. 276vb-277ra for further information.) *Variants:*
(Rubrica) Tractatus de cicatricibus per dominum Franciscum de Albergottis de Aretio.
- fol. 177v-182v **Franciscus <de Aptis, Tractatus de portione canonica>**
(Rubrica) Nunquid episcopus debeat uel possit petere quartam de relictis piis locis qualitercumque constructis siue cum autoritate episcopi uel sine et diuersis nominibus nuncupatis. (Invocatio) In Dei nomine. Amen. (Textus) Quoniam (*om. cod.*) aliqui curiosi contra doctrinam apostoli (*amplius cod.*) appetentes plus sapere quam oportet ... (Finis) cum ad eos ut (*et doctores om. cod.*) corrigere errores aliorum ut (*om. ed.*) preallegato c. *Qualiter* (X 5.1.17). Deo gratias et matri eius uirgini gloriose. Amen. (Deo ... Amen. *om. ed.*) (Epilogus) Ego Franciscus episcopus Clusinus (indignus et *add. ed.*) decretorum doctor minimus ... cum fuerit clarissimus in iure (lumen iuris *ed.*) secundum Guillelmum in Speculo in prohemio. (**Ed.** TUI 15.2 fol. 193rb-194vb, where this work is attributed to Lopus de Castillione. **Bibl.** Izbicki, 'Problems in TUI' 488-89, giving the attribution to Franciscus de Aptis.)
- fol. 196r-200r **Jacobus de Arena, <Tractatus de praeceptis iudicum>** (See Vat. lat. 2638 fol. iii^{rb}-v^{ra} for further information.) *Variants:*
(Finis) in aperto clarebit *pro* aperte carebit apparebit uel clarebit. (Subscriptio) Iacobus de Arena. *add.* Deo gratias.
- fol. 201r-v **Baldus <de Ubaldis, Lectura in>** l. *Clarum* (Cod. 5.59.4).
(Lemma primum) *Clarum* (*posteritati add. ed.*): Ista lex posita est in rubrica C. de auctoritate prestanda. Et breuiter hoc dicit. Minor non potest esse in iudicio ciuili uel criminali (In causis criminalibus minor non potest esse in iudicio *ed.*) ... (Finis) et de confess. c. *Cum super* (X 2.18.2) Tene menti (*om. ed.*). (Subscriptio) Baldus de Perusio legum doctor. (**Ed.** Baldus, *Opera* VI fol. 208rb-va.)
- fol. 206r-v **Bartolus de Saxoferrato et Jacobus Butrigarius, <Tractatus> de forma inventarii** (See Vat. lat. 2612 fol. 319ra-rb for further information.) *Variants:*
(Rubrica) Forma inuentarii. (Praefatio) Hec est forma inuentarii quam tradidit domino Francisco Damiani de Pisis dominus Bartolus dominus Iacobus Butrigarius (Invocatio) Christi *pro* Domini (Textus) S. *pro* A.; olim domini *pro* quondam domini B. (Finis) se subscribit *pro* dicta domina S. herede et omnibus et

singulis suprascriptis etc. (**Bibl.** Van de Kamp, *Bartolus* 83, using the old numeration.)

fol. 356v <**Communis Aretina**>, **Reformatio**

(Rubrica) Copia reformationis facte Aretii super facto Castiglionensium. (Textus) Castelionis et eius districtus (districtu *cod.*) ZZ habent et pro dictis libris eorum cotidie grauentur ... (Finis) uenerunt ad iudicem ad huiusmodi conuentionem et pactum uidelicet quod scilicet omnes etc.

Cat. Dolezalek, *Verzeichniss* 2; Kristeller, *Iter* II 343. **Bibl.** P.E. Vigneaux, 'Notice sur trois manuscrits inédits de la Vaticane', MPFR 2 (1882) 308-55 at 309-26; A. Campitelli e F. Liotta, 'Notizia del MS Vat. lat. 8069', ASD 5-6 (1961-62) 387-402; Sella, 'Nuove sigle' passim.

The MS is written in a late Gothic cursive bookhand in black ink. Rubrics are red. Capitals are red with violet or blue with red decoration. Paragraph signs are red or blue. At fol. 1r is the title, 'Consiliorum codex veterum iurisconsultorum seculi XV'. Fol. 1b to fol. 2r contain an alphabetical table of contents in a more modern hand. Fol. 3r to 13v contain an index of 'incipits', the beginning of which is imperfect. This MS has a double numbering of folia, the more recent of which is followed in this analysis. The older is keyed to the table on fol. 1b-2r. Catchwords are framed and centered. For the watermarks, cf. Briquet nos. 5353, 11707, and 7965. The MS has a 19th-century parchment binding. Fol. 2v and 200v are blank.

| | |
|-----------------------|-----------------|
| Vat. Lat. 8079 | saec. XV |
|-----------------------|-----------------|

Scr. Innocentius de Spoleto (fol. 14-81); Bartholomeus (fol. 187-251).

<V> + 251 fols. chart. (memb.: <II>) 287 (202) x 212 (110) mm, origin Italy. Seniones, saec. XV.

<II>ra-vb <**Accursius, Glossa ordinaria in Codicem**>, fragmentum (Auth. *post* Cod. 4.29.21 v. *Neque obligare*, in med. -4.30.13 v. *Scriptis inserta* circa fin.) (**Ed.** of the full text, see Vat. lat. 1428 fol. 1ra-288vb.)

fol. 2r-9r <Incertus auctor, forsan **Johannes de Deo, Decretum abbreviatum**> (See Vat. lat. 2660 fol. 241v-244r for further information.) *Variants*:

<Rubrica deest.> (Textus) principales *add. post* partes (Finis) Et terminatur liber decretorum in duobus capitulis de Spiritu sancto. Explicit aureum decretum et sic breuiatum. Deo gratias amen. (Versus) Corrige peccatum, lacrimabile plange reatum ... Ea nullus est rationis inops es adpretians es. (Epilogus) <P>er predictos uersus potest haberi quot questiones sunt ... a magistro Gratiano monacho monesterii (*sic*) Sancti Felicis de Bononia anno domini M° c°. I. Laus Christo. Amen.

fol. 10r <Incertus auctor, **Commentum in D.1 Decreti Gratiani**>

(Rubrica) Prima distinctio. (Textus) Lex precepti est secundum naturam subiecte materie ... (Finis) proprius debeat haberi recursus uide notam de consuetu. c. fi. (X 1.4.11). ODER "NO." WIR SIND NICHT SICHER, DASS ES NOTAM IST

fol. 14r-81r **Ludovicus Pontanus, Singularia**

(Textus) <V>erbum 'omnino' intelligitur ipso iure ... (Finis) Et hoc addas ad dicta iura quia faciet tibi honorem (*ed.* 177a, no. 816) etc. (Colophon) Expliciunt dicta singularia famosissimi utriusque iuris monarce domini Lodouici Pontani de Roma Deo gratias. Amen. Die xi aprilis 1438 per Innocentium de Spoletio scriptum. (**Ed.** *Singularia omnium clarissimorum doctorum*, ed. G. Sarayna, 2nd edition (Lugduni 1560) 48-178. **Bibl.** Diplovatatus, *De claris iuris consultis* II 352-54; G. Kisch, *Enea Silvio Piccolomini und die Jurisprudenz* (Basel 1967) 77-81.)

fol. 81r <Incertus auctor, **Limitatio regulae**

(Rubrica) Limitatio regule rara et noua. (Textus) [Limitatio ad regulam] Regula quod minor in delictis non excusatur ... (Finis) in statuto puniente hoc delictum. (This short text is added in a humanist-influenced cursive after the end of the *singularia*.)

fol. 86r-111v, 114r-183v **Martinus <Garatus> Laudensis, Tractatus de principibus**

(See Vat. lat. 4916 fol. 7ra-43vb for further information.) *Variants*: <Praefatio, tabula, et rubrica textus desunt.> (Finis) (fol. 183r) uide supra in titulo de priuilegio et rescripto in conclusione 14. Amen. (Finis epilogi) a famoso Mediolanensi doctore domino Iohanne de Legnano didici Martinus Laudensis. Amen. (**Ed.** In comparison with Vat. lat. 4916, in addition to the preface being missing, TUI 16 fol. 278ra-vb and fol. 302rb-303rb follow TUI 16 fol. 456v-457rb.)

fol. 1 1 2r1 14r <**Martinus Garatus Laudensis, Tractatus de cardinalibus**>

(Textus) <C>ardinales dicuntur qui (ex quo *ed.*) sunt mundi cardines ... (Finis) Nemo potest esse cardinalis nisi sit saltem dyaconus glo. in Clementinis 2. de etate et qualitate (Clem. 1.6.2). (**Ed.** TUI 13.2 fol. 59vb-60rb. **Bibl.** Izbicki, 'Problems in TUI' 490.)

fol. 187r-247r **Johannes de Lignano, Tractatus de bello** (See Vat. lat. 2639 fol. 226vb-245rb for further information.) *Variants*:

(Rubrica) Tractatus de bello (D. Iohannis de Lignano Mediolanensis *add. al. man.*). <Rubrica textus deest.> (Colophon) Deo gratias amen *praem. ante* Explicit; Legnano *pro* Lignano; Bon. *pro* Bononiensis IST DOCH DASSELBE SUBIICERE *subiiceretur* pro subicere (The added part of the opening rubric seems to be by the same hand that added the running titles.)

fol. 247v-251v <**Tabula rubricarum Tractati de bello**>

Cat. Kristeller, *Iter* II 343. **Bibl.** Sella, 'Nuove sigle' 7, 12, 13.

Each of the major texts is in a different hand. The fragment of Accursius, on the only parchment folio of the codex, is in *littera bononensis*, probably of the 13th-century, with corrections in a contemporary hand. Long additions have been added in several hands. Incipits of laws are underlined; capitals are not enlarged; lemmata are underlined in red. In the margin at the beginning of each law stands 'l'. The *Decretum*

abbreviatum is in a cursive Gothic hand that changes at fol. 6v. There are no corrections or additions. ES GIBT RANDVERMEKRE AUCH FOL. 60v DORT WIE HIER SIND ES HINWEISE AUF DER INTU::: DER CAUSAE. Space was left at the beginning for an initial; several times spaces were left for other capitals, but most were added by the scribe. On fol. 7r an annotator added a note on marriage in a humanist-influenced cursive hand. The commentary on fol. 10 r is probably in the same hand as this abbreviation. The *Singularia* are in the Gothic cursive hand of Innocentius of Spoleto. There are very occasional scribal corrections. Space was left for an initial at the beginning. A contemporary hand added a few notabilia. The tracts of Martinus are in a formal cursive hand. An early modern hand added running titles in the upper margins, and this hand and at least one other added occasional notabilia, including 'Bononia' and 'Papua' beside a chapter referring to them. Space remains for an initial at the beginning. Within this section there is a medieval foliation, running 1-23, in the upper right corner beside the early modern foliation followed here. The tract of Johannes is in a formal cursive hand, with scribal corrections. An initial at the beginning, and subsequent chapter capitals are missing. A different hand added occasional notabilia. There are running titles, probably in the same hand as those of the preceding piece. The table that follows is in the same hand that wrote 'Bartholomeus' at the end.

The texts are in dark brown ink. Catchwords are generally centered and decorated; from fol. 188, the gatherings are quinions and the catchwords are perpendicular at the lower right. On the inside front cover, in an early modern hand, is 'Misc. Arm. III. n. 9J (J2 ?)/ de Lodovico Pontano JC item de Johanne Lignano et Martino Garrato uide Biblioth. med. et inf. Latin. Fabricii Johanne de Legnano p. 143. 4', and then, at the right 'vide hic p. 81. 183.4'. On <I>r an early modern hand printed 'Lignanus de Iure Belli et Est Originale et alia.' On <II>rb, in the upper margin above the Accursian fragment, in a medieval cursive hand, is 'Floribus excussis ennas per prata vagans urgebit coluber remeare paludes. § Prohemia p. yd. ducis contra venetos.' On fol. 13r the same early modern hand that wrote the running titles in the Martinus and Johannes tracts wrote 'Lodovici Pontani IC dicta singularia'; otherwise the folio is blank. Throughout the codex there are grotesques and occasional sketches. For the watermarks, cf. Briquet 5353 and 15477. The MS has an old, non-Vatican, parchment binding. <I>v, <III>r-<VI>v, fol. 1r-v, 9v, 10v-12v, 13v, 81v-85v, and 184r-186v are blank.

| | |
|-----------------------|--------------------|
| Vat. lat. 8117 | saec. XVI.2 |
|-----------------------|--------------------|

antea Litt. u.

<II> + 573 fols. + 565b chart. 275 (128) x 205 (100) mm, origin Italy (Rome). Quiniones, saec. XVI.2.

ZWISCHEN 565 UND 566 SIND 19 LEERE FOLIOS

NACH <I> NOCH 9 Iv-Xv BLANK

<I>, fol. 1-565 **Antonius Augustinus, Repertorium <decisionum Rotae>**

(I) (Rubrica TITULUS VOLUMINIS) Antonii Augustini Repertorium (p. 1)

(Rubrica secunda) <De> accusationibus. (Textus) Iudex criminalis cause non

potest absoluendo reum a crimine condemnare ... (Finis) Institutio per sententiam

factam sine edictis ualet. Put. xviii. de iure patronatus.

fol. 566-571 <**Index in priorem librum epitomatarum**>

Cat. Kristeller, *Iter* II 344. **Ed.** Agustín, *Opera* VI 595-80; **Bibl.** Sella, 'Nuove sigle' passim; A. Bernal Palacios, 'Alfonso de Soto y Anonio Agustín en el MS Vat. lat. 8158'. BMCL 17 (1987) 95-103 at 101; see also Vat. lat. 6220 fol. 217r-404v for further information.

The work is divided into two parts, but it follows the division in three books of the edited text (Pars I = Book I; Pars II = Books I-II). On p. 399 is the rubric: 'Liber IIs Epitomatarum decisionum Rotae ad Regulas Cancellariae Apostolicae et extrauagantes a Ioanne xxii ad Iulium tertium'. Book I is very similar to the edited text while Books II-III differ to some degree. The work is written in one very neat and clear secretarial hand. There are no decorations or catchwords. For watermarks, cf. Piccard no. 890-913. The MS has a black leather binding with gold stamped decoration. <II>, pag. 8, 16, 22, 26, 35, 42, 46, 71, 76, 150, 156, 398, 565b, and 572-573 are blank.

| | |
|-----------------------|--------------------|
| Vat. lat. 8118 | saec. XVI.2 |
|-----------------------|--------------------|

antea Armar. ZZ LK. Ord. 1° Litt. t.

<VII> + 304 fol. chart. 278 (215) x 210 (105) mm, origin Italy. Quiniones, saec. XVI.2.

<Ir-VIIr> fol. 1r-304r (rectius 1r-199v, 243r-267v, 282r-304r, 200r-242v, 268r-281v)

Antonius Augustinus, Repertorium <decisionum Rotae>, imperfectum (See Vat. lat. 8117 for further information.) *Variants:*

VOR <I> IST NOCH EIN BLATT MIT DER SIGNATUR UND NOCH <VIII> ODER <VII> 2FOL BLANK

(fol. 1r) (Rubrica) Repertorium Antonii Augustini. (Finis) Symoniacus triennalis patitur sequestrum post primam sententiam. Cassad. e.SCHLECHT KOPIERT de acqui. poss. simo. 80 alias_30. Cassad. prima de Simonia. FOL. 281v: Hec regula annullat etiam resignationes preteritas Mo 301 non regula Julii 3ⁱⁱ que de cetero cancellat (Subscriptio) A A.

Cat. Kristeller, *Iter* II 344. **Ed.** Agustín, *Opera* VI 595-80. **Bibl.** A. Bernal Palacios, 'Alfonso de Soto y Antonio Agustín en el MS Vat. lat. 8158', *BMCL* 17 (1987) 95-103 at 101, see also Vat. lat. 6220 for further information.

This copy of Agustin's *Repertorium* is very incomplete and quite chaotic in its binding. Because there are many texts missing, including some very important ones, it is probable that some folios were lost before binding. This MS follows a different order than the edited text. It has two parts: Pars I has Book I of the edition (very incomplete), but with some intercalated titles (not all) of the edited Book III. On fol. 200r Book II starts with the short rubric '<De> Regulis Cancellariae'. It is also very incomplete. There is no third Book. The work appears to be written in two secretarial hands (Ir-100v; 101r-304r). There are no decoration or catchwords. There are three watermarks: 1) Briquet no. 6683; the other two, unknown; are 2) bird in a circle, and 3) dragon or griffin on a shield. The MS has a soft parchment binding with leather straps. VIIv, fol. 128v, 301r-v, and 304v are blank. Front cover: Antonii Augustini Repertorium iuris civilis et canonici Armar. IX ord. 1° litt^a t.

| | |
|-----------------------|------------------------|
| Vat. lat. 8121 | saec. XV (1444) |
|-----------------------|------------------------|

antea 34. **Prov.** Perugia, Convent of S. Domenico O.P.; Leonardo Mansueti O.P.; Pietro da Monte, bp. of Brescia 1442-1457. **Scr.:** Bruno Johannis de Davantria.

<I> + 367 fols. memb. 222 (157) x 156 (100) mm; origin France (Bourges).

Quaterniones, saec. XV (1444).

fol. 2v-238r <**Bonifacius VIII, Liber sextus**> imperfectus (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*

<Inscriptio deest.> (Finis) contempnens *pro* complectens (Datum) Datum *pro* Data.

fol. 2r-239v **Johannes Andreae, <Glossa ordinaria in Librum sextum>**, imperfecta (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*

(Textus) /// poni quia oportuisset multos libros destrui ... (Colophon) Explicit apparatus domini Io. An. VI. li. decretalium. Bruno Iohannis decretorum doctor scripsi Bituris in partibus Gallicanis hunc sextum librum decretalium reuerendissimo domino meo Petro de Monte episcopo Brixienensi nec non sanctissimi domini nostri domini Eugenii diuina prouidentia pape quarti anno sui pontificatus quartodecimo legato in partibus christianissimi Karoli regis Francorum et in predicta ciuitate Bituricensi feci finem istius operis anno a natiuitate Domini Millesimo quadringentesimo quadragesimo quarto indictione septima die uero xvii mensis augusti.

fol. 242r-356v **Clemens V, Constitutiones Clementinae, imperfectae** (See Vat. lat. 1401 fol. 1ra-60rb for further information.) *Variants:*

<Inscriptio, praefatio et inscriptio textus desunt.> (fol. 356v) (Colophon) Explicit textus Clementinarum. (fol. 365v) Explicit textus constitutionum bone memorie Clementis pape quinti scriptum in ducali ciuitate Bituricensi per manus Brunonis Iohannis de Dauantria de Alamania Traiectensis diocesis prouincie uero Coloniensis patricii ? decretorum doctoris pro reuerendissimo domino meo Petro de Monte episcopo Brixienensi sanctissimi in Christo patris et domini nostri domini Eugenii diuina prouidentia pape quarti [in regno Francie] et sancte sedis in regno Francie cum plena potestate legati (*sic*) de latere nuntio et ambassiatori apostolico anno a natiuitate Domini Millesimo quadringentesimo quadragesimo quarto indictione septima die conuersionis sancti Pauli [25 ian.]. Ego Bruno Iohannis etc. (**Bibl.** Kuttner, 'Saepe' 441. In this MS, a class C. 5.11.1 *Exivi* and 5.11.2 *Saepe* are reversed.)

fol. 241r-360v **Johannes Andreae, <Glossa ordinaria in Constitutiones Clementinas>** imperfecta (See Vat. lat. 1497 fol. 1ra-68rb for further information.) *Variants:*

(Textus) /// uirtutes et uicia extirpanda ... (Colophon) Amen. Iohannes Andree summus decretorum doctor.

fol. 361r-365v **Clemens V, Const. Exivi** (Clem. 5.11.1)

Bibl. Cf. *Colophons de manuscrits*, ed. Bénédictins de Bouveret I 297 nos. 2367-2371; T. Kaeppli, *Inventari di libri di san Domenico di Perugia (1430-80)* (Rome 1962) 208; Tarrant, 'Clementinae' II 124 and 140; Miethke, 'Schriften des Juan González' 287 n. 36.

The MS is written in the late Gothic bookhand of Bruno Iohannis de Davantria in black ink. Text and apparatus are written alternately in single columns, with text and lemmata in a larger script than the apparatus. There are sparse annotations, possibly by Pietro da Monte, accompanying the early sections of the ordinary gloss on the Sext. Modern pen tries appear at the bottoms of several leaves. The opening

leaves of the Sext and Clementines have been removed for their miniatures. Each title begins with a foliate initial. Several have been torn out, damaging fol. 71, 89, 95, 107, 168-71, 182, 195, 293, 295, and 334. Rubrics are red. Capitals are red with dark, possibly blue, (**DARK BLUE; AB 247 VIOLET**) decoration, and blue with red. Paragraph signs are red or blue. At <I>v is written, 'Sextus et Clementine'. At fol. 1v is written, possibly by Leonardo ser Uberti O.P., who did the inventory of Mansueti's MSS, 'Iste liber est reuerendissimi patris magistri Leonardi de Mansuetis de Perusio sacri theologi ordinis fratrum predicatorum quem emit ex pecuniis per eum suo studio et labore quesitis ac sibi iure concessis'. At fol. 239v the same hand has written, 'Liber iste est magistri Leonardi de Perusio ordinis predicatorum'. The MS has an early 19th-century leather binding. <I>r, fol. 1r, 240r-v, and 366r-367v are blank.

| | |
|-----------------------|--------------------|
| Vat. lat. 8158 | saec. XVI.2 |
|-----------------------|--------------------|

368 fols. chart. 280 (190, 220) x 210 (100, 110) mm, origin Italy?_Quiniones, saec. XVI.2.

fol. 1r-118v <**Antonius Augustinus, Repertorium decisionum Rotae**>

(Rubrica) De regulis Cancellariae. (Textus) Regulae ligant statim ante publicationem ... (Finis) indulta Cardinalium intelliguntur de beneficiis in quorum possessione conferendi existunt. Put. 4. de priuil. A.A. Finis. (**Ed.** Agustín, *Opera* VI 595-680. **Bibl.** See Vat. lat. 6220 fol. 217r-404v. This MS does not follow the order of the edited text or that of the other Vatican MSS. The order of its books is II-III-I. The text appears to be less complete than the edited version. Titles I, 32-55, 61 cc. 3-4, 62-85: III, 9-14, of the edition are missing in the MS.)

fol. 125r-368r <**Alphonsus de Soto, Commentaria in regulas cancellariae Innocentii VIII**>

(Rubrica) De regulis cancellariae prooemium. (Textus) Hic unus curiosus R.P. dubitauit ubi ego non dubito ... (Finis) tamen quit concernit potestatem uicecancellarii, et stilatur contrarium, nunquam daretur sine commissione per placet uel per pertinet et redent. Deo gratias. (**Ed.** Jean de Chokier, *Commentaria in Regulas Cancellariae Apostolicae, siue in Glossemata Alphonsi Sotto, glossatoris nuncupati* (Coloniae 1621). This copy varies from the edition in two aspects: 1) the commentary to the last *regula* (no. 70) is missing in the MS; 2) the text edited by Chokier does not contain some of the personal references made by A. de Soto that are in the MS and (it seems) in the editions of the 15th and 16th centuries.)

Bibl. A. Bernal Palacios, Alfonso de Soto y Antonio Agustín en el MS Vat. Lat. 8158', *BMCL* 17 (1987) 95-103.

Each work is written by two scribes, with changes of hand at fol. 111r, 125r, and 245r. The hands are forms of early modern secretarial cursive. The ink is brown. There is no decoration. There are three watermarks: 1) three moons on a shield, 2) Briquet 674, and 3) Piccard 890-913. The MS has a parchment on cardboard binding, with two leather straps. There are many blank folios, possibly reserved for the *Regulae Innocentii VIII*. Fol. 119r-124v, 131v-132v, 136r-v, 140r-v, 146r-v, 148v, 152r-v, 168v, 172r-v, 176r-v, 179v-180v, 186r-v, 196v, 200v, 206r-v, 209v-210v, 214v, 220v, 222v, 234v, 240v, 252v, 264v, 282r-v, 286v, 290r-v, 294r-v, 296r-v, 302v, 304r-v, 310v, 312r-v, 316v, 318v, 322r-v, 328v, 330r-v, 332r-v, 334r-v, 336r-v, 338v, 340v, 342v, 346r-v, 356v, 360v, 362r-v, 364r-v, and 368v are blank.

| | |
|-----------------------|------------------|
| Vat. lat. 8554 | saec. XIV |
|-----------------------|------------------|

Prov. Baptista de Brindis

a + 318 fols. + 175a memb. 421 (319) x 254 (186) mm, origin Italy (Bologna?).

Quiniones, saec. XIV.

fol. a^{ra}-317rb **Guillelmus Duranti, Speculum iudiciale** (See Vat. lat. 2339 fol. 4ra-128vb, 130ra-365ra for further information.) *Variants:*

(Colophon) Explicit speculum iudiciale magistri Guillelmi Duranti compositum ad communem hominum utilitatem. Finis Laus Deo.

fol. 317va-318ra <**Tabula titulorum**>

Bibl. Ascheri, 'Consilium Sapientis' 570; A.M. Stickler, 'Vergessene Bologneser Dekretisten', *Salesianum* 14 (1952) 476-503 at 480 n. 13; B. Paradisi, 'Le glosse di Bartolo da Sassoferrato', in *La critica del testo* (Atti del II Congresso internazionale della Società Italiana di Storia del Diritto; Firenze 1971) 575-618 at 583, 612-13.

The MS is written in a tiny Gothic bookhand in dark brown ink. It is in a single hand until fol. 317ra. The last folio has been replaced by a 15th-century copy in a neat humanist hand. The text is corrected in the margins by the scribe. There are also a few notabilia in a cursive hand. Lengthy annotations on fol. 156-157 are signed 'B'to (Barto) d'Sasoferato' and 'B d' sa.fe.'. Fol. 1ra opens with a small miniature of the author presenting his work. The text opens with an historiated initial in acanthus design on a square field with design elements extending the length of the inner margin and continuing into the bottom margin. Display script fills the written space to the right of the initial. Books II and III have similar opening initials, but Book IV has only a small initial appropriate to the beginning of a chapter. The *particulae* of Book IV again have initials similar to the book letters. Small decorated initials on a square field start each chapter. Rubrics are red. Capitals and paragraph marks alternate red and blue, the former with elaborate line decoration in the contrasting color. Running titles consist of 'L' and the book number in Roman numerals; in Book IV, many titles are corrected from 'III' to 'IIII'. The books each have their own old foliation with a slightly newer continuous foliation replacing them. The index on fol. 317va-318ra is keyed to the latter. The same hand that did the foliation added text headings in the upper outside corner to correspond to the index. Pecia marks are visible throughout e.g. fol 11rb. Framed catchwords are at the lower right. The MS has a 19th-century parchment binding. Fol. 200v and 318v are blank. 317rb: "Liber mei Baptiste de Brindis aduocati".

| | |
|-----------------------|------------------|
| Vat. lat. 8555 | saec. XIV |
|-----------------------|------------------|

231 fols. memb. 404 (317) x 257 (200) mm, origin France (?). Seniones, saec. XIV.

fol. 1ra-231ra **Innocentius IV, Apparatus in Decretales** (See Vat. lat. 1439 fol. 1ra-224rb for further information.) *Variants:*

(Rubrica) Incipit prohemium apparatus Innocencii quarti. (Praefatio) inplebuntur pro conplebuntur <Rubrica textus deest.> (Finis) ut hic *om.* Explicit liber quintus Innocencii.

The MS is written in a formal Gothic bookhand in black ink. *Notabilia* are picked out in the margin by the scribe. The text has been lightly corrected by the scribe and at least two others writing in cursive scripts. Brief glosses occur infrequently in several cursive hands. LEMMATA MOSTLY YELLOW WITH THE EXCEPTION OF FOL. 24v and from 139r or red (37r-138v) underlined. The lemmata *Gregorius* and *Rex pacificus* are placed just before *Firmiter credimus*. Fol. 1ra opens with a large illuminated initial in a square frame. Books II through V open with similar initials. Chapter capitals are blue or red with penwork decoration in the contrasting color. Paragraph marks are red or blue; rubrics are red. Catchwords are at the lower right. At the top of fol. 1r is the modern note 'MSS. saeculi decimi quarti desinentis'; glued to the bottom of the folio is a scrap with the title 'Innocenzo papa IV Decretali del secolo XIV'. The last few folia are badly stained; fol. 231 has been largely cut away, leaving only the upper half of the first column. The parchment binding is from the 19th-century. Fol. 231v is blank.

| | |
|-----------------------|------------------------|
| Vat. lat. 8569 | saec. XV (1485) |
|-----------------------|------------------------|

Prov. 'S. Andreas Romae'.

294 fols. chart. 432 (262) x 288 (183) mm, origin Italy. Quiniones, saec. XV (1485).

fol. 2ra-294ra **Bartolus <de Saxoferrato>, Lectura in primam Digesti veteris partem** (Praef.-11.8.4) (See Vat. lat. 2594 fol. 1ra-242rb for further information.)

Variants:

(Praefatio rubricae) Rubrica hec simul (Colophon) Bartholus legum doctor excel. Deo gracias. 1485. Explicit prima pars lecture domini Bartoli.

Cat. Dolezalek, *Verzeichnis 2. Bibl.* Calasso, 'Bartolo' 645.

The text is in a late Gothic bookhand, in dark brown to black ink. Throughout, especially early on, there are marginal annotations in several late cursive hands; some of these supply lacunae. e.g., fol. 45rb, 56va-57ra. There is a large, elaborately illuminated 'R' at the opening of the text, fol. 2ra. The top half of this leaf is blank, perhaps to have been filled by an illumination. Many capitals and section heads are blank or unfinished. The 'R' and most capitals and section heads have bled through to the reverse faces of the leaves. On some instances, e.g., fol. 73r, the text itself has bled through. On some leaves, such as fol. 95v, the ink exhibits an uneven intensity. Catchwords are centered. Fol. 67va-68rb have red and blue paragraph signs. On fol. 2r and 293v is the Ex libris 'S. Andreas Romae', perhaps S. ZZ Andrea della Valle. Foliation follows the modern stamped enumeration at the bottom right of each recto. Fol. 294r also has '284' written at the top right. Fol. 1 and 294 are partially missing. For the watermarks, cf. Briquet no. 11727. The binding is 19th-century parchment. Fol. 1r is blank except for a mutilated note on the contents of the manuscript and 'AA'; fol. 1v and 29v are blank. EX LIBRIS ? IST EIN STEMPEL

| | |
|-----------------------|------------------------|
| Vat. lat. 8601 | saec. XV (1448) |
|-----------------------|------------------------|

Scr. Michael de Spira.

<I> + 489 fols. - 393 + 427a - 437 + 452bis, in 2 vols. (I= <I> + fol. 1-276, II= fol. 277-489) memb. (chart. fol. 1) 157 (98) x 110 (76) mm, origin Italy. Quiniones, saec. XV (1448).

fol. 1ra-483rb <**Bartholomaeus de Sancto Concordio O.P., Summa de casibus conscientiae**> (See Vat. lat. 2319 fol. 1ra-239va for further information.)

Variants:

(fol. 483ra) (Finis) Amen. add. (Colophon) Istud opus fuit scriptum et consummatum per me Michaellem de Spira in arce Cittonie. Anno domini M^o CCCC^o xlviii, V^a die mensis iunii hora uesperarum. Ad laudem Dei et honorem uirginis gloriose Marie et sancti Francisci. (fol. 483rb) Explicit summa magistrucii Deo gratias Amen.

fol. 483rb-487va <**Tabula alphabetica Summae Bartholomaei de Sancto Concordio**>

The MS is written in a single fine late Gothic bookhand in graybrown ink. It has been bound in two parts (fol. 1-276 and 277-490), with the shelfmark written in the lower margin of the first folio of each volume. The Summa opens with a miniature of the madonna and child, in an ornamental frame with a full-page border. The initials opening each section are in gold, red, blue, and green, with heavy foliate decoration. Other initials are red with violet or blue with red penwork decoration. The rubric at the start of the table is red. Paragraph signs alternate red and blue on fol. 1r and 11r, then red only until the table begins on fol. 483. Catchwords are at the lower right, near the binding the quires are marked with alphanumeric symbols (a1-5, etc.), at the lower right of the recto to fol. 266, in the upper right corner thereafter. There are a few corrections. A later hand has sporadically added with a pencil a second set of foliation numbers, attempting to correct omissions and duplications; the older, smaller set of numbers is followed here. The MS is bound in 19th-century parchment. Fol. 488r-49v are blank.

| | |
|-----------------------|-----------------|
| Vat. lat. 8697 | saec. XV |
|-----------------------|-----------------|

ZZ Scr. Wilhelmus Haerlem.

318 fols. chart. 418 (287) x 288 (177) mm, origin Italy (?). Quiniones, saec. XV

fol. 1ra-318rb **Jacobus de Zochis, Lectura in Librum IV Decretalium**

ZZ (Rubrica, *al. man. recentiori*) Iacobi de Zocchis iuris consulti celeberrimi super 4^o Decretalium lecturae. (Praefatio) <Q>uoniam omnis ratio superne creature uel terrene scientie in Deo est ... (Textus) <D>e *Francia*: Matrimonium consensu contrahitur licet consuetudo patrie non seruetur ... (fol. 318ra) (Finis) Nos amatores faciat castitatis ceteras in nos faciat (fol. 318rb) uirtutes assistere quibus mediantibus intercessione beatissime uirginis Marie ad gloriam peruenire [ue]mereamur etc. (Colophon) Amen. "AMEN" = COLOPHON OR FINIS CFR 8746 LAUS DEO = FINIS Explicit lectura domini Iacobi de Zochis de Ferraria super 4^o decretalium etc. utriusque iuris doctor. Wilhelmus Haerlem scripsit istam lecturam.

Bibl. Schulte, *Geschichte* II 327-28.

The MS is written in black ink, in a single Gothic cursive hand. Space was left for initials which were never added; rubrics are in ink. The opening rubric was added much later, at the top of a space left for a miniature. Catchwords are at the lower right. There are occasional notations, e.g. on fol. 3r, 248r, and 255r. For the watermarks, cf. Briquet nos. 11684 and 2715. On fol. 1r and 318r are the stamps of the Vatican library and the Bibliothèque Nationale, the MS was among those seized from the Vatican library by the French and returned in 1815. The MS is bound in 19th-century parchment. Fol. 318v is blank except for the notations 'ducati xiii' and 'quinterni 32 / 2663' near the binding.

| | |
|-----------------------|------------------|
| Vat. lat. 8746 | saec. XVI |
|-----------------------|------------------|

235 fols. + 208a chart. 219 (170) x 160 (116) mm, origin Italy. Quiniones, saec. XVI.

fol. 51r-207v **Mattheus de Ubaldis, Repetitio I. *De caducis tollendis*** (Cod. 6.51.1)
(Inscriptio) Angelo de Ubaldis filio dilecto. (Praefatio) Sepositis de more registris et iuditorum strepitu quiescente ... (fol. 58r) <Tabula> ... (fol. 59r) (Rubrica) Repetitio I. unicae C. de caducis tollendis per Mattheum de Ubaldis utriusque iuris doctorem Perusinum. Rubrica de caducis tollendis. (Textus) Glosa rubrice bene continuat ad precedentia. Nam in titulis precedentibus ... (fol. 207r) (Finis) ex dictis Cyni poteris supplere defectus meos quamuis credam non inutiliter explicuisse. Laus Deo. <Emendanda> ... (fol. 207v) (Colophon) Impressum Romae per Iohannem Besicken anno salutis M.D.V. die uero xvi. mensis Octobris. Sedente Iulio secundo pontifice maximo anno eius secundo. (**Ed.** Although a manuscript, this is obviously a copy of the printed book identified in the colophon.)

fol. 209r-235r **Martinus de Fano, O.P., Tractatus super iure emphyteutico**
(Rubrica) Incipit tractatus domini Martini de Fanno super iure emphyteotico. Prima quaestio. (Textus) Quia saepe de iure emphyteotico dubitari et questiones plures oriuntur ... (Finis) de suo mendacio puniatur nec posset se ulla exceptione tueri. Deo gratias. Amen. (**Bibl.** Kaeppli, *Scriptores* III 110 no. 2948. See also Vat. lat. 6935 fol. 1ra-5va for a discussion of highly similar texts.)

The codex is a composite of three distinct parts. The first part (fol. 1r-50v) is actually a printed book: Angelus de Ubaldis, *Angeli de Perusio sollemnis repetitio I. Si vacantia C. de bon. vacant. lib. 10 ... a Camillo Salerno additionibus et alphabetica indice aucta et illustrata* (Raymundus Amatus & Ioan. du Boy socii Napoli 1566). The references to this MS in Sella, 'Nuove sigle' are to the printed additions in this book. Part II (fol. 52r-207v) is written in a 16th-century secretarial cursive in black ink with no color; part III (fol. 209r-235r) is in a different cursive with red rubrics, initials, and paragraph marks. Part III has an earlier independent foliation in large Roman numerals. For the watermarks, cf. Briquet no. 7116. Fol. 51r and 208a^r are title pages for the second and third parts, both done in an elaborate late Gothic script. The MS has a 19th-century parchment binding. Fol. 51v, 58v, 208r-v, and 208a^v are blank.
ES GIBT ROTE § BIS 83r EINIGE GROSSE BUCHSTABEN MIT ROTEM STRICH ODER AUF ROT BEMALTEM GRUND

| | |
|-----------------------|---------------------|
| Vat. lat. 8782 | saec. XIIex. |
|-----------------------|---------------------|

antea 8718. **Prov.** 'Roderigus'.

1 + 96 fols. memb. 304 (217) x 215 (140) mm, origin Italy. Quaterniones, saec. XIIex.

fol. 1ra-46vb **Leges Langobardorum <vulgatae>**
(Rubrica) Incipit liber primus legis Longobardorum. De maleficiis et publicis criminibus. (Inscriptio) Rex Rothar. (Lex prima, *add. ed.*). (Textus) Si quis contra animam regis cogitauerit aut consiliatus fuerit ... (Finis) diaconorum

episcoporum presbyterorum filios notarios sculdacios comites iudices fieri omnibus modis prohibemus. (**Colophon**) Liber Longobardorum explicit. (**Ed.** *Leges Longobardorum cum argutissimis glosis Caroli de Tocco*, **introd.** G. Astuti (Venetiis 1537, anast. repr. Torino 1964), adding at its fol. 231rb-232rb a text of Lothair following the ending found in this MS. **Bibl.** MGH LL. IV, edd. F. Bluhme et A. Boretius, ciii (siglum 5), 623-28. Inscriptions are often in the margins.)

fol. 1ra-46vb ZZ marg. <Incertus auctor, **Glossae in Leges Langobardorum**>
(**Bibl.** D'Amelio, *Indagini* 53(-54) n. 89.)

fol. 47ra <Incertus auctor, **Versus de legibus Langobardorum**>
(Textus) Rothar iura dedit quae lector prima uidebit ... (Finis) affirmans signo iurat et hoc alio. (The whole text is in red ink.)

fol. 47ra-48vb <**Justinianus, Codex**, excerpta>
(Inscriptio) Imperator Constantinus Augustus ad populum. (Textus) Habeat unusquisque licentiam sanctissimo catholico uenerabilique concilio decedens bonorum ... (Finis) nisi debitum fuerit <probatum>. (This collection contains: Cod. 1.2.1, 1.14.5, 1.14.6, 2.1.1-2.1.4, 2.3.6, 2.3.4, 2.3.23, 2.3.20, 2.4.16, 2.4.19, 2.4.26, 2.4.29, 2.4.42, 2.7.4, 2.9(10).3, 2.10(11).1., 2.19(20).11, 2.19(20).12, 2.20(21).2, 7.32.10, 7.32.12, 7.33.1, 7.33.4, 7.33.6, 7.34.3, 7.34.4, 7.35.3, 7.35.4, 7.36.1, 7.39.2, 7.40.2, 7.42.2, 7.50.2, 7.56.2, 7.57.2, 7.58.1, 7.59.1, 7.60.1.)

fol. 49ra-91ra **Justinianus, Institutiones** (See Vat. lat. 1432 fol. 1ra-78rb for further information.) *Variants:*
<Rubrica deest.> (Praefatio) magestatem pro maiestatem (Finis) uobis pro nobis; adfutura pro aduentura <Colophon deest.> (At the end of the text, 'Finis institutionum' is added in a modern hand.)

fol. 49ra-91ra ZZ marg. <Incertus auctor, **Glossae in Institutiones**>
(**Ed.** F. Patetta, *Studi sulle fonti giuridiche medievali*, **introd.** G. Astuti (Torino 1967) 110-16, with a description of this MS at 57-60 (siglum Vat.); S. Caprioli **et al.** *Reliquie preaccursiane I* (Roma 1978), passim (siglum V). **Bibl.** *Abbreviatio Institutionum et excerpta de verbis quibusdam legalibus*, ed. F. Patetta, in *Scripta anecdota antiquissimorum glossatorum*, edd. A. Gaudenzi **et al.**, 3 vols. (Bononiae 1892) II 117-37 (Siglum *Gl. Vat. Inst.*); Caprioli, 'Tre capitoli' 270 n. 260.

fol. 73va ZZ marg. <Incertus auctor, **Summula in tit. De suis et legitimis heredibus**>
(Dig. 38.16)
(Textus) Antiquitus quatuor erant uias (*sic*) que disponebant successionem ... (Finis) uel uxor uiro in certam succedit portionem c. de exhibendis et introducendis (Coll. 5.6 = Nov. 53). (This text is added by one of the major glossators of the MS.)

fol. 91rb-94va <**Leges regum Normanorum et Svevorum**>

(Praefatio) Dignum et necessarium est, o proceres si quod de nobis et uniuersi regni nostri statu meritis non presumimus (fol. 91va) (Rubrica textus) De legum interpretatione. (Textus) Leges a nostra maiestate nouiter promulgatas, pietatis intuitu asperitatem nimiam mitigantes ... (Finis) regie misericordie et prouidentie subiacebit. (Ed. F. Brandileone, *Il diritto romano nelle leggi normanne et sveve del regno di Sicilia* (Torino 1884), repr. in D. Brandileone, *Scritti di storia giuridica dell'Italia meridionale*, ed. C.G. Mor (Società di storia patria per la Puglia. Documenti e monografie 34; Bari 1970) 317-413, with an edition from this MS at 381-99. One quarter of the first column is blank, reserved for a rubric.) VERALTET !

fol. 94va-95rc <**Bulgarus ZZ Excerpta legum**>, imperfecta (See *Vat. lat. 8100 fol. 1r-5v for further information.) *Variants*:

(Rubrica) De arbitris. (Finis) quantum (quatinus *cod.*) uidebitur equum religioni iudicis iudicantis de ea re. (Ed. Wahrmund, *Processus* IV.1 1-17 to 10. **Bibl.** Fowler-Magerl, *Ordo* 35-40, 63. This text has been added in a much smaller, slightly later hand. The text has been squeezed into three columns on fol. 95r to make it fit.)

fol. 95va-96va <Incertus auctor, forsan **Geraudus, De natura actionum**>

(Rubrica) De actionibus. (Textus) Quoniam eorum desideriis quibus difficile uidetur naturam accionum (actionum *cod.*) in Romane legis codicibus diffusarum agnoscere satisfacere cupio ... (Finis) alienata sunt reuocantur fructus quoque restituuntur. (Ed. H. Fitting, *ZZ Juristische Schriften des früheren Mittelalters aus Handschriften meist zum ersten Mal herausgegeben und erörtert* (Halle 1876; anast. repr. Aalen 1965) 117-27. **ZZ Bibl.** A. Gouron, 'Primo tractavit de natura actionum Geraudus: Studium Bononiense, Glossateurs et pratique juridique dans la France méridionale', *Chiesa diritto e ordinamento* 202-15, attributing this work to Geraudus; Fowler-Magler, *Ordo* 165-67. This text was also added in the small hand as the previous; however this is better spaced.)

Bibl. P. Torelli, *Scritti di storia del diritto italiano* (Milano 1959) 47 no. 24, 67, 101; Dolezalek, 'Geheimnis' 148, 153(-154) n. 14, 193; idem, *Repertorium* I 434-35 et passim.

The MS is written by several scribes in a late Carolingian minuscule in black ink. The *Lombarda* and the Institutes have been glossed in two hands (e.g. fol. 17va). Several glosses on the Institutes end with signs in the form of \underline{g} (e.g. fol. 50ra-rb). A brief notice on Bulgarus appears in a gloss on fol. 78rb. Fol. 1ra opens with a rough Romanesque white vine initial in red and ink. In the lower margin of the folio is a coat of arms: red, divided horizontally by a blue band bordered in gold, above half a lion rampant and holding a cross. Fol. 49ra has an opening 'T' formed of an elaborate drawing of a man caught in a tree, the whole done only in ink. Capitals, rubrics, and paragraph marks are red. Some capitals are missing. <I> is a paper leaf with part of an older leaf attached, on which the text begins 'Interpretationes quarundam uocate Langobardorum ex legibus regum eorum. *Garathine*: donatio ab uniuersitate !!!' The text continues onto the verso, ending 'populus tamen et comes loci non possunt(?) !!!' Illegible notes appear on fol. 5v and 13v in the same hand as on <I>r-v. A monogram 'Rodericum' appears in the margins at fol. 31vb and fol. 39vb. A later hand wrote at fol. 39ra 'uulgo Barth. in Lombardia'. According to Bluhme, the Vatican Library purchased this MS in 1845. Quires are irregularly marked with catchwords, some are apparently cut away. Their placement is irregular. The first four quires are also marked by letters, encircled with an elaborate

decoration, to the right of the catchword. The MS has an old parchment binding with the old shelfmark '8718' as well as the present shelfmark.

Vat. lat. 8946

saec. XV.2

I + 148 fols. chart. 121 (96) x 98 (71) mm, origin Italy. Quiniones, saec. XV (1469) (fol. *1-*13); XV.2 (fol. 1-147)

fol. *2r-*12v <Incertus auctor, **Interrogatorium**> (Italice)
(Textus) A deuotione de ciascheuno peccatore ac deuote persone me so ingegnato de fare ... (Finis) uale ad multe cose secondo doctori. Deo gratias. Amen.

fol. *13r <**Fratres loci s. Juliani et s. Johannis prope Roccam di Monte Piano, Epistolae**> (1467)

fol. * 13v <Incertus auctor, **Adnotationes ex confessionali quodam**> (Italice)
(Rubrica) Del ballare c. 12. (Textus) Ballare o cantare o sonare o simili giochi fare ... (Finis) e. c. §. 4.

fol. 1r-68v **Angelus <de Periglis, Tractatus de societibus>** (Italice)
(Invocatio) Christi nomine inuocato. (Rubrica) Se e licito per mino del iusto comprare ... (Textus) Domandase se e licito comprare la cosa minore presio che il iusto ... (Finis) allora il danno e guadagno deue essere comune. (Colophon) Tucte le cose predictae sonno del tractato de miser Angelo da Perusio. (Ed. Cf. TUI VI.1 fol. 130vb-132vb.)

fol. 69r-v <**Forma absolutionis excommunicati**>
ZZ Como se deue absoluere lo excomunicato Prima debia dire uno ... percotere nel modo predicto lo excomunicato sopra le spalle made etc.

fol. 70r-107r <Incertus auctor, **Interrogatorium**>, imperfectum (Italice)
(Textus) /// de loro magisterio piu che non e per indangare ... (Finis) grandate da questi mali [p] de peccato. Deo gratias. Amen.

fol. 107r-118r **Petrus de Trano O.F.M., Tractatus de confessione** (Italice)
(Rubrica) Nel nome del signore incomenza el tractato della confessione composto et ordinato per frate Petro de Trani dell ordine de frati minuri ad requisitione dello illustrissimo Duca de Modana (*sic*) ... (Textus) Primo bisogna sapere della proprieta della constrictione ... (Finis) e quella beatitudine che dura per infinita secula seculorum. Amen.

fol. 118v-129r <Incertus auctor, **Tractatus de peccatis**> (Italice)
(Rubrica) Quisti sono certi casi in nelli quali tante uolte quante el chrisao (*sic*) ce cade ... (Textus) Fare alcuno bene per obseruatione [della lege] de altra lege ... (Finis) e non poterse contenere ne auere altro locho etc. Deo gratias. Amen.

- fol. 129v <**Antoninus de Florentia O.P. (s.)**>, **Consilium**
 (Rubrica) Consilium archiepiscopi Florentini de illis qui audiunt missam extra propriam parochiam quomodo non peccant. (Textus) Vtrum teneatur quis audire missam diebus festiuis a proprio sacerdote ... (Finis) et mutta tollerentur a sanctis propter uitandum scandalum. Hec ille. (Ed. R. Creytens, 'Les 'Consilia" de s. Antonin de Florence O.P.', *Archivum fratrum praedicatorum* 37 (1967) 263-342 at 295 n. 77, from this MS.)
- fol. 130r-136v <Incertus auctor, **Tractatus de excommunicationibus**> (Italice)
 (Textus) Nota primo § se dechiara se alcuno fa contra lo commandamento ... (Finis) de questa materia e dicto desupra § 2° assai diffusamente. Deo gratias ago. Deo gratias. Amen.
- fol. 136v-137r <Incertus auctor, **Adnotationes de excommunicationibus**> (Italice)
 (Textus) Nota questa e la bula <lege: tabula> de tucte excommunicationi ... (Finis) facesse celebrare per paura (paua^{ac}) contra la forma. Amen.
- fol. 137v **Eugenius IV**, <**Rescriptum in favorem minoristarum**>
 (Granted to Guillelmus de Casale O.F.M. at Bologna in 1437.)
- fol. 140r-147r <Incertus auctor>, **Tractatus de sacra communione** (Italice)
 (Rubrica) Vno tractatello della sacra comunione. (Textus) Volendo parlare della sacra comunione ... (Finis) preparasse ad tanto excellentissimo dono et gratia. Amen.

The MS is divided into two parts, each with its own numeration. The texts are written in black ink in several cursive hands, the whole united by a cursive hand which added various notes and excerpts at <I>v-fol. *1v, 68v-69v, 138v (Walther, *Initia* no. 3135) and 147v-148r. The notes on Iv-fol. *1r and 148r-v are related. Notes and a musical staff were added in a modern hand at fol. 137v-138r. Rubrics and paragraph signs are rose-colored fol. 1r-68v and red thereafter. Capitals are red. The watermarks are illegible. The MS has a modern leather binding. Fol. 139v has only a note in Latin. Fol. 138v-139r are blank. Notes (ital.) at fol. 147v-148r (and 69r-v).

| | |
|-----------------------|-------------------|
| Vat. lat. 9394 | saec. XIII |
|-----------------------|-------------------|

Prov. Nicolaus ser Mathei de Neglay(?).
 158 fols. + 1a-b memb. 177 (128) x 126 (80) mm, origin France. Quaterniones, saec. XIII.

fol. 1b^f-152v <**Rolandinus Passagerii, Summa artis notariae**> (See Vat. lat. 2326 fol. 1ra-92rb for further information.) *Variants:*
 (Invocatio) Ihesus sacri uentris fructus | Pie matris prece ductus | Sit nobis dux uia et conductus | Liber in hoc opere amen. (Epilogus) humilis *pro* minimus

fol. 155r-v <**Rolandinus Passagerii, Tractatus notularum**>, fragmentum (See Vat. lat.

2326 fol. 92rb-107vb for further information.) *Variants:*
(Textus) /// ciuitatum (*sic; pro uel post prouinciarum ed.*) et ladrum ZZ
LADRUM STATT LOCORUM ponitur dies mensis (Finis) in summa *add. post*
requiras Deo gratias. (**Ed.** Ed. cit. fol. 193v-195v. Only the last leaf of the text
survives.)

Bibl. Sella, 'Nuove sigle' 14 ('pe. de unzula', fol. 9r).

The MS is written in Gothic bookhand in black ink on rather coarse parchment. At the start of each chapter is a large red initial simply decorated in red or in ink. Other initials, rubrics and paragraph signs are red. There are marginal corrections in a contemporary hand, with additional rubrics and annotations in contemporary and later hands. Centered catchwords are framed or decorated. Running titles were added to the rectos in an early modern hand. Prickings are visible in the lateral margins. On fol. 154v there are notations in a later hand and a sketch of a coat of arms: chevron reverse, a mount or chevron surmounted by a cross above, a mount of 6 hills below. The first folios of the MS have recently been renumbered: fol. 1b is the original, fol. 1, 'b' having been added to the number; the original pastedown and guard folio were renumbered '1' and '1a' at the same time. Fol. 1 is a former pastedown with gluestains on the recto. Fol. 1r contains the ex libris 'Haec summa est mei Nicolai ser Mathei de Neglay' and a copy of a 15th-century summons to appear before the vicar of the archbishop of Florence. The original text on fol. 1v is a fragment of a formula for announcing the election of an abbot, written in a 13th-century bookhand with marginalia by the original scribe. On fol. 1v-1a^r are various contemporary and later notations, in Latin and Italian, including what may be a notarial sign, 'Chosto [8] 9 flor. 10.' and 'Questo libro e di Lorenzo Gai nothario di A. dato alla ///' (1a^r) in early modern hands. Fol. 1a has been erased, but remnants suggest the same text as on fol. 1v. Several folios have been mutilated and later repaired. Fol. 135-142 are palimpsest and have been treated with chemicals, making the text extremely difficult to read; fol. 141 is especially illegible. The MS has a 19th-century parchment binding. Fol. 1a^v, 153r-154r and 156r-158v are blank. Fol. 158v Iste LIBER

| | |
|-----------------------|--------------------|
| Vat. lat. 9399 | ZZ saec. XV |
|-----------------------|--------------------|

Prov. Frater Francisco de Altamura a Pitenna; Bartolomeus Ebur of Cremona (?), fol. 105v-153r.

156 fols. memb. (fol. 2-4, 8-9, 13-14, 19-20, 25-26, 31-32, 37-38, 49-50, 61-62, 67-68, 73-74, 79-80, 91-92, 97-98, 103-104, 110-111, 115-116, 121-122, 127-128, 134-135, 139-140, 145-146, 151-152, 156 = AEUSSERE UND INNERE BLAETTER JEDER LAGE NUR AM ANFANG AUSNAHME FOL. 1 et chart. 212 (155) x 140 (97) mm, origin ITALY. Seniones. Saec. XIV.

fol. 1r-3r **Eugenius IV**, <**Responsa fratribus ordinis minorum**>

(Rubrica) Dominus papa Eugenius quartus declarauit uenerabili patri fratri Iacobo de Primadiciis. (Textus) In primis quod si scisma ueniret ... (Finis) pronunciaretur excommunicata tunc enim esset uitanda. (Subscriptio) Et predicta concessit uiue uocis oraculo ad supplicationem mey fratris Iohannis de Capistrano die xv^o mensis aprilis 1437 audita missa in cappella secreta palacii eiusdem in Bononia prope sanctum Petrum. (**Ed.** H. Hüntemann et al., *Bullarium Franciscanum*, nova series, 3 vols. (ad Claras Aquas 1929-49). I does not contain these under the appropriate dates. The first was given at Florence 11 iul. 1435; the second was given to 'Albertus' 11 iul. 1435, copied at S. Spirito, Ferrara, 13 aug. 1435. The

third, on fol. 2v, quotes a bull of Pope John, *Cupientes*, 'contra crinas mulierum'.)

- fol. 3r **Martinus V, Constitutiones <duae> contra simoniam**, imperfectae
(Rubrica) Constitutiones seu extrauagantes noue contra simoniam. (Textus) Multe contra simoniacam prauitatem ab olim ... aut cardinalatus prefulgeat (praefulgeant *ed.*) dignitate. (Colophon) Martinus V^{us} in consilio Constantiensi. (Rubrica) Alia eiusdem Martinus V^{us} in extrauaganti que incipit 'Dampnabile scelus' facta Mantue pontificatus sui anno secundo. (Textus) Innouamus et de nouo confirmamus excommunicationis ... (Finis) sub quacumque forma uerborum generaliter uel /// (**Ed.** of the first, Mansi 27.1175; of the second, Baronius, *Annales* an. 1418 § 32 (ed. Theiner vol. 27 page 483 col. 1 lines 7-24). This version omits the first 10 lines of the edition, and the edition reverts to a summary of its exemplar at the point at which this incomplete copy is only four lines from its end.)
- fol. 4r-10-v **Angelus de Periglis, <Tractatus de societatibus>** (See Vat. lat. 2289 fol. 271ra-273vb for further information.) *Variants:*
<Praefatio deest.> (Textus) Vnde ex hic de duobus principaliter ... ; et *praem. ante* primo (Finis) ipsas *pro* premissas; de *praem. ante* canonico; etiam *om.*; (Subscriptio) de Perigillis de Perusio *pro* Perigli Perusino; amen. amen. amen *add. post* gratias.
- fol. 10 v <Incertus auctor, **Excerptum quoddam breue**>
(Textus) Nota circa xii quesitum. Iacobus de Arena dicit indistincte quod dapnum (*sic*) est commune ... (Finis) Baldus in l. *Cum duobus* § Item ex facto ff. pro socio (Dig. 17.2.52.7). (The excerpt may be from a lecture: 'Tu dic', *et sim.*).
- fol. 11r-12v <Incertus auctor, **Tractatus de poenitentia**>
(Textus) Quid est peccare in Spiritum sanctum ... (Finis) inueniuntur de peni. di. 5. Consideret (*De poen.* D.5 c.1) et di. i. Quam (rectius Quem) penitet (*De poen.* D.1 c.88).
- fol. 14r-78v <**Franciscus de Platea O.F.M., Tractatus de restitutione**>
(Rubrica) Restitutio primo. (Textus) Vtrum restitutio sit de necessitate salutis. Respondeo secundum Scotum ... (fol. 74v) (Finis) Iuxta formam predictam non est absoluendus. Hic Monaldus. Deo gratias amen. (fol. 74v-78v) <Tabula summaria> (**Ed.** Franciscus de Platea, *Opus restitutionum, usurarum, excommunicationum* [Spira 1489] *sine fol.*; this is the first work.)
- fol. 79r-117r <**Franciscus de Platea O.F.M., Tractatus de usuris**>
(Textus) Vsura quid est. Primo scilicet in contractu mutui quero quid sit ... (Finis) pecuniam suam indigenti, Luce 6 'mutuum data (date^{ac}) nihil mihi sperantes (desperantes^{ac})' (Luc. 6.35). Amen (**Ed.** *Ed. cit.*; this is the second work.)
- fol. 117r-153r <**Franciscus de Platea O.F.M., Tractatus de excommunicatione**> (See Vat. lat. 1237 fol. 183r-215vb for further information.) *Variants:*

(Rubrica) Incipiunt excommunicaciones. Excommunicacio primo contra ecclesiasticas personas IST IMMERS RUBRIC (Textus) Quero qui sint casus maioris excommunicationis ... (Finis) si propter hec uerba quis uerberet illum licet non nomine eius. (*add.*) Finis. (Versus *add.*) Quem legis inpressus ... archetipas fingit solus ad iste notas (**Ed.** Add ed. cit., in which this is the third work.)

The codex was written in black ink in four hands: 1) fol. 1-3r (a new hand may take over from the last few lines of fol. 1v onwards), a cursive hand with no corrections or decorations, 2) fol. 4r-12v, a cursive Gothic hand with no corrections or decorations; 3) fol. 14r-105v, a round humanist hand with plentiful corrections and suppletions by the scribe and other contemporary hands. There is a large plain initial at the beginning, and smaller ones for chapters, with the first words of chapters written in display script; 4) fol. 105v-153r, an Italic hand, with corrections and occasional suppletions by the scribe. This hand begins (though in the middle of the tract) with a crude geometrically-ornamented initial; another is supplied for the beginning of the tract on excommunication. Otherwise decoration is similar to that of the preceding hand. Where the hand change within the tract on usury someone noted 'hic deficiunt casus', with a reference symbol. The lacuna was supplied on fol. 106r (the verso, though ruled, is blank), with the text resuming on fol. 107r. Other decorations comprise red paragraph signs (J-shaped) and red stripes for rubrics (those on fol. 117r are red). Framed catchwords are at the lower right. There is an ex libris on fol. 152v: 'questo libro sie de frate Francisco de Altamura cioe a Pitenna'; the same hand wrote 'que libro' after the end of the text on fol. 153r. Fol. 154r is blank except for the notation 'folii 212'. Fol. 156v, though ruled, has only an incomplete alphabet. The binding is modern parchment. Fol. 3v, 13r-v, and 154v-156r are blank. FOL. 153v NUR ABGESTEMPELT SONST LEER:

Vat. lat. 9419

saec. XV

157 fols. chart. 400 (268) x 284 (170) mm, origin Italy. Quiniones, saec. XV.

fol. 1vb-157rb **Johannes de Imola, Commentaria in Decretales** (Lib. III: X 3.23.1-3.26.16) (See Vat. lat. 2278 fol. 1ra-189vb for further information.) *Variants:* (Rubrica) Rubrica de solutionibus. (Continuatio) Visum et tractatum est in titulis precedentibus de materia contractuum ... (Textus) *Ad hoc (hec cod.):* Breue (Breuis *cod.*) est, et non summatur, nec diuiditur ...

Ed. Johannes de Imola, *In primum [-tertium] Decretalium commentaria*, 3 vols. (Venetiis 1575) III 269va-382rb. **Bibl.** Sella, 'Nuove sigle' 8 (*flor.* fol. 34r = Florianus).

The MS is written in dark brown ink; fol. 1v is in a fine humanist bookhand, the rest of the text in a more cursive humanist hand. The lemmata are written in enlarged letters and are now protected by paper. On fol. 1v a miniature depicting a commercial scene fills the top third of the folio. The remainder of the left column is filled with an unidentified coat of arms surrounded by a laurel wreath with large multi-colored floral medallions above and below. The medallions are accompanied by large gold disks with short, heavy black rays. The arms, divided vertically, are, on the left, silver with a blue double-headed eagle, on the right blue with six brown-black fruit. The text begins on fol. 1vb with the rubric in large capitals. The *continuatio* and the first lemma each open with large painted initials in red, blue, and gold. Capitals in the rest of the MS are red with violet, or blue with red penwork decoration. Paragraph signs alternate red and blue. There are occasional corrections, perhaps by the scribe; marginalia are sparse. Fol. 1r is a title page: 'Incipit secunda pars lecture spectabilis doctoris domini Iohannis de Immola super tertio'. Catchwords are at the lower right, near the edge of the folio, running titles appear in the upper right corner of each recto. For the watermarks, cf. Briquet nos. 746 and 4860. The parchment binding dates from the second half of the 19th-century. Fol. 157v is blank.

antea XVI; 61680. **Prov.** Johannes Schurman of Münster; Johannes Leuss of Utrecht; Walter Lollens;. Signolphus de Fynolis. **Scr.:** Signolphus de Fynolis; Georgius Sur. de Alania.

<I> +a-b + 411 fols. - 303 memb. (chart. <I> et 411) 294 (180) x 215 (147) mm, origin Italy. Seniones, saec. XV (ca. 1465-70).

fol. A^{ra-va} <**Index codicis**>

(Written in the personal cursive of Signolphus de Fynolis, the index is keyed to the MS by a numbering system which combines Roman and Arabic numerals. The entries have been used to help determine the titles of some texts.)

fol. 1ra-14vb **Fredericus de Senis, <Tractatus de permutatione beneficiorum cum additionibus Lapi Tacti>** (See Vat. lat. 11605 fol. 96rb-103rb for further information.) *Variants:*

<Rubrica et praefatio desunt.> (Textus) Et primo queritur *om.* (Finis) sed *pro si*; beneficio meo *pro* beneficium meum (Colophon) Explicunt questiones in materia permutationum edite a domino FFrederico de Senis decretorum doctore excellentissimo. (per G.S. *add. al. man.*) pro egregio doctore domino Siginnolpho de Fynolis Rome xx die decembris M cccc lxix^o. (*add. al. man.*) Alium tractatum de permutatione beneficiorum habes infra.

fol. 15ra-21va <**Martinus Garatus Laudensis, Centum quaestiones de coetu et auctoritate dominorum cardinalium**> (See Vat. lat. 4916 fol. 44ra-48vb for further information.) *Variants:*

TRACTATUS DE AUCTORITATE CARDINALIUM BEI BAUMGARTNER

(Rubrica) De prestantia cardinalium. (Praefatio) repentis (*sic*) *pro* repetenti (Finis) canizatione (*sic*) *pro* canonizatione (Finis epilogi) potuerim conscripserem *add. post* facere (Colophon) Laus Deo Iesu amen.

fol. 21va-23va <**Martinus Garatus Laudensis, Tractatus de canonizatione**> (See Vat. lat. 4916 fol. 52ra-53rb for further information.) *Variants:*

<Rubrica deest.> (Inscriptio) Reuerendissime *pro* Reuerende; domini *om.* (Colophon) Amen. (**Ed.** D. Maffei, 'Il trattato di Martino Garati per la canonizzazione di San Bernardino da Siena', *Studi Senesi. Supplemento alla centesima annata* 2 (1988) 580-603 at 593-603, using this MS: siglum VI) K. BAUMGÄRTNER, LUDOVICUS PONTANUS (p.19)

fol. 23vb-24ra <**Modus vacationis beneficiorum**>

(Rubrica) Modus quibus uacant beneficia. (Textus) Primus modus est si quis possedit beneficium curatum ... (Finis) tunc primum reuertitur ad suum principium.

fol. 24rb-va, 43vb-44vb, 116r-117r, 141va-142ra, 196v-198v, 258va-vb, 289vb-291vb, 332r-349v, 354r-355r <Auctores varii, **Consilia**>, nominantur: Alexander de Tartagnis de Imola (fol. 339r-340v, **ZZ Bibl. Belloni**, *Professori* 11); Andreas de Barbatia (fol. 334r-338v, 341r-349v); Antonius de Caffarellis (fol. 196v-198v); Bartolus de Saxoferrato (fol. 43vb-44ra, 44ra (imperfectum), 44ra-rb, 44rb-va, 44vb, 116v-117r, 117r, 141va-vb, 141vb-142ra, 258va-vb, 248vb [**Ed.** Bartolus, *Opera omnia* X fol. 49rb, 49va, unprinted, 49vb-50ra, 50ra, 40va-vb, 40vb, 50ra-rb, 22ra with unprinted additions, 62ra, 50va]); Ludovicus Pontanus (fol. 24va-vb); <Incerti auctores> (fol. 24rb, 116r (2), 289vb-291va, 291va-291vb (based on previous), 332r-333r, 354r-355r).

fol. 25r-32v <**Petrus de Ubaldis senior, Tractatus de permutatione beneficiorum**> (Rubrica) De rerum permutatione. (Textus) <Q>uesitum qui de (Quia de *ed.*) **NO ITALICO** permutatione beneficiorum hic agitur, ideo uideamus (*uulimus cod.*) quedam principaliter ... (Finis) ex quo beneficio iuris se tuentur (tuetur *cod.*) contra illam consuetudinem (et benedictus Deus in secula seculorum *add. cod.*). (Colophon) Amen. (**Ed.** TUI 15.1 fol. 183vb-186vb.)

fol. 33ra-43vb, 292ra-296va, 313ra-328vb, 353r-v <Auctores varii, **Quaestiones variae**>, nominantur: Angelus de Guidonibus, Quaestio 'Nonnulli modernissimi' (fol. 292ra-294vb); Bartolus de Saxoferrato, Quaestiones XV, II (imperfecta), VII, XVIII VIII (fol. 33ra-34rb 'Perusio', 34rb-36ra, 36ra-38va, 38va-40vb, 40vb-43vb [**Ed.** Bartolus. *Opera omnia* X fol. 88rb-89ra, 76ra-77va, 81va-82va, 90ra-vb, 82vb-83vb]); Signorinus de Homodeis, Quaestio 'Florentinus quidam' (fol. 295ra-296va **ZZ** [12 april 1410. Paduae, respondit Leonardus de Muicinis (*sic*) de Florentia **ZZ** (**Bibl.** Cf. Dolezalek, *Verzeichnis* 1, where Bologna MS 2256 lists the same *quaestio* with the respondent being Bernardus de Muscinis]); <Incerti auctores>, Quaestiones 'Vtrum concilio' (fol. 313ra-313vb [**Ed.** Vincke, *Schriftstücke* 104-106, from this MS]), 'Vtrum conuocatio' (fol. 313vb-314vb), 'Vtrum liceat' (314vb-316rb [**Ed.** *Ed. cit.* 107-12, from this MS]), 'Quia ubi' (316va-327va [**Bibl.** M. Bellomo, *Aspetti dell'insegnamento giuridico nelle università medievali I: Le 'Quaestiones disputatae* (Reggio Calabria 1974) 28 and nn. 29 and 31; idem, *Saggio sull'università nell'età del diritto comune* (Catania 1979) 224 and n. 14 and 16, both citing a passage from the preface of this anonymous 'trattatello']), 'Quoniam in prin.' (327va-328vb), 'An doctor' (353r-v).

fol. 45ra-57vb **Martinus <Garatus Laudensis, Tractatus de legitimizatione>** See Vat. lat. 4916 fol. 53va-64rb for further information. *Variants*: <Rubrica deest.> (Colophon) etc. LXX°.

fol. 58ra-68vb **Franciscus Cremensis, <Singularia>** (Invocatio) Ihesus. (Rubrica *marg. sup.*) Francisci de Crema. (Textus) Quero primo de hac (ista *ed.*) questione: dedi ecclesie domum ut me alimentaret ... (Finis) de singularibus Lodouici (Roma, *add. ed.*) cetera autem sunt ex meo labore etc. (Colophon) Laus Deo per dominum Franciscum de Placentia de Crema

Senis ordinarie de mane legentem anno Domini M cccc lxii. (**Ed.** *Practicarum observationum et sententiarum ... notabilia et singularia ...*, ed. M.G. Haiminsfeld, 2 vols. (Francofurti 1629) I 459-84.)

fol. 69ra-86rb **Matthaeus de Mathesillanis**, <**Singularia**>

(Invocatio) Ihesus. (Rubrica *marg. sup.*) Incipiunt notabilia Mathei de Mathesillanis et Bononia. (Textus) Nota (Primo nota *ed.*) quod in causis breuioribus si iudex sit tabellio ... (Finis) Et Guil. de Cunio in l. *Precipimus* C. de appel. § super his (Cod. 7.62.6.3) quod est notandum secundum Iac. de Matescaheliis (precipimus § super his de appellation. quod bene nota *ed.*). (**Colophon**) Amen. (**Ed.** *Ed. cit.* I 131-260, at 132-260, this MS lacking the preface in the edition. **Bibl.** Diplovatatus, *De claris iuris consultis* II 337.)

fol. 88r-115v, 149va-178r, 199ra-258rb, 259ra-289vb, 305ra-310rb, 362r-377r, 390r-405v <Auctores varii, **Repetitiones**>, nominantur: Andreas Barbatia, Repetitio l. *Cum acutissimi* (Cod. 6.42.30) (fol. 199ra-258rb); Angelus de Ubaldis, Repetitio § *Arbitrorum* (Dig. 17.2.76.i.m.) (fol. 165ra-173va); Antonius de Rosellis, Repetitio c. *Cum in contemplatione* (X 5.41.6) (fol. 362r-370r); Baldus de Ubaldis, Repetitio l. *Si filius heres* (Dig. 28.2.16) (fol. 305ra-310rb [**Ed.** Baldus, *Opera omnia* III fol. 59vb-61vb]); Florianus de s. Petro, Repetitio § *Arbitrorum* (Dig. 17.2.76.i.m.) (fol. 154ra-164vb); Johannes de Prato Veteri, Repetitio incerti textus (fol. 370r-373r); Philippus de Franchis, Repetitio c. *Dilecto* (X 2.28.63), imperfecta (fol. 259ra-289vb [**Ed.** Philippus de Franchis, *Lectura et commentaria ... super titulo decretalium de appellationibus ...* (Francofurti 1576) fol. 175rb-201vb, ending at 201rb]); Raphael de Fulgosiis, Repetitiones l. *Si pater* (Cod. 6.25.4) (fol. 88r-95r), l. *Si filius* (Dig. 28.2.16) (fol. 104v-115v); Signolphus de Fynolis, Repetitiones § *Si quis rogatus* (Dig. 36.1.18.4) (fol. 390r-403v [**Bibl.** A. Sabbatani, *De vita et operibus Alexandri Tartagni de Imola* (Milan 1972) 84]), § *Ex facto* (Dig. 36.1.18.5) (fol. 403v-405v); <Incerti auctores>, Repetitiones § *Si quis autem* (Cod. 6.23.21.5) (fol. 95r-104v), l. *Si quis arbitrato* (Dig. 45.1.43) (fol. 149va-153vb), l. *Rem maioris* (Cod. 4.44.2) (fol. 173va-178ra), incerti textus (fol. 374r-377r).

fol. 119ra-141rb **Johannes Calderinus**, **Tractatus de ecclesiastico interdicto** (See Vat. lat. 2244 fol. 146va-161vb for further information.) *Variants*: <Rubrica deest.> (Textus) quam magistralem *om.* (Finis) est honor et gloria per *pro* sit honor per (Colophon) Amen. Explicit tractatus de ecclesiastico interdicto domini Iohannis Calderini excellentissimi decretorum doctoris de Bononia etc.

fol. 143ra <Incertus auctor, **Nota de primogenitura**>

(Rubrica) Nepos an preferatur patruo. (Textus) Premitte primogenitum dic anime masculinum apericus (*sic*) primo uuluam ut refert Bal. ... (Finis) ut est feudatan. (**1.**) in feudo notabil.

fol. 143rb-149rb **Martinus** <**Garatus Laudensis**, **Tractatus**> **de primogenitura** (See Vat. lat. 4916 fol. 68ra-73rb for further information.) *Variants*:

- (Invocatio) In Christi nomine et gloriose uirgine Marie nominibus. (Textus) per me Martinum Laudensem in ciuitate Bononie *add. post* primogenitura; quamquam *pro licet*; Vulpiani *pro uulgi* (Colophon) Laus Deo. (**Bibl.** Baumgärtner, *Martinus* 122-24 and 348 omitted this copy.)
- fol. 178ra-183va **Bartolus de Saxoferrato, Tractatus de tyrannia** (See Vat. lat. 2289 fol. 87vb-91rb for further information.) *Variants:*
 (Rubrica) Incipit tractatus de tiranno per dominum Bartolum de Saxoferrato.
 (Textus) Respondeo *praem. ante* a tiro (Finis) dico idem quod de tiranno supra proxime dixi. (Colophon) Laus Deo. Finitur tractatus de tiranno editus per eximium doctorem dominum Bartolum anno 1470^o viii^a die mensis aprilis per me G.S. de Almania. (**Ed.** Quaglioni, *Politica e diritto* 171-213, using this MS (siglum Vc), and marginalia from this MS at 238-39. **Bibl.** Op. cit; describing this section at 87; Calasso, 'Bartolo' 654.)
- fol. 183vb-196rb **Gaspar <de Perusio>, Tractatus de reservationibus beneficiorum** (Textus) <D>e reseruacione beneficiorum tractatus subsequenter annectam materiam (annocere annectatur materiam cod.) de potestate reseruacionum ... (Finis) Inno. in c. ut nostrum de app. (X 2-28.56) et de iure patronatus Cum dilectus (X 3.38.28). (Colophon) Laus Deo amen. Explicit tractatus de reseruacionibus beneficiorum compilatus per reuerendum patrem dominum Gasparem episcopum frequentinum etc. per me Georgium Sur. finitus. (**Ed.** TUI 15.1 fol. 244ra-248vb. **Bibl.** Schulte, *Geschichte* II 370.)
- fol. 296va-vb <**Casus**>
 (Textus) Casus quos Bartolus uoluit remittere ad Cesaream maiestatem ... (Finis) Adde alium casum Angeli in repetitione § Qui prouocauit l. *Tale pactum* ff. de paci. (Dig. 2.14.40.1). (Colophon) Finis.
- fol. 297ra-302ra <**Martinus Garatus Laudensis, Tractatus de moneta**> (See Vat. lat. 4916 fol. 73va-76vb for further information.) *Variants:*
 <Rubrica deest.> (Finis) fuerit *om.*; mille *pro melle*; ff. *om.* (Colophon) Laus Deo omnipotenti etc.
- fol. 302ra-305ra <**Martinus Garatus Laudensis**>, **Tractatus de ecclesiasticis ordinibus** (See Vat. lat. 4916 fol. 77ra-78ra for further information.) *Variants:*
 (Rubrica) De ordinibus ecclesiasticis. (Colophon) Laus Deo.
- fol. 310 rb-313ra **Bartolomaeus Cepolla, Tractatus de extensione**
 (Rubrica) De equipera[///]torum argumentatione. (Textus) Quia sepe dubitatur quando duo equiperantur an sit bonum argumentum ... (Finis) et Ange. de Areti. in l. *Si uero* § de uiro ff. so. ma. (Dig. 24.3.64.9) in repetitionibus suis. (Colophon) Laus Deo amen. Tractatus extensionis per Bartholomeum Ciuolla Veronensem Patauii etc. (**Ed.** Cf. Bartolomeo de Cipolla, *De interpretatione legis extensiva ... tractatus* (Venetiis 1557). **Bibl.** Belloni, *Professori* 156-61.)

fol. 329r-v <**Notationes legales**>

(Composed of a series of comments entered over a period of time, first by Signolphus de Fynolis, then by Georgius Sur., then by Signolphus again.)

fol. 330r <**Forma compromissi**>

ZZ Seite 63 der Korrektur fehlt

(A short formula entered on the leaf by Signolphus. The rest of the leaf is blank.)

fol. 331r-v <**Notationes legales**>

(A series of observations on various topics entered by Signolphus de Fynolis.)

fol. 349v-350r **Dinus de Mugello, Modi arguendi**

(Rubrica) Modi arguendi secundum Dinum de Mugello. (Textus) A sufficienti partium enumeratione ff. de li. et po. l. *Filius a patre* § i. (Dig. 28.2.28.1) ... (Finis) l. *Si usufructuarius (sic)* ff. quemadmodum usuf. amit. (Dig. 7.4.13). (Colophon) Et sic est finis huius tractatus. Laus Deo et sue matri uirgini gloriose. (Ed. *Tractatus plurimorum doctorum* ... (Ludguni 1519) fol. ciiii. **Bibl.** S. Caprioli, 'De "modis arguendi" scripta rariora: l. Dini opusculum', *Studi senesi* ser. 3 vol. 12 (1963) 30-56, editing, at 40-52, a section that corresponds to an excerpt in Ottob. lat. 1299 fol. 56rb (q.v.), using this MS (siglum V); see also 33; op. cit. 4. appendix p. 251 for *retractiones* to the edition.)

fol. 351v <**Pseudo-Bartolus rectius Franciscus de Albergottis**>, **Tractatus de cicatricibus** (See Vat. lat. 2289 fol. 276vb-277ra for further information.)

Variants:

(Rubrica) Bartoli *om.* (Ed. A. Campitelli, 'Il Tractatus de cicatricibus di Francesco Albergotti attribuito a Bartolo da Sassoferrato', ASD 8 (1964) 269-88 at 280-83, using this MS (siglum V¹), and discussing the MS at 270 n. 8, 272[-73] n. 18, 277, and 279. **Bibl.** Calasso, 'Bartolo' 654, misciting this MS as 9728, Dolezalek, *Verzeichnis* II.)

fol. 352r-353r <Incertain auctor, **Oratio in promotione ad doctoratum**>

Manifestissimum uobis esse censeo amplissimi patres hunc amplissimum uirum ... (Finis) et Baldum sequi in authentica Habita superius allegata.

fol. 354r <Incertain auctor, **Nota de tit. De in litem iurando** (Dig. 12.3)

Pro intelligentia totius tituli ff. De in lit. iurando et uero sunt ... (Finis) et ista /// in am///lectiones.

fol. 355r-356r **Andreas <Barbatia, Allegationes de insinuatione>**

(Rubrica) Allegationes domini Andree Siculi super causa Hospitalis Batiste et ad ///andi super peremptorie instantiae. (Textus) Circa materiam insinuationis primo queritur quid est insinuatio ... (Finis) et per Iohannem Andree in additionibus ad speculum in rubrica de Instr. edi.

fol. 356r-358v <**Matthaeus de Mathesillanis**>, **Tractatus de extensione**
(Invocatio) In Christi nomine amen. (Rubrica) Tractatus extensionis iuris ciuilis et canonici que uidetur esse multum utilis studentibus et practicantibus. (Textus)
Circa extensionis materiam considerari posset 4^{or} species ... (Finis) a contrario sensu dicam in alio tractatu de per se. (Ed. Cf. Bartolomeo de Cipolla, *De interpretatione legis extensiva ... nec non Matthaei de Mathesilani ... alter eiusdem argumenti aureus tractatus* (Venetiis 1557). **Bibl.** Diplovatatus, *De claris iuris consutlis* II 337; Dolezalek, *Verzeichnis* III for variations.)

fol. 358v-360r **Guillelmus de Cuneo (?)**, **Tractatus de securitate**

ZZ Seite 63 der Korrektur fehlt

(Rubrica) Tractatus securitatum secundum Guil. de Cu. super § Sed neque in aut. de man. prin. col. 3 (Nov. 17.6). (Textus) Quia iste § uidetur aliquid tangere de materia securitatum ... (Finis) l. *Damni infecti* § Sabini (Dig. 39.2.18.11 i.p.) et C. ad l. Iu. repe. l. fi. (Cod. 9.27.6). (Colophon) Laus Deo. (Ed. *Not TUI* 12 fol. 242ra-243rb. **Bibl.** Diplovatatus, *De claris iuris consutlis* II 253-54.)

fol. 360r <**Nota de stipulatione**>

(This short note, in the hand of Signolphus, fills the remainder of the page.)

fol. 360v-361v **Matthaeus de Matthesillanis**, **Tractatus de electione opinionum** (See Vat. lat. 2594 fol. 271ra-272va for further information.) *Variants:*
(Rubrica) Tractatus electionis opinionum Mat. de Matesil. (Invocatio) In Christi nomine amen. <Praefatio deest.> (Textus) Quidam tractatus super electione opinionum doctorum propter quod solent multum turbari studentes et practicantes ... (Finis) descriptus, cum distinctus sup. lin., pro descriptus (Subscriptio)
Matheus doctor Bononie. (Ed. TUI 18 fol. 221rb-222ra. Besides lacking the printed preface, the MS differs from the first three lines of the edition. Short notes on the same subject continue in the same hand on fol. 361v.)

fol. 380ra-384ra **Martinus <Garatus>** Laudensis ZZ, **Tractatus de represaliis**
(Textus) <E>t quoniam optima rerum inuentio de si. uerborum lenociniis destituta sit ... (Finis) hic a Bartolo in tractatu suo represaliarum. (Colophon) Explictus est libellus de represaliis compositus a domino Mar. Laudensi addendo ad tractatum Bar. de represaliis Bononie die x^a octobris M cccc lxxviii die lune de sero xxiiii hora. ZZ (**Bibl.** A. Rondinini Soldi, *Per la storia del cardinalato nel secolo XV* (Memorie dell' Istituto Lombardo - Accademia di Scienze e Lettere, classe morali e storiche 33.1; Milano 1973) 52.) (Ed. TUI 12 fol. 279r-z. **Bibl.** Baumgärtner, *Martinus* 117-19.)

fol. 384ra-387v **Martinus <Garatus>** Laudensis, **Libellus retractionum in opera Bartoli**

(Rubrica) Libellus retractionum opinionum Bar. Mar. de Lau. que regulariter sunt

uere ne lectura Bar. aliquem decipiat sicut Seruius in notis Mutii ut in l. *Mutius* ff. Pro soci. (Dig. 17.2.30). (Textus) Opi<nio> Bartoli in l. *Si societatem* § Arbitrorum ff. pro so. (Dig. 17.2.76 i.m.) ... (Finis) et contra eum tenet Baldus in l. i. xiiii col. de confe. quia declaratio absoluet condempnatum. (**Bibl.** Rondinini Soldi, op. cit. 52; Baumgärtner, *Martinus* 324.)

fol. 387v-389v **Martinus <Garatus> Laudensis, Additiones ad Tractatum Bartoli de alimentis**

(Rubrica) Additio Mar. de Laud. ad tractatum Bar. de alimentis. (Invocatio) Christi et gloriose uirginis Marie omniumque ciuium celestium nominibus inuocatis. (Textus) Explicato opusculo additionum tractatus Bar. de represaliis transitum faciamus ad additiones tractatus Bar. de alimentis ... (Finis) potest alienari pro necessitate alimentorum Bal. in auth. res que C. 8 de leg. (?). (Colophon) Finis xx octobris Bononie M cccc lxxviii. (**Bibl.** Rondinini Soldi, op. cit. 52; Baumgärtner, *Martinus* 324.)

fol. 406r-408v <**Notabilia**> **de clausulis instrumentorum**

(Rubrica) De clausulis instrumentorum uenditionum per Bar. (*sic*). (Textus) In instrumentis uenditionum apponi solet clausula ... (Finis) uel promisit seruare indempnem in l. *Quero* ff. loc. (Dig. 19.2.54). (The text is constructed as a series of short notes laid out on the page with substantial space between each note.)

Cat. Kristeller, *Iter* II 347.

Bibl. Sella, 'Nuove sigle' 10; Baumgärtner, *Martinus* 109-11, describing the contents, but with several errors.

The MS has the form of a notebook, with the texts entered over a period of time and no consistent form or construction. It is written in dark brown, almost black, ink in multiple hands. The most common is the very irregular and personal cursive of Signolphus de Fynolis. Also present is the round cursive of Georgius Sur., whose work is usually signed or noted as his by Signolphus. Two other, more formal hands, appear at the beginning of the MS. The abundant marginal annotations throughout the volume all belong to Signolphus. There is no color or decoration. <I> and fol. 411 are leaves from a 14th-century missal. Fol. b^r has the short title 'singularis prudentie etc.' by a later hand. Fol. 117r-v have a series of short notes on law and literature, including parts of songs, in at least two hands and entered over a period of time. In the margins of fol. <I>r are the ex libris notes: 'Pertineo ad Iohannem Leuss de Traiecto Inferiori ex dono domini Walteri Lollens' and 'Pertineo Iohanni Schurman clerico Monasteriensi pro dono scripti domini Iohannis Leuss Traiectensis presente Alexandro Rudam.' These noms are repeated and expanded on fol. 410v: 'Ex dono magnifici IV. doctoris Iohannis Leuss', 'Reuerendissime domine Iohannis Leuss'; 'Dona magnifici domini Iohannis Leuss.' Again on fol. 411v: 'Item anno domini 1501 die prima die octobris ego Iohannes Leuss de Traiecto intraui domum domini Bernardi Mocharel et eodem mense die ui intrauit Guilhelmus Brito eius familiaris'; and 'Iohannes Schurman' (twice); 'Monast.'; 'Dono et munere domini Iohannis Leuss de Traiecto Inferio.' Again, on fol. 409v, is 'Liber Iohannis Schurman clerici Monasteriensis V. I. licentiatii', along with a purchase note, 'Emi precio quattuor Carlenorum', and an aphorism formed as a salutation, both in a fine calligraphic script. There are additional *probationes pennae* on fol. 410v and 411r. At the top of fol. 1r is 'no. XVI', at the bottom '61680'. For the watermarks, cf. Briquet nos. 3677, 5157, 15814, 15909, and 6880. The MS has a 19th-century parchment binding. <I>v, fol. b^v, 86v-87v, 118r-v, 142v, 330v, 333v, 350v-351r, 377v-379v, 409r, 410r, and 411r are blank.

Prov. Bernardo Eruli, card. 1460-1479.

386 fols. + 313a chart. 435 (258) x 280 (178) mm, origin Italy (Rome?). Quiniones, saec. XVmed.

fol. 1ra-7vb <**Tabula quaestionum**>

fol. 8ra-386va **Johannes de Turrecremata O.P.**, <**Commentaria in Decretum**> (Pars III: *De cons.*) (See Vat. lat. 2273 fol. 1ra-216rb for further information.) *Variants:* <Epistola dedicatoria deest.> (Colophon) Turre cremata *pro* Torrecremata; Transtiberim *pro* Transtibrim.

Cat. Kristeller, *Iter* II 347. **Bibl.** Kaeppli, *Scriptores* III 38 no. 2731.

The MS is written in a late Gothic bookhand in dark brown ink. A lacuna in the exemplar is noted at fol. 197va. The text is sparsely annotated. Capitals and paragraph signs are red or blue. At fol. 1r is the ex libris of Bernardo Eruli, 'Domini cardinalis Spoletani'. A fragment of script is attached at fol. 216r. The MS has been restored. For the watermarks, cf. Briquet no. 8936. Catchwords are framed at the lower right. The MS has a 19th-century parchment binding. Fol. 184v and 215v are blank.

| | |
|-----------------------|-----------------------------|
| Vat. lat. 9440 | saec. XIVmed. (1362) |
|-----------------------|-----------------------------|

Prov. Magister Bernardus. **Scr.** Franciscus de Salgeriis.

74 fols. memb. 452 (310) x 274 (178) mm, origin Italy (Padua). Quiniones, saec. XIV (1362).

fol. 1ra-74rb **Guillelmus de Cuneo, Lectura in Codicem** (Lib. I-VII) (See Vat. lat. 2622 fol. 3ra-97rb for further information.) *Variants:* (Colophon) Amen. Explicit lectura eximii uictrici (*sic*) legum Gulielmi de Cuno scriptam (*sic*) per me Franciscum de Salgeriis in felici ciuitate Padue anno domini millesimo tricentesimo sexagesimo 2^o de mense aprilis.

fol. 1rb *marg.*-74r *marg.* **Raynerius de Forlivio, <Additiones ad Lecturam in Codicem Guillelmi de Cuneo>** (See Vat. lat. 2622 fol. 3ra *marg.*-97rb *marg.* for further information.) *Variants:* (Colophon) Correctus liber iste est.

fol. 1ra-74rb, passim <**Additiones ad Lecturam in Codicem**> cy. (fol. 45va); dy. (fol. 55vb); g. (fol. 68rb, 69rb); G.(?) (fol. 18ra, 53va); G.R.(?) (fol. 6ra, 7ra, 9ra); Gil. (fol. 68vb); Ia. de ar' (fol. 8rb); Ia. R. (fol. 4va, 6ra, 10va); Ia. Ray. (fol. 15va); Ia. de R (fol. 6vb); Mar. sy. (fol. 52va, 53va); sy. (fol. 8ra).

Bibl. Sella, 'Nuove sigle' 15: *r.*, *Ray* (miscited as Vat. lat. 9340), *Raynerius* = Raynerius de Forlivio; D. Maffei, 'Qualche postilla alle ricerche di E.M. Meijers sulle scuole di Orléans, Tolosa e Montpellier', *Tijdschrift voor Rechtsgeschiedenis* 36 (1968) 387-400 at 387 n. 1, noting this MS as one Meijers had overlooked; Peruzzi, 'Angelus de Amelia' 82

n.254.

The MS is written in gray-brown to black ink in a single Gothic bookhand, with corrections by the scribe. The glosses and notabilia are in three hands. There are elaborate initials in blue, rose, green, red, and gold, on square grounds, with foliate fill, at the start of major sections. Capitals are blue with red, or red with violet penwork decoration. Rubrics are red; paragraph signs alternate red and blue. The colophon, from 'Franciscum' to 'anno' is written in cypher in which the vowels are replaced with numerals or a combination of dots. The shelfmark appears on fol. 1r, along with a note in a 15th-century cursive hand, 'M. et idem D. Bernardus postea monachus in sancta Iustina de Padua Dominus hyer^{us} uocatus dono dedit die xxiii martii 1498 Padue'. On fol. 69rb is another note: 'Ego F. etc.'. Quires have alphanumeric markings in the lower right corner of the first recto of each bifolium. Catchwords are centered and framed, sometimes quite elaborately. The MS has a 19th-century parchment over cardboard binding. Fol. 74v is blank.

| | |
|-----------------------|--------------------|
| Vat. lat. 9449 | saec. XIV.1 |
|-----------------------|--------------------|

Prov. Monteprandone, convent of Santa Maria delle Grazie, O.F.M.
68 fols. memb. 385 (260) x 243 (159) mm, origin Italy. Quiniones, saec. XIV.

fol. 1ra-68vb (*rectius* 1r-30vb, 61ra-68vb, 31ra-60vb) **Guillelmus Duranti**,
<**Repertorium**>, imperfectum (See Vat. lat. 2340 fol. 290ra-347vb for further information.) *Variants:*
(Rubrica) Guilligelmi *pro* Guillelmi (Dedicatio) et *om.* (Textus) Quot sunt articuli fidei *add. post* dicatur (fol. 60vb) (Finis) An propter negligentiam possit quis excommunicari, de cons. dist. I Nemo et secundum papaem de inst. Ex frequentibus (*ed.* fol. 191 r) ///

The original MS is written in a Gothic bookhand in brown ink. One or two quires are missing between fols. 30 and 31, resulting in the loss of the end of title 2.27 through the beginning of title 3.26. The first part of the missing text has been supplied by a somewhat later bookhand in brown ink on fol. 61ra-68vb, continuing from fol. 30vb (*ed.* fol. 79v). This section ends at fol. 68vb with 'An per inuestituras quas quandoque///' (*ed.* fol. 95r). A few notes have been made in the margins, e.g. fol. 57va. Fol. 1ra opens with a multicolored initial in acanthus design with a bust of a teaching doctor in the fill. The decoration continues down the inner margin and across half the bottom margin. Acanthus initials begin Books 2, 4, and 5 at fol. 17vb, 39va, and 42va. Capitals are red or blue with penwork decoration in the contrasting color. Paragraph signs alternate red and blue; rubrics are red. All color ceases with the change of hand at fol. 61r. The entire decoration is typical of north Italian book-making of the first part of the 14th-century. Framed catchwords appear at the lower right for the first six quires. This ex libris appears at the bottom of fol. 1r: 'Locī sanctae Mariae Gratiarum Montis Prandoni ordinis minorum'. On the modern front end paper there is a note, dated 8 jan. 1907, that the four original guard folios, containing liturgical fragments, have been removed and are now fol. 24-27 of Vat. lat. 10646; cf. Vattasso-Carusi II 589. The MS has a modern quarter-leather binding with boards of marbled paper.

| | |
|-----------------------|-------------------|
| Vat. lat. 9665 | saec. XIII |
|-----------------------|-------------------|

ZZ antea 8382; Fa.IV.1. **Prov.** Angelo Mai, card. 1838-1854; Assisi, convent of San Francesco, O.F.M.

187 fols. memb. 404 (207) x 265 (130) mm, origin Italy (?). Quiniones, saec. XIII.

- fol. 2ra-186vb **Justinianus, Digestum novum** (See Vat. lat. 1421 fol. 1ra-307ra for further information.) *Variants:*
 (Rubrica) Domini Iustiniani principis perpetiue augusti iuris enucleati ex omni ueteri iure collecti digestorum pandectarum explicit liber xxx incipit xxxix (*sic*) de operis noui nuntiatione.
- fol. 2ra-186vb <**Glossae in Digestum novum**> ac (fol. 41va, 42vb, et passim); az (fol. 53vb, 120rb, et passim); b. (fol. 29rb, 90va); F.A. (fol. 36va); F.Ac. (fol. 67vb); h. (fol. 2va, 116rb, et passim); Ja.b. (fol. 44rb, 53rb); Ja. bal. (fol. 152vb) (**Bibl.** Sella, 'Nuove sigle'); Jo. F. (fol. 48vb); M. (fol. 13vb, 15va, et passim).
- fol. 68va-69rb **Accursius, <Glossa ordinaria in Digestum novum, excerpta>** (Dig. 43.1.19-43.17.4)
 (Lemma primum textus) *fecero*: Quae mihi non nocet ... (Lemma ultimum) *his*: ... et infra de aqua coti. et aesti. l. i § fi. inter (Dig. 43.20 .1.44) et C. e. l. 1 (Cod. 8.6.1). (Subscriptio) ac.
- fol. 180va-186vb **Azo, <Apparatus in titulum De regulis iuris>**
 (Lemma primum) *femine*: publica possunt dici offitia ut tutele ... (Lemma ultimum) *Seruus*: ... seruit rei publice causa abesse ut s. de iuri imu. l. Semper § negotiatores (Dig. 50.6.6.3). (Subscriptio) az. (**Bibl.** E. Genzmer, 'Gli apparati de Azzone al Digestum Novum 50,17, de diversis regulis iuris antiqui, 1', ASD 1 (1957) 7-11 at 9, noting that this is the beginning of the *apparatus magnus* on *de regulis iuris*; S. Caprioli, 'Tre capitoli intorno alla nozione di "regula iuris" nel pensiero dei glossatori', ASD 5-6 (1961-62) 221-374 at 291 n. 303, 298 n. 338, and using this MS in the edition of glosses to Dig. 50.17.1 and 80 at 360-65 (siglum V); idem, 'Satura lanx 8. Notizie preaccursiane', *Studi medievali* ser. 3, 18 (1977) 217-21, listing this MS at 220 .)
- fol. 187r <Incertus auctor, **Consilium de successione**>
 (Textus) Iste casus ponitur in liberis qui succexionem materne ... (Finis) et de inoffic. te. Si proponas § fi. (Dig. 5.2.23.2) et infra de iure deliberanti l. Quidam (Cod. 6.30.20). (This *consilium* was added in an early 15th-century hand on a much smaller paper folio which was tipped in.)

Bibl. G. Mercati, 'Codici del convento di San Francesco in Assisi' *Miscellanea Francesco Ehrle* (Studi c Testi 41; Roma 1914) 88-97 at 96; Bellomo, *Problemi* 107 n. 18, 117 n. 22; Cortese, *Norma* I 205-06 n. 43, 327 nn. 95-96, 331(-32) n. 113.

The MS is written in a Gothic bookhand in dark brown ink. The text was corrected by a second hand. Some corrections are extensive, such as the erasure and rewriting of whole passages. A correction of the text on fol. 9, involving the rewriting of all of fol. 9rb, still left Dig. 39.3.2 missing. A note in the margin leads to the missing text, which appears in the hand of the main scribe at fol. 172v between the end of Dig. 50.15.8 and the beginning of Dig. 50.16.1. Fol. 177rb-178ra are crossed out as repetitious. The glosses are written in a small spiky hand and are sparse through much of the MS. The apparatus on fol. 180-186 is in a different hand. In this section, the text of *de regulis iuris* only appears in the interior text column. The apparatus fills the exterior text column as well as the surrounding area ruled for it. The text column at fol.

180va is blank, *de regulis iuris* beginning at the top of fol. 180vb. Books open with 'Ipianus' in elongated letters alternating red and blue. The 'U' is always missing, and the inscription does not vary, regardless of the correct inscription. Title capitals, which were to be indented, and inscription capitals for the individual *leges*, which were to be in the margin, are missing except at fol. 151rb and 163ra, where two title capitals were added in the French style. Capitals for the *leges* are red when present. Rubrics, some of which are missing, are red, paragraph signs alternate red and blue. Catchwords are at the lower right, in decorative frames. Pricking and pecia marks are visible. On fol. 1v is the note 'Digestum nouum conuentus sancti Francisci de Asisio'. Glued to the inside the front cover is the note 'Ex libris bibliothecae Cardinalis Angeli Mai 8392, Fa. IV.1'; the last notation also appears on the spine. The MS is bound in modern parchment. Fol. 1r and 187v are blank.

| | |
|----------------------------|-------------------------|
| Vat. lat. 9862-9875 | saec. XVII-XVIII |
|----------------------------|-------------------------|

Prov. Joseph Fesch, card. 1803-1839; Michel-Jean-Joseph Brial O.S.B. (1743-1828); Paris, monastery of Saint-Germain-des-Prés, O.S.B.

15 vols.: 432, 391, 489, 390, 363, 544, 469, 556, 359, 483, 343, 501, 563, 582, 133 fols. chart. of various size: 269-389 x 197-269 mm, origin France, saec. XVII-XVIII.

<**Monachi congregationis Sancti Maurii, Materiae variae pertinentes ad Concilia Galliae**>

Cat. Vatasso-Carusi I 12-92 **Ed.** *Conciliarum Galliae tam editorum quam ineditorum collectio temporum ordine digesta, ab anno Christi 177 ad an. 1563 opera et studio monachorum congregationis Sancti Mauri Tomus primus* (Paris 1789); only the first volume was published, of which Vat. lat. 9861 is an exemplar and also contains the very rare proof sheets for the first part of volume 2. **Bibl.** S. Kuttner, 'L'Edition Romaine' 34-38, including a discussion of the texts for the Councils of Lyons at Vat. lat. 9869 fol. 159r-165v; P. Brommer, *ZZ (Anführungszeichen) 'Editorische Probleme bei den 'Capitula episcoporum', 'Proceedings Berkeley 3-11 at 4(-5) n. 8, 7 n. 19, and 9 n. 25 on Vat. lat. 9864, MGH Capit. epi. 1, ed. P. Brommer, pp. 95, 195ff., describing Vat. lat. 9864 and using it for Theodulf's first capitulary (siglum *Hildegard I*); MGH Conc. 3, ed. W. Hartmann, p. 405, using Vat. lat. 9864 fol. 247r-275v for the council of Quierzy 858; *Les Conciles de la province de Tours. Concilia provinciae Turonensis (saec. XIII-XV)*, ed. J. Avril (Paris 1987) 46, discussing the provenance of the volumes.*

These volumes are formed from the papers gathered preparatory to the Maurist congregation's edition of the Gallic councils, of which only the first volume ever appeared. Written over an extended period of time, the papers are in many hands, with five major hands appearing again and again in the various volumes. They are composed of everything from small scraps of paper with a few lines to quires of folio size containing carefully executed collations of specific councils. Printed pages with annotations appear irregularly throughout the volumes. Some texts are written in French. Virtually every piece is clearly identified both by date of the council and by a note stating where the material was obtained and the date of the MS from which it was taken. After the dissolution of the congregation, the papers were sold by a survivor, dom Michel-Jean-Joseph Brial (cf. Ph. Schmitz, 'Brial [Michel-Jean-Joseph]', *Dictionnaire d'histoire et de géographie ecclésiastique* 10 (1938) 661-62), to Cardinal Joseph Fesch. Subsequently they were obtained by the Vatican Library; cf. Avril and Kuttner. Cardinal Pitra attempted to put them in order but never finished the work. The organization was finally finished by Henrico Carusi and the volumes were bound in their present order at the beginning of the century; cf. Vatasso-Carusi I x-xi and n. 1. The volumes were then individually foliated with a mechanical stamp in the lower right corner. This foliation replaces the earlier pagination on many of the leaves. The volumes can be grouped into three sections. The first,

composing Vat. lat. 9862-9871, is arranged in rough chronological order, with Vat. lat. 9871 (saec. XVI-XVII) actually falling outside this catalogue's focus. Vat. lat. 9872-9874 form a second chronologically ordered set, with more emphasis on indices and auxiliary documents, such as the *Notitia Galliarum*. Vat. lat. 9875 is a 'scrapbook'. It is composed of sheets of blank paper onto which an average of six to eight small scraps, often with only one line of text, have been glued. Throughout the volumes there are multiple blank folios. Often every verso of a given quire is blank. The volumes were bound in parchment and paper in the period 1903-1912.

| | |
|-----------------------|-------------------------------|
| Vat. lat. 9945 | saec. XVex. (ca. 1495) |
|-----------------------|-------------------------------|

73 fols. chart. 294 (222) x 217 (127) mm, origin Italy (Rome). Seniones, saec. XVex. (ca. 1495).

fol. 1r-21v <Incertus auctor, **Formularium Romanae curiae**>, imperfectum
(Rubrica) Super eodem pro priore. (Textus) Significauit nobis dilectus filius prior prioratus de talis ordinis talis diocesis ... (Finis) prouisio non habet hic locum.

fol. 21v-71r <Incertus auctor>, **Regulae secundum stylum cancellariae sanctae Romanae ecclesiae**
(Rubrica) Incipiunt regule de reuocatoriis super appellationibus secundum stilum cancellarie sancte Romane ecclesie. (Textus) Cum per inferiores iudices aliquid iniuste uel improuide agitur ... (Finis) et eum condemnari et compelli ad restituendum sibi summam ultra sortem receptam necnon uenditionem huiusmodi rescindi coram etc.

fol. 72r-73v <Papa incertus, **Bullae tres**>, imperfectae

Cat. Vattasso-Carusi I 166-67.

The main texts and annotations are written in brown ink in the cursive hand of a curialist from the time of Alexander VI; see fol. 7r *margin*, '... fuimus ego et Ortega ... die x decembris 1495 pontificatus Alexandri pape vi anno 4'. The texts are damp stained, and some leaves are missing. An older foliation of the present fol. 2-21 as 19-56 reveals that the opening leaves have been lost. So have others between 13 (= old 30) and 14 (= old 49), except for old 43, now bound in at the beginning as fol. 1. The individual forms were numbered consecutively; but nos. 1-105 have been lost, as have most of those between no. 338 and no. 354. The *regulae* are arranged alphabetically. A text was cancelled at fol. 39r. The incomplete drafts of bulls were added in three other cursive hands. The last folio is nearly illegible. The leaves have been strengthened with yellow paper. For the watermarks, cf. Briquet nos. 7538 and 4863. The MS has a 19th-century parchment binding. Fol. 71v is blank.

| | |
|------------------------|------------------------|
| Vat. lat. 10052 | saec. XV (1482) |
|------------------------|------------------------|

Prov. Reuss (?). NEED QUIRE STRUCTURE AND COUNTRY OF ORIGINE
20 fols. chart. 212 (160) x 155 (95) mm, origin Italy. Quiniones, saec. XV (1482).

fol. 1r-20 r <Incertus auctor, **Tractatus de pluralitate beneficiorum**>

(Rubrica, *marg. sup.*) 'Qui non intrat per hostium in ouile ouium sed ascendit aliunde, hic fur est et latro', Johannes decimo <.1> originaliter (Textus) Notandum quicumque intrat aliquod beneficium ecclesiasticum per symoniam per superbiam ... (Finis) in loco inferni cuius parochianus erat. Et tantum de ista materia Amen. Anno Domini 148II in die sancti Sixti pape. (*rubr.:*) 1482.

Cat. Vattasso-Carusi I 408.

Though essentially a piece of moral or pastoral theology, the text includes sections of juridical argumentation, e.g. fol. 11v-13v: 'Ex decretis sacrorum conciliorum', fol. 13r-18v: 'Ex scriptis iurisperorum'.

Right at the beginning (fol. 1r) there is a quotation from 'magister Matheus de Aula Regia doctor sacre theologie Parisiensis uniuersitatis ord.Cist.' This is Matheus von Königssaal (d. 1427; cf. *Dictionnaire des auteurs cisterciens* [Rocheport 1975-79] 488). Since he is not known to have studied or taught in Paris, but did in Prague, the reading of our MS must be an error of the author or the copyist. The title 'Tractatus de pluralitate beneficiorum' was added by a different, probably 16th-century hand, on fol. 1r. On the inside front cover a 19th-century hand wrote the name 'Reuss', perhaps an owner. The watermark, of a pascal lamb, resembles Briquet no. 23. The MS has a paper binding of the 18th or 19th-century. Fol. 20v is blank.

| | |
|------------------------|------------------|
| Vat. lat. 10211 | saec. XIV |
|------------------------|------------------|

antea 10423, V SA 5.

92 fols. memb. 345 (335) x 245 (222) mm, origin Italy (Bologna?). Quaterniones, saec. XIV.

fol. 1ra-92vb **Justinianus, Institutiones**, imperfectae (Inst. 1.1-4.14.4 in med.) (See Vat. lat. 1432 fol. 1ra-78rb for further information.) *Variants:*

(Inscriptio) Flauianus *pro* Flauius Iustinianus; goricus franciscus *pro* gotticus francus (Rubrica) Institutionum seu elementorum proemium incipit rubrica.

(Rubrica textus) Rubrica *add. post iure* (Finis) ne ab eis ea peccunia peteretur ///

fol. 14ra-92vb <**Accursius, Glossa ordinaria in Institutiones**>, imperfecta (Inst. 1.24.1 in med.-4.15 in prin.)

(Lemma primum) <*Sed et si*>. (Textus) /// eadem in curatoribus pluribus locum habent ... (Lemma ultimum) *quasi possessione*: ... (Finis) et ff. si seruitus uen. 1. *sicut*. § Aristo (Dig. 8.5.8.5) /// (**Ed.** and **Bibl.** See Vat. lat. 1432 fol. 1ra-78rb and *add.*: V. Valentini, 'L'ordine degli apparati Accursiani in una notizia di Angelo degli Ubaldi', *Tijdschrift voor Rechtsgeschiedenis* 53 (1985) 99-134.)

fol. 14ra-92vb, passim <**Additiones ad Glossam ordinariam**> dy (fol. 79vb); f. (fol. 79va,

80va, et passim); az. (fol. 17rb); n. (fol. 1ra); Simon (fol. 86va); Sy. (fol. 26rb, 85ra).

Cat. Vattasso-Carusi I 563, Dolezalek, *Verzeichnis* 2. **Bibl.** Sella, *Sigle*.

The MS is written in *littera bononiensis*. The text is in gray-brown ink to fol. 5v, in black thereafter. Fol. 77r-86v are written with a single column of text and two columns of apparatus. The apparatus is in a lighter gray ink. The apparatus is keyed to the text by a system of both letters and lemmata. Additions, very sparse at the beginning, have been made in several hands, one of which is 16th-century. An historiated 'I' with acanthus tendrils begins the preface at fol. 1ra. Spaces have been left for initials at the beginnings of the other books. Capitals and paragraph marks alternate red and blue, the former with red or violet penwork decoration irregularly added by a later hand. Rubrics are red, sometimes written by a separate hand. Running titles are composed of 'L' on the verso and the book number on the recto. The lower margins of fol. 3-18 have been cut and/or torn and have recently been repaired. According to Vattasso-Carusi (q.v.), the MS was formerly numbered 10423 and also had a previous binding with the shelfmark 'V SA 5.' The MS has been rebound since the publication of the Vattasso-Carusi catalogue. It now has an early 20th-century quarter-leather and linen binding.

| | |
|------------------------|-------------------|
| Vat. lat. 10269 | saec. XIII |
|------------------------|-------------------|

Prov. Vincentius de Lottis, canon.

166 fols. memb. (chart.: fol. 1) 174 (136) x 120 (90) mm, origin France. Seniones, saec. XIII.

fol. 2ra-164va **Goffredus de Trano, Summa super titulis Decretalium** (See Vat. lat. 2309 for further information.) *Variants:*

(Rubrica) Incipit summa Gaufredi de titulis decretalium. (Finis) reperi[ri]. *pro reppeti* (Colophon) Explicit summa Gaufredi de titulis decr. (fol. 165ra-166rb) <Tabula titulorum>.

Cat. Vattasso-Carusi I 605-07.

The codex, a companion to Vat. lat. 10270, is written in brown ink, in what is probably a French Gothic hand, and corrected by the scribe. There are very occasional cursive glosses. Book I (fol. 2ra) opens with a red and blue capital with penwork decoration. Books II-IV each open with a similar capital followed by the rest of the first word in capitals alternating red and blue. Book V has the first word in alternating red and blue capitals. Running titles are composed of 'L' on the versos and the book number, in alternating blue and red letters, on the rectos. Rubrics are red; capitals and paragraph signs alternate red and blue, the capitals with violet or red decorations. No charts or illustrations accompany the chapters on consanguinity, etc. (fol. 120rb ff). A medieval hand numbered each column of text; the present foliation, running serially through Vat. lat. 10270, is modern. Fol. 1r has a dated signature by an owner: '1826. Canonicus Vincentius de Lottis' (see Vat. lat. 10270 fol. 344v), and the notation 'Vat. P.1^a', written twice. No catchwords are visible. The parchment, very thin, has been glued to sheets of paper for protection; the ink has bled badly, and some folios are partly illegible. The binding is of 19th-century leather. Fol. 1v and 166v are blank.

| | |
|------------------------|-------------------|
| Vat. lat. 10270 | saec. XIII |
|------------------------|-------------------|

Prov. Vincentius de Lottis, canon.

187 fols. (fol. 167-354) memb. 175 (135) x 118 (89) mm, origin France. Seniones, saec. XIII.

fol. 167ra-240va **Raymundus de Pennaforte O.P. (s.), Summa de casibus poenitentiae** (See Vat. lat. 2301 fol. 24ra-287vb for further information.) *Variants:*

(Rubrica) R. de Penaforti pro Raymundi. (Colophon, *add.*) Amen. Explicit summa de casibus Magistri Raymundi ordinis predicatorum (Magistri ... predicatorum *al. man.*).

fol. 241ra-253ra **Raymundus de Pennaforte O.P., Summa de matrimonio** (See Vat. lat. 2301 fol. 287vb-333vb for further information.)

fol. 253rb-257vb **Innocentius IV, <Constitutiones novellae (Coll. I & II cum appendice**

septem extravagantium)>

(Rubrica) Innoc. III^{us} in concilio Lugdun. (Inscriptio) Innocentius episcopus ... uniuersitati magistrorum et scolarium Bononie ... apostolicam benedictionem. (Praefatio) Cum nuper in concilio Lugdun. quasdam constitutiones ... (Inscriptio) Innocentius III^{us}. (Rubrica) De rescriptis. (Textus) Cum in multis iuris articulis infinitas reprobetur ... (Finis) et beatorum apostolorum Petri et Pauli eius se nouerit incursum. (**Ed.** See Vat. lat. 1381, fol. 11rb-260vb passim. **Bibl.** Kessler, 'Untersuchungen' I 264 and 292: this is the integrated form of Coll. 1 and 2, with an appendix of 7 *extravagantes*, of which the last is *Non solum.*)

fol. 258ra-327rb **<Guillelmus Redonensis O.P., Apparatus in Summam Raymundi de casibus poenitentiae>** (See Vat. lat. 2301 fol. 24ra-287vb for further information.) *Variants:*

(Textus) c. primo *pro c.ii* (Colophon *add.*) Explicit Deo gratias.

fol. 328ra-343rb **<Guillelmus Redonensis O.P., Apparatus in Summam Raymundi de matrimonio>** (See Vat. lat. 2301 fol. 287vb-333vb for further information.)

Variants:

(Rubrica *praem.*) Incipit summa de matrimonio. (Colophon *add.*) Explicit.

Cat. Vattasso-Carusi I 605-07. **Bibl.** B. Mattiauda, 'Un codice prezioso del secolo XIII', *Il Bibliofilo* 1 (1880) 1-19, on this MS and its companion, Vat. lat. 10269.

This codex was written and corrected by the same scribe, and decorated by the same artist, as Vat. lat. 10269; at the bottom of fol. 167r is the note 'Vat. P. 2^a'. As in the latter there are very occasional cursive glosses, there are no catchwords, and the very thin parchment sheets have been glued to paper for protection. The medieval numbering in this MS is for folios rather than columns, it ends with CLXII, renumbered 327, i.e. at the end of the first apparatus. The remaining numbers might have been cut away when the folios were trimmed. The same modern hand that foliated Vat. lat. 10269 did this codex also, serially, so that the first folio here is 167. This numeration goes right through a copy of the article by Mattiauda cited above, which is bound with the codex (fol. 346r-354r). It is separated from the medieval MS by a single sheet, fol. 344, whose verso bears the dated note: '1826. Comprai questo libro dal venditore del tabacco, e dovea perire'; this is in the same hand that signed fol. 1r of Vat. lat. 10269, i.e. that of canon Vincentius de Lottis. The binding is of 19th-century leather. Fol. 327v, 343v-344r, and 354v are blank.

| | |
|------------------------|----------------------|
| Vat. lat. 10274 | saec. XIV ex. |
|------------------------|----------------------|

<I> +362 fols. + 254b + <I> memb. 166 (100) x 115 (75) mm, origin Italy(?). Quiniones,

saec. XIVex.

fol. 1ra-358vb **Bartholomaeus de Sancto Concordio O.P., Summa de casibus conscientiae** (See Vat. lat. 2319 fol. 1ra-239va for further information.) *Variants:* <Praefatio deest.> (Colophon) Et sic est finis sit laus et gloria trinis. (Colophon secundus) Explicit summa de casibus conscientie, compilata per ... Bartholomeum de sancto Concordio Pysanum ... Consummata uero anno domini m^o ccc^o xxxviii de mense decembris in ciuitate Pysana tempore Benedicti pape XII.

fol. 358vb <Incertus auctor, **Quaestio et responsio de natura Summae**> (Textus) Queritur quare summa presens est breuior summa prima de qua extracta est ... (Finis) Item summa precedens allegando seipsam multum prolixè procedit quod in ista cito expeditur.

fol. 359ra-359rb <Incertus auctor, **Tabula abbreviationum in Summa Bartholomaei de Sancto Concordio**> (See Vat. lat. 2318 fol. 192vb-193ra for further information.) *Variants:* (Rubrica) Sequuntur declaraciones de abbreviaturis in presenti opere scriptis seu inuentis. (Finis) et ad confirmandum ponuntur *add.*

fol. 359ra-362vb <**Tabula alphabetica Summae Bartholomaei de Sancto Concordio**>, imperfecta (The table breaks off at the end of a quire; the catchword is 'Restitutio III^o.)

Cat. Vattasso-Carusi I 610; **Bibl.** Kaeppli, *Scriptores* I 164 (no. 436).

The MS is in a single late 14th-century proto-humanist hand, in ink which varies from gray-brown to black. Fol. 1ra opens with a blue and red capital with elaborate, but amateurish penwork. Other capitals are blue with red or red with violet penwork decoration in the same style. Paragraph signs alternate red and blue. Catchwords are at the lower right to fol. 89, thereafter centered. Quires have separate alphanumeric markings (a1-5 etc.) There are marginal notes and corrections in several hands. Fol. 1r is damaged and partly illegible; the shelfmark has been written in the upper margin. The MS is bound in wood boards with a leather spine.

| | |
|------------------------|------------------------|
| Vat. lat. 10692 | saec. XIII med. |
|------------------------|------------------------|

antea 10606.

I + 194 fols. memb. 360 (222) x 231 (115) mm, origin Northern France (?). Quaterniones, saec. XIII-XIV.

Ira-va <**Tabula titulorum Decretalium**>, imperfecta (The table begins with X 3.6.)

fol. 1ra-194vb <**Gregorius IX, Decretales**>, imperfectae (Praef.-X 5.39.56 in prin.) (See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:* (Inscriptio) Bononie commorantibus *om.* (Rubrica textus) Incipit liber primus

praem. ante De summa (Inscriptio textus) ati pro in (Finis) duobus collata potestas ut a minori excommunicatione ///

Cat. Vattasso-Carusi II 669-70.

The MS is written in Gothic bookhand, in brown inks. The script, by several hands, varies in quality; some parts are quite uneven. Fol. 1r opens with 'Gregorius' in display script. Capitals, rubrics, and paragraph signs are red; the capitals have simple penwork decoration. The books of the *Decretales* are headed by small panels with crude penwork decoration in red. Catchwords are framed at lower right, although most have been cut away. Pricking is occasionally visible. The MS has been corrected in two hands following draft instructions in a large awkward notula by stilus (cf. fol. 17r). The uneven writing and the primitive decoration exclude production of the MS in a professional workshop. There are no glosses, and apparently the MS was never intended to have any. Ir *marg. inf.* has a rough genealogical diagram with the name 'pater Martinus' at the top and other names of four couples descending in two branches. The parchment of fol. 120 has been mended with yarn. At least one folio (probably more) has been cut away after fol. 50 (the resulting lacuna is X 2.2-10 med.-2.7.4 med.), another bifolium has been lost between fol. 73 and 74 (the lacuna is X 2.23.13 in prin.-2.24.16 fin.) Another lacuna occurs between fol. 192vb and 193ra (X 5.35.2 med.-5.39.40 med.) A folio has been cut away between fol. 115 and 116 (the left side of the innermost bifolium of the quire) but there is no lacuna in the text at that point. Fol. 62, 115, and 180 have been mutilated, but with no loss of text. The last folios have been damaged by waterstaining. According to Vattasso-Carusi (q.v.), the former shelfmark of this MS is 10606. The MS has a 19th-century cardboard binding, conserving on the spine the remnants of an older leather one.

| | |
|------------------------|---------------------------------|
| Vat. lat. 10726 | saec. XV (ca. 1442-1443) |
|------------------------|---------------------------------|

Prov. Johannes de Guidonibus de Accumulo. **Scr.** Johannes de Guidonibus de Accumulo.

XI + 514 fols. + 407a -(436-445) chart. 295 (228) x 212 (118) mm, origin Italy (Viterbo; Tarquinia; Norcia; Perugia). Seniones et quiniones, saec. XV (ca. 1442-1443).

Ir-XIv, 58r-60v, 67v, 86r-93v, 102r-103v, 112r-v, 115v-120v, 132v, 141r, 142r-143v, 147v, 151r, 159v, 162v-164r, 168r-169r, 172r, 174v, 186r, 201r-v, 202r-v, 227r-229r, 230v-233r, 236r, 244v-269v, 275v-276v, 284r-296v, 296v-302r, 303r-304v, 305r-316r, 317v-318v, 324v, 325v, 329v, 342r-347v, 349r, 350r-v, 361v-362v, 371r-409v, 482v, 488r, 490v, 496r, 497v-500v, 503v <Auctores varii, **Consilia**>, nominantur: Adrianus de Eugubio (fol. 174v); Albertus Galeottus (fol. 306r); Albertus de Pisis (fol. 172r); Alexander d. Angeli de Ubaldis (fol. 376v-379v); Alexander Salvus (Xr-v); Amicus Agnifilius de Roccha de Aquila (fol. 91r-92v); Andreas Ciaffi de Pisis (fol. 306r); Angelus de Ubaldis (VIIr-v, VIIv-VIIIr, VIIIr-v, fol. 60r, 201v, 202v, 247v-248r, 255r-v, 256r-v, 261v, 313r); Angelus Johannis de Perusio (fol. 285r-v); Antonius de Benciolis de Canario (fol. 405v-406r); Antonius de Casellis de Perusio (fol. 253r-v); Antonius de Presbiteriis (fol. 266r-v); Baldassar Calderinus (fol. 266r-v); Baldus de Ubaldis (Iv, IIr-v, IIv, XIv [4: 1= **Ed.** Baldus, *Consilia* V fol. 3vb cons. 9; 3 = V 112vb cons. 423], fol. 60-v [III 137vb cons. 476, cum additionibus Bartholomaei de Saliceto *in marg.*], 86r-v [?], 93v, 101v [V 130rb cons. 488], 103v, 112v, 116v [*rep.* fol. 186r], 140r *marg.*, 140v-141r, 142r, 142v, 143r, 147v, 159v, 163v-164r [cf. IV 115ra cons. 491], 201r, 201v, 227r-v [*rep.* fol. 305v], 231v-232r, 236r, 245r [*rep.* fol. 254r], 246r-v,

247v-248r, 249r-v, 250r, 253r-v, 254r, 255r-v, 261r, 261v, 262r, 263r, 264r, 265v, 267r [2], 286v, 288v, 295r, 296r [III 130va-vb cons. 446], 296v, 299v, 305v [2], 306v, 306v-307r, 307r, 317v, 317v-318r, 343r-v, 345v, 349r [2], 361v, 362r-362v, 488r, 496r, 499r [2], 499v-500v, 500v); Bartholomaeus de Amiterninis (fol. 92v); Bartholomaeus de Mezzaprile (fol. 310r-311v); Bartholomaeus de Saliceto (fol. 266r-v, 309r-310r, 310r-311v [**Bibl.** Belloni, *Professori* 167]); Bartolus de Saxoferrato (fol. 67v [**Ed.** Bartolus, *Opera omnia* X fol. 43vb-44ra], 112v [X 34vb], 120v [X 45va-vb], 137r *marg.*, 142v-143r [X 42ra], 147v [*rep.* fol. 162v; X 32rb], 151r [X 62vb; **Bibl.** A. Campitelli, 'Una raccolta di "Quaestiones" in tema di documenti guarentigiati e il *Tractatus de Guarentigiato instrumento* attribuito a Guido da Suzzara', *Annali di storia del diritto* 10-11 (1966-67) 527-46, at 542 and n. 6, incorrectly stating ZZ that this *consilium* is not in the printed Bartoline corpus (article also printed in G. D'Amelio et al., *Studi sulle "Quaestiones" civilistiche disputate nelle Università medievali* [Studi e ricerche dei 'Quaderni catanesi' 1; Catania 1980] 57-95)], 174v, 227r [X 45ra], 227v [X 31vb], 228r-229r [X 26va-vb], 230v [2: X 27rb-28va, 29ra-rb (imperfectum)], 232r-233r [X 15rb-vb], 244v [X 50ra], 244v-245r [X 40ra-rb], 245r [X 72rb], 245r-v, 245v-246r [X 40vb-41ra], 247v [*rep.* 324v; X 43va], 254v-255r, 260v, 262v, 264r, 264v-265v, 265v *marg.*, 267r-v, 267v-269v, 276v, 284v [X 50rb-va], 286v [X 71va], 291v [X 39va], 295v-296r, 296r, 296v [X 10vb], 300r-v [X 30ra-rb], 300v [3: X pag. 192b; X 33ra; X 3rb-va], 301r [X 40vb], 301r-v, 301v-302r [X 25va-26ra], 303v [2: X 40vb-41ra; X 27vb], 303v-304r [X 42ra-rb], 304r, 304r-v, 305r, 305v, 307v [X 42va-vb], 308v, 316r [**Ed.** and **Bibl.** J. Kirshner, 'Civitas sibi faciat civem: Bartolus of Sassoferrato's doctrine on the making of a citizen', *Speculum* 48 (1973) 694-713, with a new edition of the *consilium* at 713 using this MS: siglum Vb], 318v [X 43vb-44ra], 325v [2: 2nd = X 56ra-rb], 342v-343r [X 71vb], 343v-344r [X 71ra], 344r, 482v [X 70ra], 490v [X 47vb-48ra]); Benedictus de Boncontibus de Nursia (fol. 59r-v [cum additionibus Johannis de Guidonibus de Accumulo], 86r-v [?]); Kataldinus de Boncompagnis de Visso (fol. 257r-259v [cum refutatione fol. 260r], 375r-376v, 380v-381r, 381v-383v, 383v-384r, 384r-385v, 386r-387r, 388r-389v, 390r-391r, 391r-392r, 392r-393r, 393r-394r, 396r-397v, 397v-398r, 409v [**Bibl.** R. Abbondanza, 'Boncompagni, Cataldino', *DBI ZZ* 11.682-86]); Cinus de Pistorio (fol. 140v, 285r [**Ed.** Cino da Pistoia, *Le 'Quaestiones' e 'Consilia'*, ed. G.M. Monti (Orbis romanus 13, Milano 1942) 144, from this MS], 294r [Cino, 111-12, from this MS], 306r [Cino, 108-111, from this MS]); Corradinus de Nuceria (fol. 404v-405v); Cyprianus de Bonavoglis de Fulgineo (fol. 376v-379v); Dinus de Mugello (fol. 247r-v); Dinus <de Torselleriis> de Pistorio (fol. 315r-316r [**Bibl.** Maffei, 'Lectura di Cino' 59 n. 191, identifying the author]); Dionysius d. Nicolai de Barigianis (fol. 86v, 112r [cum additionibus Johannis de Guidonibus de Accumulo], 168r-v, 202r, 344r-v, 347r-v, 387r-388r, 403r); Florianus de Sancto Petro (fol. 202r-v [excerptum]); Franciscus de Albergottis (fol. 115v [excerptum; **Ed.** *Consiliorum seu responsorum ...* ed. J.B. Zilettus (Venetiis 1566) I.8], 398v-399v); Franciscus Angeli de Perusio (fol. 253r-v); Franciscus Antonii de Silvestrinis (fol. 376v-379v); Franciscus d. Baldi de Ubaldis (fol. 376v-379v); Franciscus Cole de Amatrice (fol. 376v-379v); Franciscus de Ramponibus (fol. 250r-253r, 314r-v);

Franciscus de Spoleto (fol. 163r); Franciscus Tigrini (fol. 60v, 133r *margin.*, 260v [2], 276v, 291v-292r, 298r, 299r-v, 408v-409r); Fredericus de Senis (fol. 132v [**Bibl.** T.M. Izbicki, 'The problem of canonical portion in the later Middle Ages: The application of "Super cathedram"', *Proceedings Cambridge* 459-73 at 463 n. 20], 246v [**Ed.** Fredericus Petrucius, *Consilia seu mavis responsa ...* (Venetiis 1576) fol. 126r], 260r [2: 1 = *ibid.* fol. 47r, #10]); G. (?) (fol. 231r); Gaspar Calderinus (IIIr-v, fol. 314v-315r [**Bibl.** Bellomo, 'Calderini' 120 and n. 8, 123-24 and n. 20]); Griffolus de Monte Politiano (fol. 143r-v); Guido de Guidonibus (?) (fol. 375r-376r); Guido de Suzaria (fol. 116v [**Bibl.** Ascheri, 'Consilium sapientis' 575]); Guillelmus de Perusio (VIIr-v, 248v-249r, 285r-v); Henricus de Guigliarmis de Lugo (fol. 311v); Honofrius de Bartolinis (IXr-Xr, 140r *margin.*, 314r); Innocentius (fol. 246v-247r); Jacobus d. Antonii de Contiis de Visso (fol. 394r-395r, 395r-396r, 397v-398r, 398r-v); Jacobus de Arena (fol. 264v *margin.*, 295v, 308r-v); Jacobus Butrigarius (fol. 496v); Jacobus de Lucianis de Accumulo (fol. 91r); Johannes Andreae (fol. 265v-266r, 343v, 409r-v); Johannes de Becchalitis de Eugubio (fol. 407v-407a^v, 407a^v-408v); Johannes de Bennatis de Asculo (fol. 403r-404v); Johannes Calderinus (IIIr-v, fol. 284r-v [**Bibl.** Bellomo, 'Calderini' 119-20 and n. 8, 123-24 and n. 20]); Johannes de Cam^o (fol. 255r-v); Johannes de Canemortuo (fol. 299r); Johannes de Imola (Xr); Johannes de Lapis (fol. 250r-253r); Johannes de Lignano (fol. 250r-253r, 266r-v, 316r, 342v [**Bibl.** McCall, 'John of Legnano' 434]); Johannes de Montesperello (fol. 117r-120v [**Ed.** Johannes Petrutius de Montesperello, *Consiliorum seu mavis responsorum ...* (Venetiis 1590) p. 2]); Johannes de Novellis de Asculo (fol. 403r-404v, 409v); Johannes d. Pacis de Maneriis de Aquila (fol. 93r-v); Johannes Pagliarensis (IIIv-IVr, fol. 116v); Johannes de Podio (fol. 250r-253r); Johannes de Riccis (fol. 250r-253r); Johannes de Sanctutiis (fol. 250r-253r); Johannes de Scaffalibus de Fulgineo (fol. 376v-379v); Julianus Bini de Perusio (fol. 112v, 253r-v, 349r); Laurentius d. Hermanni de Perusio (fol. 376v-379v); Laurentius d. Jacobi de Perusio (fol. 376v-379v); Laurentius de Randolphis de Perusio (fol. 294v-295r); Lellus Cole de Perusio (fol. 285v-286v); Ludovicus de Sardis de Ferraria (fol. 376v-379v); Marcus de Angelellis de Perusio (Vr-VIIr, VIIIv-IXr, 263v, 305v, 308r, 342r-v); Martianus de Melacinis (fol. 91r); Martinus de Fano (fol. 264v *margin.*); Martinus Syllimani (fol. 298r, 298v); Matthaheus Philiciani (VIIIv-IXr, fol. 314r, 346r-347r, 388r, 400r-401r); Matthaheus d. Vannicti de s. Genesio (fol. 297r-v cum notationibus Johannis de Guidonibus de Accumulo); Michael de Aretio (fol. 404v-405v); Nicolaus Alexandri de Perusio (fol. 141r, 142r-v, 307r-v); Nicolaus Cremonensis (fol. 292r [**Ed.** and **Bibl.** M. Bellomo, 'Giuristi cremonesi e scuole padovane. Ricerche su Nicola da Cremona', *Studi in onore di Ugo Gualazzini*, 2 vols. (Milano 1981) I 81-119 at 84 and nn. 13 and 15, 90 n. 43, edited at 102-03]); Nicolaus d. Francisci de Cambionibus de Prato (fol. 250r-253r); Nicolaus d. Lelli de Perusio (Vr-VIIr); Nicolaus de Mattherellis (fol. 294r [**Ed.** M. Bevilacqua, 'Nicolai de Mactarellis Consilium de pace promissa et non servata', *Latinitas* 8 (1960), 218-20, from this MS. **Bibl.** Bellomo, 'Giuristi cremonesi ...' 84, nn. 13 and 15, 90 n. 43, and 103]); Nicolaus de Porcianario de Aquila (fol. 87r-90v); Nicolaus de Quartariis de Sulmona (Ir [excerptum]); Odofredus (fol. 264v *margin.*); Paulus (fol. 376v-379v); Paulus de Castro (fol.

371r-373v, 373v-374r [excerptum] **Bibl. Belloni, Professori 291**); Paulus Simeonis (fol. 267v-269v); Paulus de Tuscanella (fol. 299r); Petrus d. Alberici de Pisis (fol. 262v); Petrus de Altasis de Pisis (fol. 103v); Petrus de Amandula (fol. 406r-407v); Petrus de Ancharano (IIIr-v [**Bibl. Bellomo, 'Calderini' 123-24 and n. 20**], XIr-v, fol. 116r [cum additione Johannis de Guidonibus de Accumulo], 503v); Petrus de Asti (fol. 350r-v); Petrus Georgius de Alme Richys de Pisauro (fol. 260r); Petrus de Ubaldis senior (IVr-Vr, Vv-VIIr, fol. 169r [excerptum], 201r, 230v-231r, 236r, 247v-248r, 249r-v, 253r-v, 253v, 260r [excerptum], 263v-264r, 264r, 275v-276v, 311r-313r, 329v, 350v); Petrus Vencioli (fol. 253r-v, 286v); Philippus d. Thome de Ursinis (fol. 250r-253r); Raynerius de Pagliarensibus (fol. 307r-v); Raynerius de Forlivio (fol. 245r); Sanctes de Dionisiis (fol. 250r-253r, 266r-v); Signorulus de Homodeis (fol. 497r-498v [**Ed. Signorulus de Homodeis, Consilia ac quaestiones ...** (Ludguni 1549) fol. 1]); Thomas de Angelellis (fol. 266r-v); Torellus de Torellis (fol. 202v, 294v, 379v-380r); Troilus de Boncompagnis de Visso (fol. 401r-403r [**Bibl. R. Abbondanza, 'Boncompagni, Cataldino', DBI ZZ 11.682-86 at 685**]); Ubertus (fol. 343v); Ufreditius d. Petri de Perusio (fol. 276v); Venantius de Cammereno (fol. 344v-345v); incerti auctores (fol. 58r-v, 102r-103r, 112v, 162r, 162r-v, 229r [2], 250v *marg.*-251r *marg.*, 254r, 261r, 287r, 287r-v, 287v, 288r-v, 288v, 289r [2], 289v, 289v-290v, 290v-291r, 292v-294r, 299v, 300r [mutil. in prin.], 347v [2], 374r, 374v, 409r).

(The *consilia* on fol. 287r-291r, 292v-294r have marginal annotations, giving book and folio number, which suggest that they were excerpted *in toto* from another collection. They are not in the hand of Johannes de Guidonibus de Accumulo, although the texts which separate them are. Among them, only the Baldine *consilium* at fol. 288v is attributed.)

- fol. 1r-v **Henricus VII, Const. Ad reprimenda** (See Vat. lat. 1437 fol. 67ra-71ra for further information.) *Variants:*
(Invocatio) Ihesus Christus. (Rubrica) clementia *pro gratia* (Textus) reprimendum *pro reprimenda* (Finis) temporis *add. sup.* expectatione.
- fol. 1v-2r <**Henricus VII, Const.**> *Quoniam nuper* (See Vat. lat. 1437 fol. 71ra-72va for further information.) *Variants:*
<Rubrica deest.> (Finis) anno v^o imperii primo et M^oCCCXIII aliis nostris rebellibus consilium (*sic*) uel per quod comodus in rebellione persistere valeant impendendo *add. post* pertinent rebellando; incursum *pro* incurrisse (Datum) pridie kalendis aprilis aliis *praem. ante* nonas.
- fol. 2r-23r **Bartolus <de Saxoferrato, Apparatus in Const. Ad reprimenda** (See Vat. lat. 1437 fol. 67ra-71ra for further information.) *Variants:*
(Rubrica) super *pro* in; Rubrica *add. post* procedatur (Praefatio) magistraliter *pro* integraliter; comodioris *pro* conditoris (Finis) de statutis *om.*, statuta ligent *add. post* tempore (Subscriptio *add.*) Bartolus.
- fol. 23r-28v **Bartolus de Saxoferrato, Apparatus in Const. Quoniam nuper** (See Vat.

lat. 1437 fol. 71ra-72va for further information.) *Variants:*
(Rubrica) Qui sint rebelles rubrica. (Praefatio) dixi *pro* dixit (Textus) rationem que mouit *pro* rationes que mouent (Finis) data *pro* datum (Subscriptio) Bartolus de Saxoferrato. (Colophon) Explicit apparatus Bartoli super tractatu Qui sint rebelles.

fol. 29r-35v <**Jacobus Egidii, Tractatus**> **de reprobatione testium** (See Vat. lat. 2656 fol. 69vb-72vb for further information.) *Variants:*
<Rubrica deest.> (Invocatio) In nomine Domini amen. (Praefatio) Incipit doctrina ad reprobandum testes. Et in primis reprobantur infames serui rectores ecclesiasticarum ... (Textus) Testium falsitati facilitati et uarietati ... (Finis) uidentur esse neglecta ff. de iniuriis l. Apud Labeonem § hoc edicium (ZZ Dig. 47.10 .15.26). (Subscriptio) Hoc *pro* Et hec; nos *pro* breuiter; Innocentius *add. post* sufficiat (Colophon) Deo gratias. Alibi reperi quod iste tractatus fuit Iohannis Andree utriusque iuris doctoris. <Epilogus deest.> (**Bibl.** Izbicki, 'Problems in TUI' 484, noting that Ziletti attributes this to Bartolus; Calasso, 'Bartolo', questioning Bartolus's authorship; Peruzzi, 'Angelus de Amelia' 31-38, finding Jacobus to be the author. This copy has the preface found at Bartolus, *Opera omnia* X fol. 167va, followed by a list of subjects in the tract before the incipit itself. It includes the additions through X fol. 169vb.)

fol. 35v <**Johannes de Guidonibus de Accumulo, Notationes de testibus**>

fol. 36r-57v, 61r-67r, 140v-141r, 156v-157r, 169r, 175r-178r, 178v-185r, 186v-188r, 206v, 226v-227r, 229v-230v, 236v-244v, 483v, 505v <Auctores varii, **Quaestiones**>, nominantur: Andreas de Isernia, Quaestio 'Quidam eodem momento' cum additionibus Johannis de Guidonibus de Accumulo (fol. 36v); Angelus Pauli de Castro, Quaestio 'Quero quid si' (fol. 483v); Angelus de Ubaldis, Quaestiones ZZ 'Bononiensis sue ciuitatis' cum additionibus Johannis de Guidonibus de Accumulo (fol. 37r-44r: 'MCCCLXXXIII ... respondit ... Ugholinus de Pilis de Fano Bononiae'), 'In refulgenti deliciarum' cum additionibus Johannis de Guidonibus de Accumulo (fol. 44v-48v; 'in studio paduano'), 'Exorta guerra' (fol. 49r-57v; 'respondit dominus Angelus de Narnia ... Bononie ... 1392 die penultimo aprilis'), 'Renouata guerra' (fol. 61r-67r; 'Padue ... M° CCC° LXXXVI die quinta iulii'), 'Duo nobiles Gallici' (fol. 236v-244v); Baldus de Ubaldis, Quaestio 'Quero utrum ex processu' (fol. 140v-141r); Bartolus de Saxoferrato, Quaestiones IV (fol. 176v-178r [**Ed.** Bartolus, *Opera omnia* X fol. 78va-79vb]), VII (fol. 178v-180v [X 81va-82va. **Bibl.** Bellomo, *Problemi* 148-50]), I (fol. 181r-185r [X 74ra-75vb]), VIII (fol. 186v-188r [X 83vb-84va]), XVIII (fol. 302r-303r [X 90ra-vb]); ZZ Kataldinus de Boncompagnis, Quaestio 'Quero utrum annus' (fol. 156v-157r); Cinus de Pistorio, Quaestio 'Notatur in lege' (fol. 140v [**Ed.** Cino, *Quaestiones* 78-79]); Dinus de Mugello, Quaestiones 'Consuevit queri' (fol. 36r), 'Quidam accusatus fuit' (fol. 36r-v), 'An credatur scripture' (fol. 169r); Guido de Suzaria, Quaestio 'Statuto cavetur quod nemo' (fol. 230r-v); Johannes de Guidonibus de Accumulo (?), Quaestio 'Quero aliquis vult' (fol. 505v); Nicolaus de Matherellis, Quaestio 'Quidam petiit a Titio' (fol. 175r-

176r [Ed. M. Bevilacqua, 'Una "quaestio" di Niccolò Matarelli (Vat. lat. 10726)', *Collectanea Albareda* I 139-57 at 151-57, using this MS]; Odofredus, Quaestio 'Queritur hic si aliquis' (fol. 226v); incerti auctores, Quaestiones 'Quero an marito mortuo' (fol. 206v), 'Quidam in suo testamento' (fol. 227r), 'Statuto civitatis cavetur' (fol. 229v-230r), 'Quidam Reynus de civitate' (fol. 230r), 'Statuto cavetur quod quis' (fol. 230r), 'Quero quid est' (fol. 483v), 'Quid sit est' (fol. 483v), 'Committitur quandoque electio' (fol. 505v), 'Proponitur quod Petrus' (fol. 514v).

fol. 67r *marg. inf.* <**Johannes de Guidonibus de Accumulo, Nota de stipendariis**>

fol. 68r-85v **Antonius de Benciolis de Canario, Tractatus de executione**

instrumentorum, imperfectus (See Vat. lat. 8068 fol. 279r-292v, 297r-298v for further information.) *Variants:*

(Invocatio) Ihesus Christus. (Rubrica) Tractatus circa materiam executionis ystrumentorum per dominum Anthonium de Cannario. (Textus) per numerum; ystrumentorum *pro* instrumentorum (fol. 84v) (Finis) sed quia tutus naturali equitate quod dicit esse notandum. (Epilogus) Expeditus sit tractatellus iste ad laudem et gloriam omnipotentis Dey ... ut facilius possint inueneri tabulam subitio per numerum ut infra notantur. <Tabula> ... (fol. 85v) (Colophon) Cui finem feci ego Iohannes Accumbulensis. die xxiii. septembris 1443 inter horam xviii et xviii apud Nursiam. (Ed. TUI 5 fol. 39r-45r. This MS lacks the last four sections of the edition and adds the epilogue and summary table.)

fol. 94r-96v **Angelus de Ubaldis, Tractatus de inventario** sive in § *Haec stipulatio*

(Dig. 35.3.1.9), versio altera

(Rubrica) Incipit tractatus de confentione (*sic*) inuentarii compositus per dominum Angelum super l. i. § *Hec* stipulatio ff. Si cui plus quam per l. Fal. (Lemma) *Hec stipulatio*. (Textus) Hic declaratur qualiter stipulatio hic interponitur et quid per eam reuocetur ... (Finis) qui se putant posse conficere inuentarium uel iam facti beneficio gaudere. (Colophon) Et sic expeditus est inuentarii tractatellus in uestrarum lectionum discursu. Deo gratias amen. Agnelus (*sic*) de Ubaldis de Perusio. (Ed. Cf. TUI 8.2 fol. 155va-156rb and Angelus de Perusio, *Super C[odice]. ...* [Lugduni 1522] fol. 165vb-167rb. **Bibl.** Izbicki, 'Problems in TUI' 480. This version varies from both the form of the tract in Vat. lat. 2363 fol. 61ra-64va and from that of the *tractatellus* found in Vat. lat. 2615 fol. 55r-58r.)

fol. 97r-99r <**Pseudo-Bartolus rectius Angelus de Ubaldis (?), Tractatus**> **de forma**

inuentarii idest in § *Si vero* (Nov. 1.2.2) (See Vat. lat. 2289 fol. xvii^{rb}-xviii^{va} for further information.) *Variants:*

(Invocatio) Ihesus. (Rubrica *add.*) Forma inuentarii secundum dominum Angelum de Perusio in authentica de heredibus et falcidia. (Praefatio) Et in confectioe talem ordinem obseruabis: in herede uniuersale litterarum perito ... (Finis) l. fi. C. de iure delibe. (Cod. 6.30.22) et omnia bene nota. (Colophon) Laus Deo amen. <Subscriptio deest.> (**Bibl.** Izbicki, 'Problems in TUI' 480.)

fol. 99r-v **Bartholomaeus de Novaria, Casus in quibus requiritur speciale mandatum**
(Rubrica) Nota casus xxxiii in quibus requiritur speciale mandatum. (Textus)
Primus casus est in aditione hereditatis ... (Finis) mandat quod habet ad lites
futuras poterit eam intentare que uerba sunt notabilissima. (Subscriptio) Bartholus
(*sic*) de Nouarie utriusque iuris doctor. (**Bibl.** Calasso, 'Bartolo', questioning the
ascription to Bartolus; M. Piccialuti, 'Bartolomeo da Novara', DBI 6.740-41.
Written in a different hand this text has been massively corrected by Johannes de
Guidonibus. He cancelled the last two lines of the original text and lengthened the
work by another twenty percent. This text is very different from that of the same
name at Vat. lat. 8069 fol. 127v-128r, q.v.)

fol. 100r **Bartolus de Saxoferrato (?), Tractatus de sequestrationibus**
(Rubrica) De sequestrationibus per Bartolum. (Textus) Quid dicatur sequester dic
ut ff. de uerborum sygnificatone l. *Sequester* (Dig. 50.16.110) ... (Finis) quod si
constat de debito et obligatione quod non potest, alioquin sic. (Subscriptio)
Bartolus de Saxoferrato. (**Bibl.** Feenstra, 'Bartole dans les Pays-Bas (anciens et
modernes)', *Bartolo* I 175-281 at 225, denying the authorship of Bartolus;
Calasso, 'Bartolo' 659, questioning Bartolus's authorship.)

fol. 100r <**Johannes de Guidonibus de Accumulo (?), Notationes de
sequestrationibus**> (Although typical of the notations by Johannes de
Guidonibus following tracts throughout this MS, this set is least similar in script
to his known hand.)

fol. 100v <Incertus auctor, **Nota de sequestrationibus**>
(Rubrica) De sequestris et in quibus casibus permittitur (*sic*). (Textus) Rey
sequestratio conceditur ut ff. qui satisdare cogantur l. *Si fideiussor*. § ultimo (Dig.
2.8.7.2) ... (Finis) ita notat Cynus in l. unica C. de prohibita sequestratione
pecunie (Cod. 4.4.un.).

fol. 100v-101r **Martinus de Fano O.P., Tractatus de sequestrationibus**
(Rubrica) De sequestrationibus et qualiter fiant. (Textus) Quid faciat iudex in
causis infrascriptis (?) ecce de consuetudine ... (Finis) argumentum contra ff. de
penis l. (*sic*) est iudicatum solui l. *Cum apud* (Dig. 46.7.20). (Subscriptio)
Martinus de Fano legum docto. (**Bibl.** Diplovatius, *De claris iuris consultis* 119-
23.)

fol. 101v **Sinibaldus de Perusio, Tractatus de potestate arbitrorum**
(Rubrica) De potestate arbitrorum. (Textus) Super potestatem arbitrorum et per
quantum tempus est ... (Finis) et istud obtentum fuit m<u>ltotiens in ciuitate
Perusii, tene menti. (Subscriptio) Sinibaldus de Perusio legum doctor.

fol. 104r-106r **Baldus de Ubaldis, Tractatus de constituto** (See Vat. lat. 2289 fol. 99ra-
100rb for further information.) *Variants:*
(Rubrica) Tractatus constituti et constituendi per Baldum. (Textus) artis
mercatorum *pro* mercatorum seu artis mercancie; summam *pro* summulam (Finis)

non possit opponi exceptio banni ad quod facit quod notatur ff. depositi l. *Bona fide* § 1 (Dig. 16.3.31.1). (Colophon) Laus Deo amen. Baldus. (**Ed.** Cf. TUI 6.1 fol. 38rb-39ra. As in Vat. lat. 2289, this text breaks off at no. 11 in med., adding only two further words from the edition before the final list of allegations, which differs from the list in Vat. lat. 2289.).

fol. 106r-108v **Bartolus <de Saxoferrato>, Tractatus de alimentis** (See Vat. lat. 2289 fol. xi^{va}-xiii^{ra} for further information.) *Variants:*

(Rubrica) Tractus (*sic*) alimentorum per Bartolum. (Textus) Alimentorum materiam tractaturus que alimenta contingit tam ex iure ueteri ... (Subscriptio) Bartolus. (Colophon) Explicit tractatus alimentorum per Bartolum. Deo gratias. (Alternate readings added to the incipit by Johannes de Guidonibus generally conform to the readings in Vat. lat. 2289. There are massive additions and corrections to the text throughout.)

fol. 108v <**Johannes de Guidonibus de Accumulo, Nota de alimentis**>

fol. 109r-111v, 217r-226v, 233r-236r, 272r-275r, 277r-284r, 348r-349r, 410r-469r <Auctores varii, **Repetitiones**>, nominantur: Angelus de Ubaldis, Repetitio l. *Nemo carcerem* (Cod. 10.19.2) (fol. 109r-111v); Antonius de Butrio, Repetitio c. *Exivi* (Clem. 5.11.1) (fol. 272r-ZZ175r); Baldus de Ubaldis, Repetitio l. *Opera data* (Cod. 9.1.11), excerptum (fol. 348r-349r [**Ed.** Baldus, *Opera omnia* VIII fol. 202va-vb]); Bartolus de Saxoferrato, Repetitiones l. *Omnes populi* (Dig. 1.1.9) (fol. 217r-226v [**Ed.** Bartolus, *Opera omnia* X fol. 9rb-14va]), l. *Pater filium* (Dig. 5.2.14) (fol. 233r-236r [**Ed.** Ed. cit. I fol. 160va-161rb]); Johannes de Guidonibus de Accumulo (?), Repetitio § *Arbitrorum* (Dig. 17.2.76 i.m.) (fol. 277r-284r); Petrus de Ubaldis junior, Repetitio § *Papinianus* (Dig. 17.2.52.6) (fol. 410r-469r [**Ed.** TUI 6.1 fol. 133ra-173rb, the edition lacking the first two paragraphs and the table of conclusions in this copy]) (Borino (p. 133) suggests that the Repetitio § *Arbitrorum* is by Johannes de Guidonibus de Accumulo, but it is not his autograph. Modern notes identify 'Arbitrorum' as both Cod. 2.55.3 (l. *Arbitrorum*) and Dig. 17.2.6 (*sic*).)

fol. 113r-115v <**Baldus de Ubaldis**>, **Tractatus de carceribus**

(Rubrica) Tractatus de carceribus per Angelum de Perusio. (Textus) Quia legum precepta principaliter sunt inuenta ... (Finis) et est argumentum in l. *Victum* ff. de re iudicata (Dig. 42.1.34). (Colophon) Deo gratias Franciscus de Aretio. (**Ed.** TUI 11.1 fol. 200vb-201va, or Bartolus, *Opera omnia* X 154rb-155ra. **Bibl.** Izbicki, 'Problems in TUI' 481-82; Calasso, 'Bartolo' 653, questioning Bartolus's authorship; Feenstra, art. cit. 122. A 16th-century note on fol. 113r refers to the version printed in Bartolus's works. The text here matches the incipit as in TUI, attributed to Baldus. This version is longer than either of the printed texts, having more allegations. Cf. also Vat. lat 2289 fol. 103va-104vb, where the text matching the Bartolus edition is attributed to 'Pseudo-Bartolus'.)

fol. 121r-128r <Incertus auctor, **Processus Satanae contra genus humanum** sive

Tractatus procuratoris editus sub nomine diaboli>

(Invocatio) Yhesus. (Textus) Accessit Mascaron ad omnipotentis Dey presentiam et ait 'creator omnium ubique iusticia xi. q. iii. *Serui* et c. *Custodi* (C.11 q.3 c.54) ...' ... (Finis) et Yhesum benedictum, 'fructus uentris tui.' expulso diabolo nobis ostende. (Colophon) Amen. (Ed. Hain 2646 [unseen; cf. Borino 121]. **Bibl.** Feenstra, art. cit. at 209, listing this as an alternate version of Bartolus's *Tractatus* (dictus Belial) *quaestionis ventilatae*; cf. Vat. lat. 2625 fol. 174v-177v. However, this differs markedly from that text. Calasso, 'Bartolo' 658, questioning Bartolus's authorship.)

fol. 128v-132v <**Franciscus de Aptis, Tractatus de portione canonica**>, imperfectus (See Vat. lat. 8069 fol. 177v-182v for further information.) *Variants:* (Invocatio) Yhesus Christus. <Rubrica deest.> (Textus) apostolicam *pro* apostolici (Finis) mouam super hoc decretalem condemdo nemo sane mentis ignorat (ingiorat *cod.*). (Colophon) Deo gratias Corneti scripta (**Bibl.** Izbicki, 'Problems in TUI' 488-49, where the second reference to Vat. lat. 8069 should be to this MS. This text ends at the bottom of fol. 194va of the edition.)

fol. 133r-140v **Johannes de Lignano, Tractatus de testibus**

(Rubrica) Tractatus de testibus secundum Iohannem de Lignano utriusque iuris doctorem eminentissimum. (Textus) Testes duo requiruntur adminus in omni causa secundum ius ciuile ... (Finis) argumentum C. de manda. princi. l. ii (Cod. 1.15.2). (Colophon) Et hec sufficiant de tractatu de uarietate testium. Deo gratias amen. (**Bibl.** McCall, 'John of Legnano' at 422. Extensive additions in the margins include substantial portions of *consilia* by Franciscus Tigrini, Bartolus, Baldus, and Honofrius de Bartolinis (cf. *supra*) and lengthy notations attributed to Angelus de Ubaldis at fol. 137r and Antonius de Butrio at fol. 137v.)

fol. 141r <Incertus auctor, **Nota de consanguinitate**>

(Rubrica) Quid sit gradus. (Textus) Secundum canones due persone faciunt unum gradum ut puta duo fratres ... (Finis) unde non actinet illi qui est ultra quartum gradum.

fol. 141v-142r **Bartolus <de Saxoferrato>, Tractatus de praesumptionibus** (See Vat. lat. 2289 fol. 250ra-va for further information.) *Variants:*

(Rubrica) Tractatus presumptionum per Bartolum. (Textus) <P>resummitur contractus sine aliqua probatione in casibus istis ... (Finis) ut *add. post* indignus; etc. xx. ... etc. *om.* (Colophon) Deo gratias. Amen. Bartolus. (**Bibl.** Calasso, 'Bartolo', questioning Bartolus's authorship.)

fol. 144r-147r **Bartolus de Saxoferrato, Tractatus de <iudiciis>** (See Vat. lat. 2289 fol. xiii^{ra}-xv^{vb} for further information.) *Variants:*

(Rubrica) Tractatus de ordine iudiciorum secundum Bartholum de Saxoferrato. (Finis) et l. *Inter litigantes debitores* C. de actio. et obligatio. (Cod. 4.10 .9). (Colophon) Deo gratias amen. Bartolus. (The text ends with a different set of

allegations than the edition at Bartolus, *Opera omnia* X fol. 156ra.)

fol. 148r-151r <**Thomas de Piperata, Tractatus de fama**> (See Vat. lat. 2343 fol. 47va-48vb, etc. for further information.) *Variants:*

(Invocatio) Yhestus Christus. (Praefatio) Quoniam circa famam et indicium et presumptiones multas dubitationes in iudiciis oriri contingit ... (Textus) Fama est dignitas illesa status moribus ac legibus conprobatus ... (Colophon) Deo gratias Oddofredus (*sic*) Tho. (Compared to the edition, TUI 11.1 fol. 8va-10rb, this text combines the preface and text incipit of the text in Vat. lat. 2343 into a single opening statement. There is a note on fol. 148r, in a 16th-century hand, stating that the text is printed under the name of Thomas de Piperata.)

fol. 151r-156r <**Baldus de Ubaldis**>, **Tractatus de syndicatu officialium** idest Repetitio 1. *Observare*> (Dig. 1.16.4) (See Vat. lat. 2289 fol. 73ra-75va for further information.) *Variants:*

(Lemma) *ff. de off. proc. l. add. recent. man. ante Obseruare* (Colophon) Deo gratias. Finit. Laus Deo. (The text has been heavily annotated by Johannes de Guidonibus. A note was also added between this and the following text at the time of composition.)

fol. 155r-156r *marg.* <**Johannes de Monte Magno, Additiones ad Tractatum Baldi de syndicatu**>

(Rubrica) Questiones addite ad § *Proficisci* supra positum. (Textus) Et primo quero. Miles sotius potestatis de ipsius potestatis mandato ... (Finis) et ita sufficit sacramentum factum l. *Admonendi* de iur. iura. (Dig. 12.2.31). (**Bibl.** Izbicki, 'Problems in TUI' 482 and n. 1 See also Vat. lat. 2656 fol. 77ra-vb. The text fills the whole writing space on fol. 156r, continues outside the rulings to fill the lower margin, and then jumps back to the upper margin and continues down the right margin, ending at mid-folio. It also has numerous further notations in the margins.)

fol. 157r-159v <**Tancredus de Corneto, Summa compendiosa, excerptum De significatione dictionum et verborum**>

(Rubrica) Rubrica tractatus de dictionibus editus per Bartolum (*sic*). (Textus) Ad habendum uberiolem (ergo ueriolem *cod.*) doctrinam significationum (et significationem *ed.*) quorundam uerborum ... (Finis) Ad idem (Adididem *cod.*) est ff. (ff. ff. *cod.*) de uul. et pupil. l. *Verbis ciuilibus* (Dig. 28.6.7). (Colophon) Deo gratias amen. (**Ed.** as *Practica Baldi* (Lugduni 1528) fol. lxxxix^{ra}-xci^v. **Bibl.** Peruzzi, 'Angelus de Amelia' 41-42, correcting Borino 123; D. Maffei, *Giuristi medievali e falsificazioni editoriali del primo cinquecento* (Ius commune, Sonderhefte 10; Frankfurt a.M. 1979) 30(-32) n. 72; Calasso, 'Bartolo' 654. See also Vat. lat. 8068 fol. 322r-323r. A 16th-century note at fol. 157r states the work is Baldus's *Practica iudiciaria*.)

fol. 160r-v **Jacobus Butrigarius, Tractatus <de oppositione> compromissi et de eius forma** (See Vat. lat. 2660 fol. 271r for further information.) *Variants:*

- (Rubrica) Que possint obici compromisso. (Textus) non *pro* nil (Finis) et commissa exigatur (Ego talis etc. *add. cod.*) Actum etc. (presentibus etc. *add. cod.*). (Colophon) Explicit tractatus de his que obici possunt compromisso et de forma ipsius editus pro Iacobo Butrigario de Bononia. Deo gratis amen. Alibi dicitur per Iohannem Andree decretorum doctorem etc. (Ed. TUI 3.1 fol. 206ra-rb. This MS agrees with the ending in the edition as against Vat. lat. 2660. **Bibl.** Izbicki, 'Problems in TUI' 486-87.)
- fol. 160v-161r **Albertus Galeottus, <Tractatus> de rescriptis et privilegiis**
 (Rubrica) De rescriptis et priuilegiis et que possint eis obici et opponi secundum Albertum Galeocti de Parma legum doctorem. (Textus) Que sit differentia inter priuilegium et rescriptum, dic priuilegium est contra legem ... (Finis) solutio sit ut notat Godfredus de priuilegiis c. Ex (sic) tuarum (X 5.33.11). (Bibl. Diplovatatus, *De claris iuris consultis* II 154-55.)
- fol. 161r-162v **Albertus Galeottus, <Tractatus> de fideiussoribus**
 (Rubrica) De fideiubxoribus (*sic*) et eorum natura. (Textus) Quid sit fideiubxor dic ut notat Azzo in summa ... (Finis) ff. de executio. (*sic*) rey iudica. l. *penultima* §. Latius (*sic*) quod est uerius (Dig. 44.2.30.1). (Subscriptio) Albertus Galeocti de Parma. (**Bibl.** K. Nörr, 'Die Literatur zum gemeinen Zivilprozess' in Coing, *Handbuch* I 383-99. As noted in the margins, this and the preceding tract are parts of the author's *Margarita*.)
- fol. 162v **Bartolus de Saxoferrato, Lectura in primam Codicis partem**, excerptum
 (Cod. 1.2.7)
 (Textus) Vtrum tenentur ecclesie conferre ad faciendos muros ciuitatis ... (Finis) Vnde ecclesia non debet soluere nisi predia essent tributaria, ut dixi supra l. *Placet* (Cod. 1.2.5). (Colophon) Hoc est dictum Bar. in l. *Ad instructiones* C. de sac. sanc. eccle. et de rebus et priuilegiis earum. (Ed. Bartolus, *Opera omnia* VII fol. 13ra-rb.)
- fol. 164r-167v **Dinus de Mugello, Tractatus de successione ab intestato** (See Vat. lat. 2638 fol. i^{ra}-iii^{ra} for further information.) *Variants:*
 (Rubrica *add.*) Tractatus successionum ab intestato per Dynum. (Finis) prefata authentica aperte notatur *pro* predictis aperte cauetur (Colophon) Deo gratias amen. Dynus de Mugello legum doctor.
- fol. 167v-168r **Franciscus de Perusio, Additiones ad Tractatum <Dyni de successione ab intestato>**
 (Rubrica) Additiones ad predictum tractatum. (Textus) Nota quod filii fratrum coniuncti ex utroque latere succedunt ... (Finis) per Baldum in iii^o libro consiliorum consilio quarto ut supra eodem in xii^o notabili. (Subscriptio) Franciscus Bar [?] de Perugia legum doctor. (Ed. 'Hec sunt cum tractatu impresse' appears in a 16th-century hand on fol. 167v: however, it is not printed in TUI, *Tractatus tractatum*, or with the copy of the tract in Bartolus, *Opera omnia* X fol. 156vb-158va.)

- fol. 169v-172r **Jacobus de Arena, Tractatus de commissariis**
 (Rubrica) Tractatus commissariorum per dominum Iacobum de Arena. (Textus) Quia commissariorum frequens et utilis est tractatus idcircho (ideo *ed.*) de his (est *add. ed.*) hoc ordine tractare intendo (procedendum *pro* tractare intendo *ed.*) ... (Finis) Et determinauit expresse hoc per l. *Si legauero* (?) de fideycommis. liberta. §. ita (?) duobus (Dig. 40.5.22.1) et concordat cum eodem Dyni. (Subscriptio) Iacobus de Arena. (Ed. TUI 8.1 fol. 195ra-196rb, with the last seven lines of this MS varying from the end of the edition. There is an additional two-line note by Johannes de Guidonibus after the subscription.)
- fol. 172v-174r <**Bartolus de Saxoferrato (?)**>, **Tractatus de consiliis habendis**
 (Rubrica) Tractatus circha practicam habendorum consiliorum per Baldum (*sic*). (Textus) Sepenúmero de facto solent occurrere questiones circha practicam habendorum consiliorum per officiales in assessoria (Sepenúmero ... questiones *om. ed.*) ... (Finis) ut (*om. ed.*) C. de inofficio. testa. l. Eum (Cum *ed. male*) qui (Cod. 3.28.14). Sed certe nec ibi dicitur (quod *add. cod.*) utraque uia agi possit (posse *ed.*). (Colophon) Deo gratias amen. Explicit tractatus circa practicam consiliorum habendorum. (Ed. TUI 3.1 fol. 330va-331va. **Bibl.** Ascheri, 'Consilium Sapientis' 575-79, arguing against Bartolus's authorship.)
- fol. 174r-v <**Johannes de Guidonibus de Accumulo, Notationes de consiliis**>
- fol. 178r <**Johannes de Guidonibus de Accumulo, Notationes de sententiis latis**>
- fol. 185v-186r **Bartolus <de Saxoferrato, Tractatus de bannitis>** (See Vat. lat. 2289 fol. 91rb-vb for further information) *Variants*:
 (Rubrica) Tractatus exbannitorum per Bartolum. (Textus) aliquem *om.*
 (Colophon) Deo gratias. Circha materiam istorum exbannitorum uide precedentem disputationem Bartoli que incipit Statuto Lucane ciuitatis etc. (Cf. Bartolus, *Quaestio* I, fol. 181r-185r *supra*.)
- fol. 188v-191v **Johannes Andreae, <Summa> de sponsalibus et de matrimonio** (See Vat. lat. 1452 fol. 157ra-159ra for further information.) *Variants*:
 (Rubrica) Incipit tractatus de sponsalibus et matrimoniis editus per Iohannem Andree. (Praefatio) nomine inuocato *pro* nomen inuocans (Textus) igitur uideamus *pro* igitur primo uideamus; que *pro* quid (Finis) non ad propositum, unde uide per te. (Colophon) Deo gratias.
- fol. 191v <**Johannes de Guidonibus de Accumulo, Notationes de probationibus**>
- fol. 192r-196r *marg.* **Bartolus <de Saxoferrato, Tractatus de tyrannia>** (See Vat. lat. 2289 fol. 87vb-91rb for further information.) *Variants*:
 (Rubrica) Tractatus de tiramnide (*sic*) secundum Bartolum. (*add. in marg.*) Tractatus de tiramnide. (Invocatio) Nunc Christi nomine inuocato eiusque matris uirginis gloriose necnon beate Catarine uirginis et martiris et totius celestis curie

triumphantis amen. (Praefatio *add.*) Quia iam dudum in multis tractatibus laboravi dulcissimas materias pertractando ... (Textus) tiramnus *pro* tyrannus; Respondeo *praem. ante* a 'tyro' (Finis) dixi supra in tertia principali questione *pro* supra dixi (Subscriptio) Et hec ad modo de materia tyrannorum dicta sufficient. Deo gratias amen. Bartolus. (Ed. Quaglioni, *Politica e diritto* 171-213, using this MS (siglum Vd), and editing the marginalia at 239-40; on the preface, see D. Quaglioni, 'Intorno al testo del 'Tractatus de tyrannia' di Bartolo da Sassoferrato', *Il pensiero politico* 10 (1977) 268-84 at 270-72. The invocation and preface have been added in the margin. The ending has been changed, with the lengthened text added in the margin.)

fol. 196r-197r **Baldus <de Ubaldis, Lectura in Codicem** (Lib. 1), excerptum > (Cod. 1.3.26)

(Rubrica) Circha materiam uide que notat dominus Baldus de Perusio super l. *Decernimus De* episcopis et cleri. (Cod. 1.3.26) ubi sic inquit. (Textus) Bartolus fecit de hoc quendam tractatum ualde uerbosum Sed ego breuiter loquor ... (Finis) uide per Cynum in l. i. C. unde ui (Cod. 8.4.1) et latius ibi dixi in xi^a questione. (Subscriptio) Baldus de Perusio. (Bibl. Quaglioni, art. cit. 274 and n. 26. Not printed in Baldus, *Opera omnia*.)

fol. 197r-200r **Bartolus <de Saxoferrato>, Tractatus de duobus fratribus** (See Vat. lat. 2289 fol. 93ra-95ra for further information.) *Variants:*

(Rubrica) Tractatus de duobus fratribus secundum dominum Bartolum incipit. (Textus) Hic tractatus de duobus fratribus insimul habitantibus in duas partes principales diuiditur ... (Finis) dicta *om.* (Colophon) Explicit tractatus de duobus fratribus secundum Bartolum quem morte preuentus non compleuit. Idcircho uide complementum domini Baldi, quod fecit super hoc tractatu (*al. man.*) infra ad cartam 319. (A note referencing fol. 319 also appears on fol. 197r.)

fol. 200r-201r **Matthaeus de Mathesillanis, Tractatus <de electione opinionum>** (See Vat. lat. 2594 fol. 271ra-272ra for further information.) *Variants:*

<Invocatio deest.> (Rubrica) Tractatus quando sunt uarie opyniones que opynio sit tenenda editus per dominum Macteam de Mactasilanis Bononiensem in Castro Centi Bononie uigente peste rogatu quorundam scolarium ibidem existentium. (Textus) doctores uel glosatores *pro* hoc glosatores (Finis) actus *pro altus* et.

fol. 201v-202r **Johannes de Guidonibus de Accumulo, Summula <de effectibus excommunicationum>**

(Praefatio) Deuictus instantia aliquorum ego Iohannes de Guidonibus de Accumulo decretorum doctor hanc summulam breuem compilauit ... (Textus) Et est sciendum quod excommunicatus minoris ecclesie non potest impetrare rescriptum ... (Finis) Et a pluribus aliis repellitur. Ex eo tamen ista ad presens est sufficient.

fol. 203r-206v **Baldus <de Ubaldis>, Tractatus de tabellionibus** (See Vat. lat. 2289 fol. 75va-78rb for further information.) *Variants:*

- (Rubrica) Tractatus de tabellionibus. (Textus) Tractaturi *pro* Tractaturus (Finis) possunt *pro* potest (Colophon) Deo gratias amen. Explicit tractatus de tabellionibus secundum dominum Baldum de Perusio. (**Bibl.** Izbicki, 'Problems in TUI' 483.)
- fol. 203r *marg.*-203v *marg.* <Incertus auctor, **Additiones ad Tractatum Baldi de tabellionibus**>
(Textus) Adde ad predictum tractatum aliquas questiones. Et primo quero quidam tabellio relinquit ... (Finis) Non est credendum ei nunc predicta in authenticis de fide instru. § Si uero instrumentum (Formed of five short *quaestiones*, the fourth of which (fol. 203r *marg. inf.*) is signed Jacobus de Arena.)
- fol. 206v <**Johannes de Guidonibus de Accumulo, Notationes de instrumentis**>
- fol. 207r-212v **Angelus de Periglis, Tractatus de societatibus** (See Vat. lat. 2289 fol. 271ra-273vb for further information.) *Variants:*
<Rubrica deest.> (Textus) Circha primum quesitum uidelicet quando sotietas contrahitur ... (Subscriptio) etiam *om.*, Angelus Iohannis Pirigli Perusinus, etc. *pro* Deo gratias.
- fol. 213r-216v **Guillelmus <Giberti de Usmole, Tractatus de restitutione dotis>**
(Rubrica) Tractatus de iure dotium compositus per dominum Guilgielmum de Vsmole famosum doctorem. (Textus) De (Ex *ed.*) quibusdam utilissimis questionibus que sepae in iudiciis uentillantur ... (Finis) de pacto patris ff. de solut. l. Qui hominem §. <Si> gener. (Dig., 46.3.34.6). (Subscriptio) Et hec dicta sufficiant. (**Ed.** TUI 9 fol. 472va-474ra, where this tract is attributed to Odofredus. **Bibl.** Izbicki, 'Problems in TUI' 491, arguing against Ziletti's attribution to Odofredus and in favor of Guillelmus.
- fol. 236r <**Johannes de Guidonibus de Accumulo, Nota de poenis**>
- fol. 270r-271v <**Johannes de Guidonibus de Accumulo (?), Puncta in examinationibus**>
(Rubrica) Puncta cum gradum assumi. (Praefatio) Constitutus in presentia eximii utriusque iuris doctoris domini Contis domini Sacci de Perusio ... Cetera piis dominationibus uestris iudicanda reliquens. (Textus) Venio igitur ad primum uidelicet ad rubricam codicis ... (Finis) expeditus de omnibus punctis mihi per dominationes uestras assignatis. (Subscriptio) Expeditus igitur de punctis meis nunc me subicio uestro pio ac rigoroso examini, cetera uestris piis dominationibus iudicanda relinquens et me eiusdem humiliter recommittens. (On the authorship, see Borino 132.)
- fol. 276v <**Johannes de Guidonibus de Accumulo (?), Notationes legales ex operibus Angeli de Ubaldis**>
- fol. 296v **Baldus <de Ubaldis, Lectura in Digestum novum, excerptum>** (Dig.

47.8.4.12)

ZZ Docere: Iste § est l. *Pretor* ff. ui bonorum raptorum Et istum § allegam ... (Finis) uide quia disputauit. Nicolaus de Mactarellis. (Subscriptio) Baldus. (Not printed in Baldus, *Opera omnia*.)

fol. 304v-305r **Bartolus de Saxoferrato, Tractatus de <bannitis>** (See Vat. lat. 2289 fol. 91rb-vb *et supra* fol. 185v-186r for further information.) *Variants*:

(Textus) queritur *pro* quero (Colophon) Deo gratias amen. Explicit tractatus breuissimus de exbannitis compilatus per dominum Bartholum de Saxoferrato. (**Bibl.** Calasso, 'Bartolo' 655, noting two copies of this tract in this MS, cf. fol. 185v-186r.)

fol. 316v-317v <Incertus auctor, **Tractatus de appellationibus**

(Rubrica) De appellationibus. (Textus) Appellans a sententia debet ystrumentum sententie coram iudice ad quem producere ... (Finis) Et nota quod loco apostolorum succedunt episcopi dy. lxviii c. *Quamuis* (*rectius* Quorum = D.68 c.6).

fol. 319r-324v **Baldus <de Ubaldis>, Additio ad Tractatum Bartoli de duobus fratribus**

(Rubrica) Incipit tractatus Baldi de duobus fratribus perficiendis tractatum Bartoli predictum in Dey nomine amen. (Praefatio) Quia superior tractatus de duobus fratribus non fuit per Bartolum completus ... (Textus) Primo (Et primo *ed.*) queritur pater emit libros filio studenti ... (Finis) l. Ex duobus in prin. Deo gratias. Bal. Item expense facte in aliquo tempore diuisionis non extrahuntur ut l. Ex duobus ff. de neg. ges. (Dig. 3.5.26) et ibi textus. (Colophon) Explicit tractatus de duobus fratribus simul habitantibus inceptus per Bartolum et perfectus per Baldum. Deo gratias. (*al.man.*) Tractatus Bartoli super ista materia uide supra ad cartas 197. (**Ed.** Bartolus, *Opera omnia* X fol. 115rb-117rb. Cf. Vat. lat. 2289 fol. 95ra-97rb. This version adds the prefatory remark and one sentence after the subscription.)

fol. 324v <**Johannes de Guidonibus de Accumulo** (?), **Nota de duobus fratribus**>

fol. 325r-v <**Jacobus Balduini, Summula sive**> **Tractatus de fratribus insimul**

habitantibus (See Vat. lat. 2618 fol. 99v-100r for further information.) *Variants*: (Rubrica) Tractatus de duobus fratribus simul habitantibus post mortem patris. (Textus) Satis fuit hactenus dubitatum et multe questiones ... (Finis) et C. eodem *pro* infra de dona. (Colophon) Et hoc secundum Iacobum de Arena. De hac materia uide in speculo de iud. §. *Sequitur* uer. ut circha. De aliis ad hanc materiam facientibus in eo. per Bar. in tractatu de duobus fratribus per totum. Iaco. de Are. (**Ed.** A. Romano, 'La *Summula de fratribus insimul habitantibus* di Iacopo Baldovini', RSDI 48 (1975) 123-70 at 166-70, using this MS (siglum V¹) and discussing this MS at 139-40 and nn. 50-51 and 164-65.)

fol. 326r-329v **Bartolus <de Saxoferrato>, Tractatus de insignis et armis** (See Vat. lat.

- 2289 fol. xv^{rb}-xvii^{rb} for further information.) *Variants*:
 (Rubrica) signa *pro* signum, humilis *om.*; in sillice uel marmore sculpire uel pingere in rubro et in nigro. (Colophon) Deo gratias amen. Explicit tractatus de insignis et armis editus per dominum Bartolum.
- fol. 330r-341r **Bartolus de Saxoferrato (?), Tractatus de represaliis** (See Vat. lat. 2244 fol. 106ra-114vb for further information.) *Variants*:
 (Rubrica) neque *pro* nec *bis* (Textus) queremus *pro* querimus (Finis) possit *pro* potest; etc. *om.* (Subscriptio *add.*) Bartolus de Saxoferrato. (Colophon) Deo gratias amen.
- fol. 341r-v <Odofredus (?)>, **Tractatus de dote** (See Vat. lat. 2656 fol. 60va-vb for further information.) *Variants*:
 (Rubrica) *pro pro* de; et quando non per Iacobum de Arena *pro* etc. (Finis) ut l. ii. de dote preallegata (Dig. 33.4.2) cum quibusdam ibi solutis. (Subscriptio) Iacobus de Arena. (Colophon) Deo gratias amen. (**Bibl.** Izbicki, 'Problems in TUI' 491.)
- fol. 349v **Johannes Andreae, <Tractatus de clericis habentibus privilegium clericale>** (See Vat. lat. 1387 Iv for further information.) *Variants*:
 (Rubrica) Quedam summula de clericis delinquentibus et habitum dimictentibus, an perdant benefitium clericale. (Finis) Idem tenet Innocentius extra de apostat. c. 1 (X 5.9.1) et dic ut ibi eum pernotatur. (Colophon) Iohannes Andree Iohannes Andree. (This copy has an explicit very similar to the copy in Vat. lat. 2660 fol. 270v-271r.)
- fol. 351r-357v <Incertus auctor, **Johanni de Deo** attributa saepissime, **Abbreviatio Decreti**> (See Vat. lat. 7667 fol. 200va-203ra for further information.) *Variants*:
 (Invocatio) Christus. (Rubrica) Decretorum adbreuiatio in qua sub breuibis uerbis continentur omnes distinctiones et cause et earum questiones et solutiones prout Gratianus in ipsis regulariter terminauit. (Textus) igitur *add. post* Liber. (Finis) liber iste *om.* (Colophon) Amen. Laus Deo amen.
- fol. 357v-359v <**Tabula legum Codicis et Digesti quae sunt in Decreto**>
 (Rubrica) Leges codicis que sunt in decreto. Causa prima. (Textus) C. que sit longa consuetu. l. i. (Cod. 8.52.1) xii. distinctio Consuetudo (D.12 c.7) ... (Finis) Institutiones de iure naturali §. *Diuturni (sic)* (Inst. 1.2.9) xxii. dystinctio *Diuturni* (D.12 c.6). (Colophon) Laus Deo et uirgini Marie amen.
- fol. 360r-361r **Regulae iuris in Libro Sexto cum concordantiis iuris civilis**
 (Rubrica) Bonifatius octauus. (Textus) Benefitium ecclesiasticum non potest licite sine institutione canonica obtineri de dona. inter uir. et uxo. l. *ZZ Exerciui* (Dig. 24. 1.?) ... (Finis) Certum est quod is comictet in legem qui legis uerba compiens contra legis nititur uoluntatem (Sext. 5.13.88), De donatio. inter uir. et uxo. l. iii (Dig. 24.1.3). (Colophon) Finiunt regule iuris in vi^o cum concordantiis iuris ciuilis. (Each *regula* is followed by a single citation to the Digest.)

fol. 361r-v <**Tabula de regulis Iuris aliis**>

(Textus) Innocentius in c. *Cum (sic) olim* de resti. spo. (X 2.13.12?) dicit quod si quis spoliavit ... (Finis) et in authentico de trien. et semis. §. *Consideremus* collatio. iii. (Nov. 18.5). (Colophon) In libraria seu biblioteca alme domus sapientie *uetus* Perusine in usibus pseudorum in titulo de statutis et consuetudinibus contra libertatem ecclesie inductis (Const. Fred. II tit. un.) et in fine ipsius compilationis est eorum confirmatio que incipit Nos Honorius episcopus et etc. Et Innocentius in c. *Ex parte* de foro competen. (X 2.2.15) dicit esset recepta ab ecclesia.

fol. 363r-370v <**Petrus Herdensis, Breviarium iuris canonici**> (See Vat. lat. 2540 fol. 104ra-107va for further information.) *Variants:*

<Rubricae praefationis et textus desunt.> (Finis) committere reconciliationem ecclesie tractatur extra de consecratione ecclesie (uel altaris c. *add. cod.*) *Aqua* (X 3.40.9). (Colophon) Deo gratias amen. (The text lacks the last four sentences of the edition.)

fol. 469v-471v <**Johannes de Guidonibus de Accumulo (?), Repertorium ad quaestiones varias de duobus fratribus**>

(Textus) Cuicciarellus et Venantius fratres et filii quondam Iohannis simul habitauerunt ... (Finis) Item nota quod non debet fieri diuisio cuiuslibet rei ne patrimonium dissipetur C. *qa.* et quibus quar. pars *de l. meminimus* li° x° (Cod. 10.35.2) et ibi per Bar. (The citations are usually to Bartolus or Baldus.)

fol. 471v-474r <**Quare et notationes de materiis iuris civilis**>

(Textus) Sed quero an currat tempus probare ... (Finis) ut probatur de damno infec. 1. *Si quis missus* § fi. (Dig. 39.2.17.4) ubi glossa singulariter distinguit et bene. ('Per Franciscum Tigrini' appears at fol. 472v.)

fol. 474r-480r <**Cinus de Pistorio et alii, Glossae contrariae iuris civilis**> (See Vat. lat. 2683 fol. 109vb-114ra for further information.) *Variants:*

(Rubrica) Incipiunt glosse singulares et discordantes super C., ff. ueteri, ff. nouo, infortiato reducte per dominum Bar. Et super C. (Textus) quid *pro quis* (Finis) per Cynum in l. *Edict.* (Cod. 2.1.3) et est casus extra de transac. c. *Preterea* (X 1.36.10). (Subscriptio) Bartolus. (Colophon) Expliciunt glose singulares et discordantes composite per dominum Bartholum in concordantiam. Deo gratias (**Bibl.** M. Bellomo, '*Glossae contrariae* di Cino da Pistoia', *Tijdschrift voor Rechtsgeschiedenis* 38 (1970) 433-47 passim; Feenstra, art. cit. 226; B. Paradisi, 'Le glosse di Bartolo da Sassoferrato', *La critica del testo. Atti del II Congresso internazionale della Società Italiana di Storia del diritto*, 2 vols. (Firenze 1971) II 575-618 at 607-09, printing part of the text from this MS.)

fol. 480r-482r **Raynerius de Forlivo, Tractatus de multis et quotidianis quaestionibus**

(Invocatio) In Dei nomine amen. (Rubrica) Tractatus de multis et quotidianis questionibus editus per dominum Raynerium de Forliuio. (Textus) Quero an

coram arbitro habeat locum reconuentio. Respondeo non ... (Finis) ut non teneatur contractu. Nota glossam in l. i. C. de prescriptione longi temporis (Cod. 7.33.1). (The text is composed solely of short questions followed by one or more allegations.)

fol. 483r-v **Petrus Elias, Tractatus de feudis**

(Rubrica) Incipit tractatus feudorum secundum dominum Petrum Helye. (Textus) Habemus contractum uassallicum seu feudalem. Est de natura eius domini ... (Finis) et ff. de postula. l. *Quos prohibet* (Dig. 3.1.7) etc. (Colophon) Petrus. Deo gratias etc.

fol. 484r-v <Incertus auctor, **Tractatus de deludendis argumentis**>

(Rubrica) Hec est uia quedam per quam possunt omnia argumenta deludi. (Textus) Pone ergo quod compromissum est factum in aliquem sine ratione ... (Finis) non est caluperniandum (*sic*) nec eius uerba captanda ff. ad exi. l. penultima (Dig. 10.4.19). (Colophon) Deo gratias. Finis est.

fol. 484v-488r **Galvanus <de Bettino de Bononia, Tractatus de differentiis legum et canonum>**

(Rubrica) Incipit tractatus de differentiis seu discordiis inter canonistas et legistas per dominum Galuanum de Bononia. (Praefatio) Differentia inter legistas et canonistas ques ellegi tempore mee repetitionis canonis *Non ita* ii. q. vi. (C.2 q.6 c.18) breuiter adiunge ... (Rubrica) Prima ar. (Textus) Secundum canones ante sententiam potest appellari ... (Finis) pro no. de iure iuran. c. fi. (X 2.24.36) super glossam iiii. ad finem §. etc. (Colophon) Finis est. Deo gratias. (**Ed.** TUI 1 fol. 189r-190rb. The MS adds the preface as well as eight lines to the 98th difference, while lacking the closing statements. The MS and edition last agree at the bottom of fol. 190ra of the edition. **Bibl.** Schulte, *Geschichte* II 287-88; Izbicki, 'Problems in TUI' 485-86.)

fol. 488v **Martinus de Fano O.P., <Tractatus de excussione bonorum>**

(Textus) Quia circha excussionem sepe consueuerunt dubitationes oriri, idcirco super ea et de ea ... (Finis) ut C. de bo. auto. iudi. pos. authentica *Et qui iurat* (Auth. post Cod. 7.72.9). (Subscriptio) Martinus de Fano. (**Bibl.** Kaeppli, *Scriptores* III 109 no. 2946.)

fol. 489r-490v **Jacobus de Arena, Tractatus de excussionibus <pignorum>** (See Vat. lat. 2289 fol. 92ra-vb for further information.) *Variants:*

(Invocatio) Yhesus. (Rubrica *add.*) Incipit tractatus de excussionibus per Iacobum de Arena. (Colophon) Deo gratias. Explicit tractatus de excussione bonorum editus per dominum Iacobum de Arena. (**Bibl.** Izbicki, 'Problems in TUI' 483-84.)

fol. 489r *margin.* <Incertus auctor, **Additio ad Tractatum Jacobi de excussionibus pignorum**>

(Textus) Adde quod non requiritur excussio uidelicet quando agitur ... (Finis) et uide per modernos in l. Decem ff. de uerbo. ob. (Dig. 45.1.116).

fol. 491r-496r **Dinus <de Mugello>, Tractatus de praescriptionibus** (See Vat. lat. 2638 fol. vii^{ra}-ix^{va} for further information.) *Variants:*

(Rubrica) Tractatus de prescriptionibus per Dynum. (Textus) Hora dies mensis uarie prescribitur annus. Prescriptio xx^{ti} horarum currit marito ... (Finis) constitutione *pro usibus*; solercia etc. *pro solerciam* (Subscriptio) Dinus. <Colophon deest.> (**Bibl.** Izbicki, 'Problems in TUI' 485.)

fol. 496v **Johannes Andreae, Additiones ad Speculum <Guillelmi Duranti, excerptum>**

(Rubrica) An uulnerans seipsum puniatur pena statuti uulnerantis aliquem. Additio Iohannis Andree (*al. man.*) super Speculo. (Textus) An uulnerans seipsum puniatur pena statuti pecuniaria que infligi iubet (infligitur *cod.*) et ... (Finis) de aduocatorum matricula abradi (radi *ed.*) et ab ipso officio remoueri (remeueri *ed.*). (Colophon) Iohannes Andree in ultima additione super Speculo. (**Ed.** Guillelmus Duranti, *Speculi pars prima [-quarta]*, 3 vols. (Lugduni 1543) III fol. 370va-vb; the MS is slightly shorter.)

fol. 501r-v **Johannes de Guidonibus <de Accumulo (?)>, Privilegia mulieris in dote**
(Rubrica) Priuilegia que mulier habet in dote. (Textus) Primum priuilegium dotis est quia mater heretica tenetur filiam orthodoxam dotare ... (Finis) 39^m est in authentica *Idem priuilegium* C. de hereticis (Auth. post Cod. 1.5.1). (Subscriptio *al. man.*) Iohannes Guidonis. (*add. man. recent.*) cf. f. 284 f. 505v.

fol. 502r-503r **Laurentius de Palazzolis, Privilegia fiscalia**

(Rubrica) Hic incipiunt priuilegia fiscalia extracta de corpore iuris per dominum Laurentium de Palazzolis iuris utriusque doctorem et sunt numero 46. (Textus) Primum priuilegium est quia debitor fisci non ita appellat a sententia lata contra eum ... (Finis) quod sibi debetur ut notatur in l. *Si minori* C. de Iure fis. libro x^o. (Cod. 10.1.3). (Colophon) Explicunt priuilegia fiscalia in unum collecta per dominum Laurentium de Palazzolis utriusque iuris doctorem in ciuitate Padue que sparsim erant per totum corpus iuris. (**Bibl.** Diplovatatus, *De claris iuris consultis* II 385; Belloni, *Professori* 273. Although the opening rubric lists 46 privileges, the text has only 45.)

fol. 504r-505v <Incertus auctor, **Materia de probationibus**>

(Rubrica) Nota xl. casus in quibus non defertur iuramentum in defectum semiplene probationis secundum Ludouicum Pontanum et dominum Lanfranchum de Brissia in l. *Admonendi* (Dig. 12.2.31) quam legem dictus dominus Lanfrancus Padue repetiit dum ibi ordinariam chactedram regeret. (Textus) Testis non reddens rationem sui dicti etiam non interrogatus non facit locum ... (Finis) secundum ipsum ibidem dictum testis non dum publicatum non semiplene probat. [**Bibl.** Belloni, *Professori* 264-266.] There are only 38 casus in the list, which is followed by three short notes on the same subject.)

fol. 506r-511r **Antonius <de Benciolis> de Canario, Tractatus de revocatione**

interlocutoriae sententiae

(Praefatio) Materiam reuocationis interlocutorie in iuditiis multotiens occurrentem colligam per quinque principales questiones ... (Textus) Prima questio habet quatuor oppyniones, prima fuit Azzonis ... (Finis) ut plene scripssit Iohannes Andree in dicto c. *Si a iudice* in glossa super uerbo teneris de appellationibus libro VI° (Sext. 2.15.10). (Epilogus) Expeditus sit tractatellus de reuocatione interlocutorie editus per me Antonium de Cannario ... eiusque gloriosissime matris semper uirginis Mariae totiusque celestis curie triumphantis. (Colophon) Amen. Quem scripssi ego Iohannes de Guidonibus de Accumulo legum doctor et compleui die ultimo mensis iunii in ciuitate Perusii circa tertiam horam noctis dum pro iure dicendo primum locum tenebam cum domino Nicolao de Seuerinis de Senis milite et doctore potestate dicte ciuitatis et fuit secunda uice qua ego fui primus collateralis in dicta ciuitate. (**Bibl.** R. Abbondanza, 'Antonio de Cannara'. DBI ZZ 3.542-43.)

fol. 511r **Raphael de Fulgosiis, <Commentaria> in Codicem**, excerptum (Cod. 1.1.1 v. *Clementia*)

(Rubrica) Verba Raphaelis Fulgosii in l. Cunctos populos C. de summa trinitate super uerbo clementia. (Textus) In textu ibi *clementie*. Reperio scriptum hic apud Albertum quod clementia ... (Finis). Apes habeant designantem regem debere esse plenum clementia hoc ille. (**Bibl.** Belloni, *Professori* 310.)

fol. 511v-513r **Hungarus Hugolini de Firmo, Tractatus <de computatione dierum in termino>** (See Vat. lat. 2656 fol. 94vb-95va for further information.) *Variants:*

(Rubrica) An dies termini computetur in termino. (Subscriptio) Iacobus Butrigarius. Hungarus de Firmo. (Colophon) Explicit tractatus an dies termini computetur in termino editus a domino Ungharo Ugolini de Firmo legum doctore.

fol. 513r-v **Baldus de Ubaldis (?), <Tractatus> de dictionibus**

(Rubrica) Incipit additio super titulo de dictionibus per Baldum de Ubaldis de Perusio. (Textus) Dictio ubi includit probationem ut C. (*sic*) de actio. et obli. l. Actionem (Dig. 44.7.7?) ... (Finis) in l. Illud C. de sac. sanc. eccle. (Cod. 1.2.19). (Subscriptio) Baldus.

fol. 513v-514r <Incertus auctor, **Additiones ad Tractatum Baldi de dictionibus**>

(Textus) Dictio ibi Dictio super Dictio cum. Quid significant uide in c. Littere in principio de resti. spoliato. (X 2.13.13) per Angelum de Castro ... (Finis) De omnibus istis uide in c. Si diligenti de foro competen. (X 2.2.12) per Angelum de Castro. (Bartolus, Bartholomaeus Cepolla, Paulus de Castro, and Iohannes de Prato are also cited.)

fol. 514r **Bartolus de Saxoferrato (?), Tractatus de copula er coniunctionibus**

(Rubrica) Tractatus de coppula per Bartolum. (Textus) Coppula et coniunctio tria operantur, reperunt coniungunt ... (Finis) ut l. Coniunctionem ff. de uerbo. sy. (Dig. 50.16.29) er l. In (Que cod.) usu eodem titulo (Dig. 50.16.158). (Subscriptio) Bartholus de Saxoferrato. (Colophon) Finit tractatus Bartoli de

coppula et coniunctione. (Ed. Bartolus, *Opera omnia* X fol. 132rb, but with many variants. **Bibl.** Calasso, 'Bartolo' 654, questioning Bartolus's authorship; Feenstra, art. cit. 209-10, on the various versions of this text.)

fol. 514v **Martinus de Fano O.P., Tractatus <de accusationibus>**

(Rubrica) Tractatus Martini de Fano in quo differunt accusatio, denunciatio, delatio, et inquisitio. (Textus) Quero de iure ciuili in quo differunt accustio, denunciatio, delatio, inquisitio ... (Finis) non obstante inquisitione facta notatur ff. de accusatio. l. *Si cui* (Dig. 48.2.7). (Subscriptio) Martinus de Fano. (Colophon) Et sic finit dictus tractatus. (**Bibl.** Kaeppli, *Scriptores* III 112 n. 2963.)

Cat. Borino I 114-48; Dolezalek, *Verzeichniss* 2. **Bibl.** Sella, 'Nuove sigle' passim; idem, *Sigle* 10, 17, and 21; Calasso, 'Bartolo'; Quagliani, *Politica e diritto* 87-88, with a plate of fol. 192r after p. 128.

Most of the MS is written in dark brown ink in a good humanist cursive by Johannes de Guidonibus de Accumulo (Johannes Accumbulensis); cf. fol. 85v, 511r, and the colophon at fol. 57v printed in Borino, 148. In addition to the thematic legal notes listed above, legal notes by Johannes, but not directly related to preceding works, appear on fol. 101r-v, 101v, 111v, 245r, 254r, and 297v. Portions of the MS not written by Johannes are usually heavily annotated by him, as noted above. He often added other words in the space left blank by the original scribe. In addition to the numerous additions, corrections, and notations of Johannes, there are some marginal corrections, notations, and additions in several later hands. Of particular interest are the annotations in a single 16th- or 17th-century hand noting that a work has been printed and possible alternative authors, cf. fol. 29r and 113r. Fol. 1r opens with a red capital with penwork decoration. Red rubrics and paragraph marks appear on fol. 1-2r, however, the MS is generally undecorated with many opening capitals lacking. Fol. 128r has a note on the 'sacramentum iudeorum' followed by a second note 'Vide per *Spec.* in titulo de iuramento calupnie restat uidere ...', then a passage in Hebrew with the modern note 'Exod. xx,7.' Vestiges of seals remain at fol. 257-60 and 297. The first eleven folios have both Roman and Arabic numbers; the former are followed here to avoid confusion with the following Arabic numbered folios. The folio numeration skips from 435 to 446 without a lacuna. Catchwords, when they appear, are centered. Fol. 109-11 suffer from acid ink corrosion; fol. 293-296 have water damage. For the watermarks, cf. Briquet nos. 7835, 8349, 2401, and 11702. The MS has a modern quarter-leather non-Vatican binding with the title 'Consultationes Baldi et Bartoli manoscritto' on the spine.

| | |
|------------------------|-----------------------------|
| Vat. lat. 10792 | saec. XIIIex.-XIVin. |
|------------------------|-----------------------------|

Prov. Paolo Scapaticci, scriptor of the Biblioteca Vaticana.

<I> +158 ZZ fols. memb. 360 (257) x 272 (198) mm, origin France. Quaterniones, saec. XIIIex.-XIVin.

ZZ fol. 1-158 **Ricardus de Pofis, <Summa dictaminis secundum stilum Romanae Curiae>**, imperfecta

(Praefatio) Nouiciorum studia ianuam sibi cupientium aperiri dictatorie facultatis ... ex hiis prouenire contingerit nomen altissimi deuotis laudibus extollatur.

(Colophon) Explicit ars dictaminis. Incipiunt capitula siue rubrice facte per Richardum de Pophys ad subsequencia dictamina et primo de amiciciis compassionibus et increpationibus amicabilibus. (pag. 2-9) <Tabula rubricarum> ... (pag. 9) (Rubrica) De amicitiis compassionibus et increpationibus amicabilibus

amicus amicum redarguit et inducit (eum *add. cod.*) ut ad curiam reuertatur.
(Textus) Archidiacono Spoletano. Quid et qualiter homini rerum temporalium
adype non sublimis apice dignitatis in alterum mutato ... (Epistola ultima) Exultat
terra gaudiis letamur et illud nec mirum in canticum apostolice iubilationis
(catchword: Adicitur) ///

Cat. Borino I 262-64. **Bibl.** E. Batzer, 'Zur Kenntnis der Formularsammlung des Richard von Pofi', *Heidelberger Abhandlungen zur mittleren und neueren Geschichte* 28 (1910) 1-149, but not mentioning this MS.

The text breaks off in the midst of Batzer's letter 455 (cf. p. 89). The loss of a folio between pag. 112 and 113 has caused a further loss of text, the lacuna encompassing Epp. 314 in fin. -322 in prin. Many of the letters have been given Batzer's numbers in the margin, e.g. pag. 9. 'Batzer n. 1'. The numeration is continuous beginning at pag. 96 ep. 257.

The main text is written by several scribes in dark brown ink in variations of French bâlard script. Pags. 1 and 9 each have a large red and blue capital with elaborate penwork decoration. The capitals beginning each letter are red with violet or blue with red penwork decoration. Those beginning a new section are more elaborate. The paragraph marks in the table of rubrics alternate red and blue. The rubrics, in red, were added by a different hand, often there is an earlier copy of the rubric by the scribe still visible in the margin. Some letters have the mark 'cor.' in the margin. The MS has two numerations. A contemporary hand numbered the folios of the preface as I-IV and then began the folios of the letters (present pag. 9) with 'prima', followed by foliation in roman numerals centered in the top margin through the rest of the volume. This foliation is then referenced by the same hand in the margins of the table of rubrics. The second numeration is a modern pagination in the upper outside corner, this numeration is followed here. <I>r has an inscription by Paolo Scapatucci donating this MS to Pope Leo XIII: 'Leoni XIII pontifici maximo ... Humillius seruus Paulus Scapatucci ... bibliothecae Vaticanae LL VV scriptor obsequum tibi dedi.' The stamp of Scapatucci's library ('Bibliotheca Pauli Scapatucci') appears on <I>r and pages: 1, 9, and 158. In addition to the loss of the last quire, the MS has suffered extensive damage at the beginning of the eighth quire, where the first leaf is missing (between pages: 112 and 113) and the next two leaves (pages: 113-116) are damaged, with holes in the leaves causing loss of text. The first four folios of each quire have an internal numbering system, 'a 1-4' etc., in the extreme lower outside corner. Catchwords are centered; depending upon the scribe, they are either framed or decorated. The MS has a leather binding with the arms of Leo XIII. <I>v is blank.

| | |
|------------------------|------------------------|
| Vat. lat. 10836 | saec. XV (1422) |
|------------------------|------------------------|

Scr. Nycolaus Truper.

<I> +99 fols. chart. (memb.: I) 428 (288) x 290 (181) mm, origin Italy (?). Quiniones, saec. XV (1422).

<I> <Instrumentum>

(This notarial instrument, prepared by Nicholas Hamborch, records a decision of Johannes de Opiziis, auditor of the Rota, in Florence, 15 February 1420, in the case of Johannes Widenbusche of Frankfurt against Nicholas Ealdetris, concerning the parish church of Nedernolme in the diocese of Mainz.)

fol. 1ra-99rb <**Antonius de Butrio, Commentaria in Decretales**> (Lib. IV: X 4.1-4.41)
(See Vat. lat. 2242 fol. 303ra-390vb for further information.) *Variants:*
(Praefatio) Hec continuantur ad precedentes hac forma: in precedentibus dictum
est de actibus /// spectantibus ad clericos ... (Finis) recipiunt correctiones per
canones etc. (Colophon) Et sic est finis huius ZZ pro quo sit gloria Christo anno
domini M^o cccc.xxii. mensis februarii die octaua. Nyco. huic nomen laus scriptori
donetur. Tru. si compones cum per, cognomen habetur.

Cat. Borino I 381-82. **Ed.** and **Bibl.** See Vat. lat. 2239, and Sella, 'Nuove sigle' 8 (*do., domi.* Dominicus de Sancto Geminiano).

The MS is written in brown ink in a late Gothic bookhand, lemmata are black, in large, formal Gothic script. On fol. 1ra is an elaborately decorated opening 'D', containing a miniature in green, red, blue, and brown, of a pope enthroned. The decoration is an unfortunate mixture of Italian and German styles and includes two monkeys. Capitals are red and blue, with penwork decoration in the contrasting color; some are missing. Paragraph signs are red and blue. There are extensive additiones and notations, e.g. fol. 3vb, in a contemporary hand. On Iv are two notes, in different hands, on the contents of the MS; most of the folio is taken up with legal notes and quotations from Jerome, *Contra Jovinianum* and *De uirginitate ad Eustochium*, in one of the same hands. Catchwords are centered. There are several foliation systems; the stamped one at lower right is followed here. Fol. 1 and 99 are damaged, and the MS shows some staining at the edges. I and fol. 1 have been reinforced. For the watermarks, cf. Briquet no. 11719. The MS is bound in twentieth-century cloth and parchment. Fol. 99v is blank.

| | |
|------------------------|---------------------------------|
| Vat. lat. 10962 | saec. XV (ca. 1420-1435) |
|------------------------|---------------------------------|

Scr. Verdanus; Thomas de Salvettis; Paulus legum doctor; Christophanus notarius.
135 fols. chart. 298 (207) x 222 (116) mm, origin Italy (Florence). Biniones, saec. XV
(ca. 1420-1435).

fol. 1r-5v, 7r-67v, 74r-134v <Auctores varii, **Consilia et decisiones**>, nominantur:
Albicius de Albergottis (fol. 92r-v, 111r-113r); Antonius de Butrio (fol. 81v-83r);
Bartholomaeus de Saliceto (fol. 74r-80r [**Bibl.** Belloni, *Professori* 167]);
Collegium iuris universitatis Perusii (fol. 126r-128v); Dominicus iudex (fol. 96r-
98v); Franciscus de Machiavellis (fol. 28r-30v); Franciscus de Ramponibus (fol.
83r-v); Franciscus de Zabarella (fol. 74r-80r [**Bibl.** Belloni, *Professori* 20]);
Gaspar ser Ludovici Bartoli de Ludovicis (fol. 35r-v); Johannes de Anania (fol.
49r-50v); Johannes de Bongiolamis de Eugubio (fol. 53r-55v, 58r-66v, 119v-
120r); Katelenus de Belinatiis de Mutina (fol. 36r-45r); Laurentius de Ridophis
(fol. 83v-85r); Ludovicus Pontanus (fol. 46r-48v); Matthaeus Philiciani (fol. 114r-
v); Michael de Accoltis (fol. 1r-v, 7r *margin.*-9v, 92r); Nellus de Sancto Geminiano
(fol. 33r-34v, 83v-85r); Nicolaus Johannis de Carduciis, capitaneus Pisae, cum
consiliaribus suis (fol. 100r-103r); Petrus d. Albiçi de Pisis (fol. 52r-v); Philippus
Andreae de Lucca (fol. 56r, 115r-118r [includes decision of a judge]); Salustius
de Bongiuglielmis de Perusio (fol. 10r-v *margin.*; 56r, 91r-v, 108r-109r [?]);
Stephanus de Bonacursiis (fol. 32r-v, 80v-81r); Thomas de Salvettis (fol. 7r-8v,
10r-11v, 28r-30v, 134r-v); Torellus de Torellis (fol. 83v-85r); incerti auctores
(fol. 2r-v, 3r-5v, 19r-22r, 23r-v, 24r-26r, 67r-v, 86r-88r, 89r-90v, 106r-107v,

110r-v, 121r-v, 122r-123r, 125r-v, 131r-132v, 133r-v).

fol. 6r-v <**ZZ Statuta potestatis Florentiae, Statuta**, excerpta>
(Rubrica) 'XLII (*sic*). De rubrica de precepto guardentigie. (Textus) Omnes et singuli notarii et iudices ordinari tam de ciuitate comitatus et districtus Florentie ... (Finis) In totum uel in partem probari nisi per scripturam publicam (**Ed. Statuti della repubblica Fiorentina**, ed. R. Caggese, 2 vols. (Firenze 1910-21) II 87-90, 87.)

fol. 68r-72v **Gerardus de Corsinis, Inquisitio in ciuitate Pistoriae**
(Praefatio) Hoc est quedam inquisitio que fiat et fieri intenditur per nobilem et potentem uirum Gherardum domini Filippi de Corsinis ... (Textus) Ser Iacobum Marci Capelle siue Marci de Pistorio notarium in eo de eo et super eo ... (Finis) in alia inquisitione infra formata contra Filippum Michaelis ut infra 10 plenius et latius continet.

Cat. Borino II 185-88; Dolezalek, *Verzeichnis 2. Bibl. L. Martines, Lawyers and statecraft in renaissance Florence* (Princeton 1968) 481-508, for profiles of several of the authors of *consilia* in this MS.

The MS is composed of many separate documents with blank folios intervening. It is written in many hands, some the autographs of the jurists. The color of ink and style of writing varies with the documents. Among the writers are: Verdanus (fol. 30v); Thomas de Salvettis (fol. 45r); Paulus legum doctor (fol. 52v); and Christophanus notarius capitani populi (fol. 115r). Seals and remnants of seals appear, cf. fol. 35v and 56r. There is no decoration. An old written numeration (fol. 28 = old fol. 92) indicates the loss of many leaves. The modern stamped numeration is followed here. On the inside front cover is a tag with the printed number '2801.' The MS is in a generally deteriorated condition. For watermarks, cf. Briquet nos. 6067, 11652, 1243, 11872, and 9969. The MS has a modern parchment non-Vatican binding with the title 'Miscellanea legale'. Fol. 12r-18v, 22v, 27r-v, 31r-v, 45v, 51r-v, 56v-57v, 73r-v, 85v, 88v, 93r-95v, 99r-v, 103v-105v, 109v (except one note), 113v, 118v, 120v, 123v-124v, 129r-130v, and 135r-v are blank.

| | |
|------------------------|---------------------|
| Vat. lat. 11152 | saec. XIII.1 |
|------------------------|---------------------|

antea 85/59. Prov. Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.

204 fols. + (52a-b, 62a, 104a, 127a, 157a, 163a-c, 165a, 168a) memb. 400 (298) x 253 (204) mm, origin Italy. Quaterniones, saec. XIII.1.

fol. 1ra-204va **Justinianus, Codex** (See Vat. lat. 1428 fol. 1ra-288vb for further information.) *Variants:*

(Invocatio) Amen. *om.* (Rubrica) Codicis domini Iustiniani sacratissimi principis incipit liber i. De nouo codice faciendo. (fol. 2vb) (Invocatio textus) In nomine Domini nostri Ihesu Christi. (Rubrica textus) Domini Iustiniani perpetui augusti repete prelectionis codicis liber i. De summa Trinitate et fide catholica. (Inscriptio textus) <I>mperator (*sic*) Gracianus Valentinianus et Theodosius augusti ad populum urbis Constantinopolitane.

fol. 1ra-204va, passim <**Glossae ad Codicem**> ac. (fol. 60vb, 129va, et passim); aç. (fol. 74ra, 74vb, et passim); Al. (fol. 19ra, 57va); al. (fol. 32ra, 58rb, et passim); Antonius (fol. 180va); az. (fol. 5ra, 6ra, et passim); b. (fol. 44va, 170rb); B. (fol. 9va); Ca. (fol. 83ra); Cy. (fol. 9va, 178vb); h. (fol. 1ra, 1rb, et passim); Ia. (fol. 1va, 2ra, et passim); Ia' (fol. 127va); Iac. (fol. 90rb); Io. (fol. 18rb, 28ra, et passim); iob. (fol. 1ra); Iob. (fol. 149vb, 196ra); M. (fol. 56ra, 147ra); ot. (fol. 52b^f, 196ra, et passim); Ot. (fol. 54rb, 85rb, et passim); p. (fol. 2va, 6vb); p' (fol. ZZ20-va, 24vb, et passim); plac' (fol. 7ra, 54vb); place (fol. 7ra); py. (fol. 36rb, 52v); Rai. (fol. 75vb); Rof. (fol. 35ra); Sy. (fol. 150rb, 168rb); y. (fol. 22rb, 60rb, et passim); yr. (fol. 129va).

Cat. Dolezalek, *Verzeichnis 2. Bibl. M. Bellomo*, 'Consulenze professionali e dottrine di professori. Un inedito 'Consilium domini Accursii.' *Quaderni Catanesi di studi classici e medievali* 4 (1982) 199-218, using this MS (siglum V) to show the source of the *consilium*; Cortese, *Norma* II, quoting from the glosses of this MS at 43(-44) n. 8, 237(-38) n. 180, 307(-09) nn. 25 and 27, 339 n. 81, 352 n. 108, and 365(-68) n. 4; G. Dolezalek, *Repertorium manuscriptorum veterum Codicis Iustiniani, I vol. in 2* (Ius commune Sonderhefte 23, Repertorien zur Frühzeit der gelehrten Rechte; Frankfurt a.M. 1985) I 57 n. 56, 74, 435-36 and 511, II 531-781 and 850-53, using this MS (sigla V11152, V11152HU, and V11152AD) in editions of selected glosses; Padovani, *Sostituzioni* 532-33, editing an Irnerian gloss, using this MS fol. 126v (siglum V); Calasso, 'Bartolo' 662; Mercati, 'Altri codici' 493; Caprioli, 'Tre capitoli' 282, 329, 334, 337, 354; Sella, *Sigle*.

The text is written in a Gothic bookhand in black ink. The scribe added the *authentica* in the margins. The layers of glosses are linked to the text by systems of symbols. Dolezalek has identified four layers of early glosses, cf. *Repertorium* I 435-36. Verses appear at fol. 20va (Walther, *Initia* no. 16870), 59ra, 64rb, 73rb, and 73vb. Fol. 52a-52b, 62a, 127a, 157a, 163a-163c, 165a, and 168a are inserts with additional glosses. Space remains at the head of each book for the opening inscription in display script. Rubrics are red. Capitals of inscriptions are blue; those of the following incipits are red. Most of the ZZ former are missing. Paragraph signs are red or blue. Some of the folios are badly rubbed. The MS has a modern leather, pasteboard, and paper binding with gold lettering on the spine.

| | |
|------------------------|---------------------|
| Vat. lat. 11153 | saec. XIII.2 |
|------------------------|---------------------|

antea 10/58 N. 3. **Prov.** Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.
161 fols. memb. 403 (377) x 255 (230) mm, origin Italy. Quaterniones, saec. XIII.2.

fol. 1ra-55va **Justinianus**, <**Tres libri**> (See Vat. lat. 1433 fol. 71ra-129rb for further information.) *Variants*:
(Rubrica) Codicis domini Iustiniani repetite prelectionis explicit eber IX. Incipit liber X. De iure fisci. (Finis) offitio *pro* officium <Colophon deest.>

fol. 1ra-55va **Accursius**, <**Glossa ordinaria in Tres libros**> (See Vat. lat. 1433 fol. 71ra-129rb for further information.) *Variants*:
<Lemmata desunt.>

fol. 1ra-55va, passim <**Additiones ad glossam ordinariam**> dy. (fol. 1vb); od' (fol. 3rb); R. (fol. 3rb, 4rb, et passim); Ray. (fol. 1vb, 2vb, et passim).

fol. 56ra-161ra **Justinianus, Authenticum** (See Vat. lat. 1436 fol. 84ra-208vb for further information.) *Variants*:
(Invocatio) u. *pro* Ihesu (Rubrica) Incipit liber autenticorum Iustiniani augusti.
(fol. 56rb) (Inscriptio) Imperator Iustinianus Iohanni prefecto pretorio.
(Colophon) autenticorum *pro* autenticorum.

fol. 56ra-154va **Accursius, <Glossa ordinaria in Authenticum>**, imperfecta (Nov. 1-128.20) (See Vat. lat. 1436 fol. 84ra-208vb for further information.) *Variants*:
(Lemma primum) *In nomine* om. (Lemma ultimum) *Damus*: ... (Finis) Item ff. de of. proconsul. et le. [gati] l. iiiii § f. (Dig. 1.16.4.6) contra (v. *cod.*) *so.* hoc nouum. (Bibl. Add: F. Soetermeer, 'L'ordre chronologique des apparatus d'Accurse sur les Libri ordinarii', *Historia del derecho privado. Trabajos en homenaje a Ferran Valls i Taberner* 10 (Barcelona 1989) 2867-92 at 2876-77.)

fol. 56ra-154va, passim <**Additiones ad Glossam ordinariam**> dy. (fol. 85va); Iac. de are. (fol. 61rb); od. (fol. 124rb); R. (fol. 57rb, 58ra, et passim); Ray (fol. 56rb, 56va, et passim).

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Mercati, 'Altri codici' 493.

The MS is in several Gothic bookhands in brown ink. Changes of hand occur at fol. 37v/38r, 55v/56r, 109v/110r, 117v/118r, 147v/148r and 155v/156r. All of the hands are variations of Bolognese gothic except that on fol. 148r-155v which is in the French style. Each apparatus is keyed to its text by a system of letters. The MS has been corrected, e.g. fol. 3vb, and pecia marks occur occasionally, e.g. fol. 9r and 58rb. Several hands have made additions in the margins. The decorator and placement of catchwords changes with the hands, but the style is consistent throughout. A miniature, 'Imperator' in display script, and a small multicolored initial in Bolognese acanthus design are at the beginning of the books at fol. 1ra, 16va, and 56ra. Those on fol. 56ra are inferior to the other two. Spaces were left for these at fol. 33rb. Fol. 110ra opens with an initial. 'I' in the shape of an emperor. Title capitals are red and blue. Lex and inscription capitals alternate red or blue with light decoration in the contrasting color. Paragraph signs are red or blue. Rubrics are red. Some rubrics are missing; some have been supplied by an annotator. There is no decoration in fol. 32ra-37vb (end of quore and hand). Fol. 161v has a table of titles for the Authenticum, in one hand but written over a period of time. This note appears at the bottom of fol. 1rb, 'D. ///exius ponit die 16 octobris 1421 /// scripsit'. Pawn marks in Hebrew and business notes in Latin appear at fol. 161v. Among the latter is 'Pignus d. Iohannis de Genesio et d. Macthei de eodem loco pro ii faculis'. Fol. 158-161 have suffered from a puncture with some loss of text. The MS has a non-Vatican binding of leather, pasteboard, and paper with gold lettering on the spine.

| | |
|------------------------|-------------------|
| Vat. lat. 11154 | saec. XIII |
|------------------------|-------------------|

Prov. Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.

217 fols. memb. 446 (351) x 265 (120) mm, origin France (?). Quaterniones, saec. XIII.

fol. 1vb-214va **Gregorius IX, Decretales** (See Vat. lat. 1379 fol. 1ra-294ra for further information.) *Variants:*
(Inscriptio) [Parsisius] *pro* Bononie (Rubrica textus) Incipit lib. I *praem. ante* De summa.

fol. 1vb-214va <**Bernardus de Botone Parmensis, Glossa ordinaria in Decretales**>
(See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:*
(Siglum) b. (**Bibl.** Kuttner-Smalley, 'Glossa ordinaria' 98-99, identifying this as a pre-1263 version of the apparatus, with only a few references to Innocent IV.)

fol. 1vb-214va, passim <**Additiones ad Glossam ordinariam**> aurel'. (48va, 67vb, et passim); b. (fol. 25ra, 41ra); B. (fol. 7va); B. ispanus (fol. 2r, 3vb, et passim); b. salict. (fol. 156vb); ber. ispan. (fol. 4rb, 109ra); G. (fol. 22rb); G. naso (fol. 67vb, 74va); gau. (fol. 44va); Gof. (fol. 12va, 12vb, et passim); Guillm' nasonem (fol. 16ra); hostien. (fol. 123va), In. (fol. 38ra, 49rb, et passim); inn' (fol. 5ra, 22va); Inno. (fol. 48va); innoc' (fol. 3va, 5rb, et passim); Innocen. (fol. 14rb, 18ra, et passim); Innocen. iiii (fol. 2vb); Io. (fol. 2rb); lau. (fol. 15rb); M. (fol. 28ra); Ostien. (fol. 115vb); p. de salinis (fol. 2ra); Vin. (fol. 33va, 47vb, 48rb).

fol. 135v *margin. inf.* <Incertus auctor, **Quaestio disputata**>
(Textus) Quidam sub ea conditione religionem intrauit ... (Finis) ut extra qui clerici uel. uo., Insinuante (X 4.6.7) idem dicit t.

fol. 158r *margin. inf.* <Incertus auctor, **Quaestio disputata**>
(Textus) Quidam clericus nec indebitis non indebitis exactionibus grauaretur ab episcopo suo ira commotus in manibus eiusdem episcopi ... (Finis) cum loquitur in diuortio (These two *quaestiones* seem to be in the hand of the scribe.)

fol. 112v *margin. inf.* <**Formula pro ordine degradationis**>
(Textus) Nos Ancherus miseratione diuina tituli sancte Praxedis presbyter cardinalis .. de .. quem constat fuisse hereticum ... (Finis) periculum (?) /// ipsum /// tarderetur. (Subscriptio) Predicta forma degradationis post discussionem approbata fuit per dominum Martinum papam IIII apud Urbem Veterem anno domini M^o CC^o octagesimo quarto pontificatus sui anno tertio. (**Bibl.** B. Schimmelpfennig, 'Die Absetzung von Klerikern in Recht und Ritus vornehmlich des 13. und 14. Jahrhunderts', *Proceedings Salamanca* 517-32 at 523-26 and 530. This has been added in a fine chancery hand.)

fol. 216ra-rb <**Tabula titularum**>
(Entries are in alphabetical order, with folio numbers. The table is in a 15th-century cursive hand)

fol. 216v <**Nota de matrimonio**>
(Textus) Quod notatur de sponsa duorum c. Tua (X 4.4.4) in quod matrimonium contractum contra interdictum ecclesie tenet et ualet ... (Finis) dico contra quia ciuilis ratio ciuilia iura tollere potest naturalia nequaquam. (Annotatio) Require

supra in Rubrica de matrimonio contracto contra interdictionem ecclesie (X 4.16). (At that place, fol. 163r, marg. inf., is a note 'Require infra folio ultimo'. The note is in an elegant Gothic cursive hand.)

fol. 217r <**Additio de inquisitione criminis**>

(Textus) Adde ad iam dicta super l. glo. in qua dictum est quod hec decretalis loquitur de speciali inquisitione que sit commune certi criminis contra certam ... (Finis) Et ita intelligitur materia notata in c. Pastoralis in § /// de officio delegati (X 1.29.28). (Apparently from a gloss on the Liber Extra although not identified, the passage makes reference to Johannes Andreae. The text is in a late 15th-century cursive hand.)

Bibl. M. Bertram, 'Aus kanonistischen Handschriften der Periode 1234 bis 1298', *Proceedings Toronto* 27-44, citing this MS at 31 and 39; Mercati, 'Altri codici' 493.

The MS is written in brown ink, in a fine, even Gothic bookhand, exaggerated ascenders in the top lines of the apparatus suggest chancery influence. The apparatus is keyed to the text with letters and symbols. Spaces were left for large initials at the first inscription, the beginning of the preface, and at the start of each book, space was also left for a miniature at the start of the text on fol. 2ra. Capitals alternate red and blue, with penwork decoration in the contrasting color. Rubrics are red; paragraph signs are red or blue. Catchwords are framed off-center to the lower right. The MS contains numerous marginal and interlinear notations and glosses in several hands. Fol. 1r is an early modern title page: 'Decretales Innocentii III cum glossa' with a partly erased ex libris and, in a 19th-century hand, the shelfmark and the note 'Originale decretalium Innocentii III postillate in Uniuersitate Bononiensi'. Another erased ex libris appears on fol. 214vb. Fol. 215v contains various legal notes, only partially legible. Fol. 217r has the word 'Decretale' in a 13th-century hand at the top of the folio, followed by eight lines of verse in a medieval Italian dialect, in the same hand as the addition on criminal inquisition. On the same folio, in a different hand, are the notes 'Quisto libro si ene d'uno frate de sancto Francissco. Cum ego Cato animam uerterem quem plolimos (*sic*). Que denicque (*sic*) mores, etc.', 'In nomine domini anno domin [///]'; in yet another careless cursive hand is 'die mercurii quatuor temporum et dixit dominus quod magister /// habent terminum usque ad noctem(?) [de sacerdotio(?) eandem suscipiendum est(?) *sup. lin.*] quod ///1 non d///'. The binding is of leather and marbled paper over wood, fragments of an incunabulum lectionary were used as guard folios. Fol. 215r and 217v are blank.

| | |
|------------------------|--------------------|
| Vat. lat. 11155 | saec. XIV.1 |
|------------------------|--------------------|

antea 104/58 N.6. **Prov.** Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.; Galeotus Petrus Paulus de —. 312 fols. memb. 411 (375) x 260 (238) mm, origin Italy. Quinionones, saec. XIV.1.

fol. 1ra-rb <**Tabula rubricarum**>

fol. 2ra-311rb **Justinianus, Digestum vetus** (See Vat. lat. 1410 fol. 3ra-349vb for further information.) *Variants:*

<Inscriptio deest.> (Invocatio *praem. ante rubr.*) In nomine Domini. (Finis) liberis ciuitatem maxime sit necessarium (D. 24.3.1). <Colophon deest.>

fol. 2ra-311rb **Accursius, <Glossa ordinaria in Digestum vetus>** (See Vat. lat. 1410 fol.

3ra-349vb for further information.) *Variants*:

(Lemma primum) *Iustinianus*: a patre Iustino <Colophon deest.> (**Bibl.** Add: F. Soetermeer, 'L'ordre chronologique des apparatus d'Accurse sur les Libri ordinarii', *Historia del derecho privado. Trabajos en homenaje a Ferran Valls i Taberner* 10 (Barcelona 1989) 2867-91 at 2869, 2872-75, 2877-79, and 2892.)

fol. 2rb-311rb <**Additiones ad Glossam ordinariam**> ZZ A (fol. 2va, 3ra, et passim); ac (fol. 2rb, 5va, et passim); Ac (fol. 5vb); accu (fol. 5rb), Accur (fol. 42rb, 217rb); Accursius (fol. 98ra, 244rb); az (fol. 120 rb, 175vb); Azo (fol. 87vb); B (fol. 3rb, 29va, et passim); bn (fol. 8r, 74ra); Bo (fol. 11ra, 15vb, et passim); Bona (fol. 57ra, 137rb, et passim); bu (fol. 138rb); car. de mo fa (fol. 141vb, 142va); car de mo faudu (fol. 143rb); cy (fol. 13rb); doc mod'n a botri' (fol. 17vb); dy (fol. 5rb, 117ra, et passim); dyn' (fol. 89vb); f (fol. 78rb, 81rb, et passim); fra (fol. 51rb, 95vb, et passim); fra' (fol. 104rb, 255r); Franc' (fol. 2va, 37vb, et passim); G. d' suz (fol. 1v, 5vb, et passim); g. d' subiaria (fol. 158vb); G. d' subiaria (fol. 102rb, 165r); Guil. (fol. 17vb); ia (fol. 4rb, 213ra); Ia (fol. 4ra, 5vb, et passim); Ia bal. (fol. 19va, 81ra, et passim); Ia bald (fol. 85vb); Ia bel (fol. 154vb); ia bl' (fol. 5va); Ia bl' (fol. 144rb, 186ra, et passim); Ia bl' u'o (fol. 44vb); Ia but' (fol. 4vb, 5va, et passim); Ia butr' (fol. 13va, 14ra, et passim); Ia butri (fol. 4rb, 5vb, et passim); Ia d' ar' (fol. 310va); Ia d' ar (fol. 5ra, 5va, et passim); Ia d' Are (fol. 17vb, 159ra, et passim); Ia d'are (fol. 5va, 152va, et passim); Iac (fol. 87rb, 154rb); Iac' ho (fol. 247va, 252rb); Iacob' albton' (fol. 269va); Iacobu' alb'tonis (fol. 95vb, 93ra?); Iacobus (fol. 24va, 138rb); Iacobus balduinus (fol. 85rb); Iohannes (fol. 46rb); M d' fa (fol. 5v, 6v, et passim); M de fan' (fol. 5rv); M Fa (fol. 39rb); M sy (fol. 2ra, 2rb, et passim); m sy (fol. 5ra, 183va, et passim); Mar d' fa (fol. 116ra, 311v, et passim); Mar sy (fol. 14ra, 18rb, et passim); Ma't d' fan' (fol. 154r); ma'tin' de fano (fol. 157vb); od' (fol. 3vb, 15vb, et passim); odd' (fol. 270v); oddo (fol. 7r, 19vb, et passim); odo (fol. 8vb, 18vb); odof (fol. 199rb, 200rb); p. (fol. 79va); pe (fol. 16va, 198vb, et passim); pe d' bl pti (fol. 14va, 18rb, et passim); pet d' bl pti (fol. 163rb, 241vb); R (fol. 23v, 27v, et passim); R d' senis (fol. 10 ra); R' M (fol. 35va); Ray de fur (fol. 244rb); Ri (fol. 24rb, 163va); ric mal' (fol. 152rb); thomas pi' (fol. 139va); ya but (fol. 128rb); ya butri (fol. 44ra, 78rb).

fol. 6v, 11v, 16v-312r, passim <Auctores varii, **Distinctiones, quaestiones et quaestiones de facto, additiones variae**> nominantur: Azo; Benedictus Beneventanus; Dinus de Mugello; Cinus de Pistoia; Guido de Suzaria; Iacobus de Arena; Iacobus Balduinus; Iacobus de Belvisio; Iacobus Butrigarius; Martinus de Fano; Martinus Syllimanus; Odofredus de Denariis; Petrus de Bellapertica; Thomas de Piperata.

fol. 14va, 18rb et passim <Auctores varii, **Repetitiones seu lecturae in Digestum vetus**> nominantur: Iacobus Balduinus (fol. 84va-85rb); Iacobus Butrigarius (fol. 131ra-rb); Dinus de Mugello et Petrus de Bellapertica (fol. 140ra-rb).

fol. 312r <Incertus auctor, **Consilium**>, fragmentum

(Invocatio) In nomine domini amen. (Rubrica) Punctus questionis est. (Textus) Quidam decessit superstante matre sua legitima et naturali ... (Finis) ad legem in iunc///? qua inter cetera cauetur ///

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Sella, *Sigle* passim; Mercati, 'Altri codici' 493; G. Battelli, 'Ricerche sulla pecia nei codici del 'Digestum Vetus',' *Studi di paleografia, diplomatica, storia e araldica in onore di Cesare Manaresi* (Milano 1953) 309-30 at 317 and 328; Caprioli, 'Tre capitoli' 324 n. 464, quoting a gloss from fol. 9va.

The MS is written in black ink; both the text and the apparatus are in multiple hands. The apparatus is in very informal hands, as are some sections of the text. There are sporadic corrections. Lemmata are repeated in the apparatus at the beginning of the MS; generally the apparatus is keyed to the text by letters. There are dense *additiones* in several hands; some are well organized and seem to represent excerpts of larger works. Many *quaestiones* have been carefully added in the margins. Some of them are numbered and probably were taken from a *collectio quaestionum*. The opening *inscriptio* of each book is in display script composed of elongated letters alternating red and blue and decorated with penwork. That intended for fol. 2r is missing. Capitals are blue for each inscription, red for the incipits. The blue letters are missing on fol. 153-165. Rubrics are red; paragraph signs alternate red and blue. Some folios are badly rubbed, e.g. fol. 30r. Catchwords are framed at the lower right. On fol. 1r-v is a series of legal notes by unidentified authors in a tiny cramped hand. On fol. 312v is an illegible note and 'Liber iste ff. ueteris est domini Galeot Petri Pauli de ...'. Many pages have been torn and repaired with yarn. Tops of several folios are missing; some have been repaired and the gloss replaced, e.g. fol. 5. The MS has a modern stamped numeration, placed where possible at the lower right. The non-Vatican binding is of variegated paper over wood.

| | |
|------------------------|-----------------------|
| Vat. lat. 11156 | saec. XII-XIII |
|------------------------|-----------------------|

antea 204/58 N. 6; 40. **Prov.** Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.; Angelus de Assisio; Jacobinus de Muç; Aldobrandinus de Florentia.
143 fols. memb. 380 (274) x 215 (115) mm, origin Italy. Quaterniones, saec. XII-XIII.

fol. 1va-vb <**Tabula titulorum Digesti novi**>, imperfecta

fol. 2ra-140ra <**Justinianus, Digestum novum**> (See Vat. lat. 1421 fol. 1ra-306ra for further information.) *Variants*:

(Rubrica) De operi (*sic*) noui nuntiatione. (Inscriptio) <V>Ipianus. (Textus) denuntiationem *pro* nuntiationem (Colophon) Explicit liber digestorum seu pandectarum presens.

fol. 2ra-140ra, passim <**Glossae ad Digestum novum**> A. (fol. 123vb); Aç. (fol. 33va); Al. (fol. 123va, 132vb); az. (fol. 134ra, 134rb); I. (fol. 10 vb, 11rb, et passim); Ia. (fol. 21vb, 22rb, et passim); Io. (fol. 111vb, 119rb, et passim); m (fol. 86va); M. (fol. 31rb, 31vb, et passim); d. Ma. (fol. 27rb); R. (fol. 91rb, 120va, et passim); V. (fol. 120va, 132va, et passim); W. (fol. 122va); y. (fol. 9vb, 10rb, et passim).
(**Bibl.** F. Migliorino, *Fama e infamia. Problemi della società medievale nel pensiero giuridico nei secoli XII e XIII* (Catania 1985) 134 refers to this as the Rogerian apparatus and edits a brief gloss from fol. 132ra (siglum VI); Cortese,

Norma I 325 n. 91 and 330(-31) n. 110, quoting from glosses in this MS; Caprioli, 'Tre capitoli' 284 n. 271, 306 and n. 374, 333 n. 491, 349-50, 352-53, and 365-66, the last three using a gloss from fol. 137va; P. Nardi, *Studi sul banchiere nel pensiero dei Glossatori* (Quaderni di 'Studi senesi' 44; Milano 1979) 192 and n. 14, 229 n. 48.)

fol. 140ra-141vc **Bulgarus**, <**De diversis regulis iuris**>

(Textus) Regula est brevis rerum narratio ... (Finis) ut habetur in titulo (supra *pro* habetur in titulo cod.) Si quis cautionib. (carunt cod.) iu. sisti. caus. (c. factis cod.) (Dig. 2.11). (Subscriptio) B. (Ed. Bulgarus, *Ad Digestorum titulum de diversis regulis iuris antiqui commentarius et Placentini ad eum additiones sive exceptiones*, ed. F.G.C. Beckhaus (Bonnae 1856; anast. repr. Frankfurt. a. M. 1967). This version matches the edition's *Codex Parisiensis*. **Bibl.** Caprioli, 'Tre capitoli' 271, 273-75.)

fol. 142ra-rb <**Innocentius III**, *Epistola Inquisitionis negotium*> (Po. 4628)

(Ed. and **Bibl.** F. Migliorino, 'La decretale 'Inquisitionis' a proposito della 'Collectio Bambergensis', *Rivista internazionale di diritto comune* I (1990) 173-82, using this MS (siglum V) in the edition at 180-82.)

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Mercati, 'Altri codici' 493; Sella, *Sigle*; G. Dolezalek, 'Der Glossenapparat des Martinus Gosia zum Digestum Novum', *ZRG Rom.* Abt. 84 (1967) 245-349, describing this MS at 255-56.

The main part of the MS is written in several late Carolingian bookhands in brown ink. The opening quire, fol. 2r-13v, is later than the remainder of the text, in a late 12th- or early 13th-century proto-gothic script. Fol. 13vb is compressed, as though the scribe had to complete the text in the given space. This suggests that the original opening quire was damaged or lost and had to be replaced. The book and title initials were never filled in. Capitals and paragraph marks alternate red and blue. According to Dolezalek, the remainder of the Digest can be divided into three sections: fol. 120-133 are 'from the time of Azo'; the remainder of the text is in two alternating hands from the second half of the 12th-century. The MS has three layers of pre-Accursian glosses, some of which appear on attached scraps and on fol. 1r and 142rb-143v. Dolezalek defines these layers as: 1) a gloss of light brown ink added before all the parts were put together, his siglum V; 2) a fine line black gloss, mostly interlinear, his siglum Vy; and 3) the apparatus of Martinus, his siglum Vm. On fol. 14r-30v space remains for initials at the beginnings of books and titles. Beginning on fol. 31r, books open with large, elaborate multi-colored initials in a variety of styles (lacking at fol. 102va and 117va). The names of jurists are written in display script; and titles begin with initials illuminated in Romanesque white-vine design. Some of these initials are inhabited or zoomorphic. Many are missing. Capitals, paragraph marks, and rubrics are red. Catchwords are at lower right. The table, the Bulgarus text, and the papal letter were added in other hands. Fol. 1r has these marks of ownership: 'Aldobrandini Florentie'; 'tempore quo fuit potestas Aldobrandinus de Florentia de ciuitate Assisii currebant anni Domini M cc xiii'; 'Iacobinus de Muç uendit mi Angelo digestum nouum pro xiii libris et xi solidis turon. (?) presentibus his testibus, scilicet Bonefatio sartore, Nicolao Apoulo, Benuenuto fratre Berardelli et ipso Berardello'. Fol. 142v and 143v also contain additional legal notes and notes on events and on business; e.g. fol. 142v *margin. inf.*, 'M CC xlviiii currebat tempore potestatis domini Iohannis Vg. (?) de Greca (?)'. Many of these notes were written by Angelus de Assisio; see fol. 143v. Most of fol. 143r is blank, with only a few notes and glosses in the lower margin. The MS has a non-Vatican quarter-leather binding over wood boards finishes with marbled paper.

antea 104/58 N. 4. **Prov.** Rome, Accademia di Conferenze Storico-Giuridiche; frater Nicolaus; Assisi, Convent of San Francesco O.F.M.
246 fols. memb. (chart.: fol. 1) 391 (339) x 247 (208) mm, origin Italy. Quiniones, saec. XIII.1.

fol. 1r <Incertus auctor, **Versus**>

(Textus) Igitur postea orabo ut manu me mittat ... (Finis) numquam hinc ferēs a me. (This verse is in a 15th-century cursive hand.)

fol. 2r-v <Incertus auctor, **Quaestiones in Genesim**>, fragmentum

(Textus) /// uisibilis et apparicio. Ad 7^m q. respond. quod processio dicitur... (Finis) quos uniuersitaliter tenebantur homines exprimi///. (This fragment is in a 15th-century Germanic cursive bookhand.)

fol. 3ra-vb <**Justinianus, Institutiones**>, fragmentum (Inst. 1.5.3 in med.-1.8.2 in med.)
(This fragment is in a 14th-century Gothic bookhand.)

fol. 4ra-rc <**Tabula titulorum Infortiati**>

(This table is in a late Gothic cursive bookhand.)

fol. 5ra-246rb <**Justinianus, Infortiatum**> (See Vat. lat. 2514 fol. 1ra-297vb for further information.) *Variants*:

Rubrica *praem. ante rubricam*; in unum *add. post* petatur (Inscriptio) <V>lpianus *pro* Pomponius.

fol. 5ra-246ra **H**<**ugolinus, Apparatus in Infortiatum**>

(Lemma primum) <Petatur>: Idest repetar. sic supra de pig. act. Petendi (Dig. 13.7.27) ... (Lemma ultimum) Si filius familias: Concor. hinc l. C. (*sic*) ad l. Fal. Filius (Dig. 35.2.18). (**Bibl.** H. Van de Wouw, 'Zur Textgeschichte des Infortiatum und zu seiner Glossierung durch die frühen Bologneser Glossatoren', *Ius commune* 11 (1984) 231-80 at 249 and 251, identifying this gloss as that of Hugolinus; G. Dolezalek, 'Index manuscriptorum veterum Infortiati', *Ius commune* 11 (1984) 281-87 at 284-85; V. Colli, 'Una lectura di Giovanni Bassiano', *Ius commune* 11 (1984) 37-53 at 50-53, editing fol. 160va-vb (siglum V) of the gloss as originally a lecture of Bassiano; Bellomo, *Problemi* 16 n. 17 and 17-18 nn. 20-21, citing glosses at fol. 49va. A gloss has been erased at fol. 117r.)

fol. 5ra-246ra, passim <**Additiones ad Apparatum in Infortiatum**> aq. (fol. 6rb); bo. (fol. 31vb, 46rb, et passim); Io. de su. (fol. 88vb).

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Mercati, 'Altri codici' 494, Sella, *Sigle*.

Text and apparatus are in Gothic bookhands in brown ink. The gloss is by at least two hands which

alternate. One keyed the gloss with a system of symbols; the other used letters. The sporadic additions are in several hands. The books were intended to begin with 'Vlpianus', the 'V' in blue and red with penwork decoration and the rest of the name in display script of alternating elongated blue and red letters. But some lack the 'V', while blank spaces were left for other copies of the word. Capitals are red or blue with penwork decoration in the contrasting color. Rubrics are red; paragraph marks alternate red and blue. Running titles are composed of 'L' and the book number in red and blue. Fol. 1 is a small slip of paper bound into the MS at a later date. The following notes appear on fol. 3r: 'Istud infortiatum pro ducatis vii' and 'Infortiatum'; fol. 246r has 'Ego fr. Nicolaus /// sacri conuentus Ass. manu propria signaui'. Catchwords vary in placement; some are cut away. The MS has a non-Vatican quarter-leather binding with marbled paper over cardboard covers. Fol. 4v is blank except for 'Infortiatum'. Fol. 1v and fol. 246v are blank.

| | |
|------------------------|---------------------|
| Vat. lat. 11158 | saec. XIII.2 |
|------------------------|---------------------|

antea cclxxxvii; 154/58 N. 2. **Prov.** Rome, Accademia di Conferenze Storico-Giuridiche; Assisi, Convent of San Francesco O.F.M.
193 fols. memb. 392 (370) x 255 (239) mm, origin Italy. Quaterniones, saec. XIII.2.

fol. 1ra-c <**Tabula titulorum Decretalium**>

fol. 2ra-187ra **Gregorius <IX, Decretales>** (See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:*

(Inscriptio) episcopus ... benedictionem *om.* (Colophon) Libro finito sit laus et gloria Christo. Amen. (**Bibl.** S. Kuttner, 'Notes on the Glossa ordinaria of Bernard of Parma', BMCL 11 (1981) 86-93, using this MS at 89 n. 12 and 91-92.)

fol. 2ra-187-vb <**Bernardus de Botone Parmensis, Glossa ordinaria in Decretales**>

(See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:*

(Finis) Pactionem *pro* Pactiones (**Bibl.** Kuttner-Smalley, 'Glossa Ordinaria' 98 (siglum Ve), saying that this is a pre-1263 version of the text.)

fol. 188ra-191vb <**Innocentius IV, Novellae**> (Collectio III)

(Textus) Presenti decreto duximus prouidendum ne a sede apostolica ... (Finis) offitio suo repellere non postponat (pospoat *cod.*). (**Ed.** Mansi 23.651-74. **Bibl.** Kessler, 'Untersuchungen' I 248, 279(-280) n. 355, 301, detailing the anomalous order of this copy.)

fol. 192va-b <Incertus auctor, **Consilium**>. fragmentum

(Textus) Iohannes Fraiapanus Petrum et Philippum filios habens ... (Finis) Nam seculum hoc ///

Cat. Dolezalek, *Verzeichnis 2*. **Bibl.** Mercati, 'Altri codici' 494.

The main texts were written in several Gothic bookhands in black ink, changing to brown at fol. 88r. Changes of hand, decoration and catchword style are evident at fol. 87v/88r and 131v/132r. The ordinary gloss is in brown ink and is keyed to the Gregorian decretals by a letter code. Sparse notes in the margins include verses at fol. 52rb, 54rb, 60vb (Walther, *Initia* no. 10627), 136vb (Walther no. 2532), and 187va. Fol. 187ra-vb contain moralia, legal notes and a sequence in honor of St. Francis. This last is Chevalier no. 4310, according to Mercati, loc. cit. The individual books open with 'Gregorius' written in red and blue

display capitals. Minor capitals alternate red and blue, occasionally with decoration in the contrasting color. Text capitals are in the margin, inscription capitals usually follow the preceding text but may be in the margin. Rubrics and paragraph marks are red. Running titles appear on fol. 88r-187v. Capitals are lacking after fol. 189r; rubrics are lacking from fol. 188r. Gatherings are marked on first folio recto and last folio verso with Roman numerals in a decorative circle. At fol. 191v the following note appears: 'In isto libro omnes quaterni sunt xxv. Duo folia in principio et in fine sine scriptura'. This is in the same hand as the gathering markings. Catchwords, at lower right, are plain to fol. 88, decorated thereafter. Some have been damaged by trimming. Fol. 1r, 192r, and 193r-v are blank. The MS has a modern quarter-leather binding over wood boards finished with marbled paper.

| | |
|------------------------|-------------------|
| Vat. lat. 11159 | saec. XIII |
|------------------------|-------------------|

antea B.III.18. **Prov.** Mario Marefoschi, card. 1770-1780.

72 fols. memb. 355 (235) x 249 (215) mm, origin Italy. Quaterniones, saec. XIII.

fol. 1ra-72vb <**Justinianus, Institutiones**>, imperfectae (Inst. 1.2.1 in med.-4.17.6 in med.)

(Textus) /// homines constituit id apud omnes gentes ... (fol. 72rb) (Finis) distingu
agros commodius sit /// (**Ed.** and **Bibl.** See Vat. lat. 1432 fol. 1ra-78rb.)

fol. 1ra-72vb <**Accursius, Glossa ordinaria in Institutiones**>, imperfecta (Inst. 1.2.1-4.17.2 in med.)

(Lemma primum) <*Vtuntur*>Vt est religio erga Deum ... (fol. 72rb) (Lemma ultimum) <*Cum fructibus*>: ... (Finis) et ff. fini. regun. l. iiii <§ pe. (Dig. 10 .1.4.10) si autem> non separa<uit> /// (**Ed.** and **Bibl.** See Vat. lat. 1432 fol. 1ra-78rb.)

fol. 1ra-72vb, passim <**Additiones ad Glossam ordinariam**> Bar. de cap. (fol. 60ra); Iohes cusetin' (fol. 33vb).

Bibl. Sella, *Sigle*; D'Amelio, *Indagini* 156.

The MS is in very poor condition because of stains and fire damage. It is written in Gothic bookhand in brown ink by at least two scribes. A change of hand occurs at fol. 16v/17r. The apparatus is keyed to the text with a system of letters. Rubrics are red. Capitals are large and simple, with decoration added to a few. Paragraph signs are red. Catchwords are framed at lower right. Forms of quires vary, but quaternions dominate. Fol. 72 is badly damaged and fol. 72v is nearly illegible. A label attached inside the front cover contains the name 'Marius Marefuschus' and that cardinal's arms, together with the old shelfmark 'B.III.18'. 'Giustiniani Instit. Vat. lat. 11159' was written on it later. The MS has an old leather and parchment binding.

| | |
|------------------------|--------------------------|
| Vat. lat. 11443 | saec. XIII.2; XIV |
|------------------------|--------------------------|

antea Ord i7 n. 35. **Prov.** Pius X (1903-14); Rome, Collegium Romanum S.J.

<I> +121 fols. + <I> memb. 190 (148) x 148 (110) mm, origin Spain; Germany. Quiniones, saec. XIII.2; XIV.

- fol. 1ra-91va **Raymundus <de Pennaforte O.P. (s.)>, Summa de casibus poenitentiae**
 (See Vat. lat. 2301 fol. 24ra-287vb for further information.) *Variants:*
 (Finis) Amen. *add.* ZZ (Colophon) Explicit summa magistri Raymundi de
 penitentia. Deo gratias. Alleluia. (**Bibl.** Bloomfield, *Incipits* no. 5054.)
- fol. 91va <**Hugo de S. Victore, De septem vitiis**>, imperfectus
 (Textus) <S>eptem capitalia uiccia siue principalia siue originalia sacra (*om.*
cod.) scriptura commemorat ... (Finis) inquantum ab accu (in *add. cod.*) iniquitatis
 coibetur. (**Ed.** PL. 176.525. **Bibl.** Bloomfield, *Incipits* no. 5431.)
- fol. 92ra-va <Incertus auctor>, **Tractatus de omissionibus vel negligentis circa
 missam commissis**
 (Rubrica) Incipit tractatus de omissionibus uel negligenciis circa missam
 commissis. (Textus) Restat nunc uidere de omissionibus uel negligentis que circa
 missam solent contingere ... (Finis) ut supra in alio casu proximo.
- fol. 92va-110vb <**Raymundus de Pennaforte O.P. (s.)>, Summa de matrimonio** (See
 Vat. lat. 2301 fol. 287vb-333vb for further information.) *Variants:*
 (Finis) ut ff. (C. *cod.*) de inpensis in rebus dotalibus factis 1. i (Dig. 25.1.1).
 Voluptarias uero perdit sicut ibi dicitur. (Colophon) Explicit hoc opus hic. (**Ed.**
 This copy lacks the portion of text described in the Ochoa-Diea edition at 998 as
 'Conclusio'.)
- fol. 111ra-120vb <Incertus auctor>, **Interrogatorium**
 (Rubrica) Incipit interrogatorium penitentiale qualiter sacerdos penitentem
 interrogare debet scilicet de omnibus. (Textus) Primus est si sacerdos est hereticus
 uel scismaticus ... (Finis) et restituo sacramentis ecclesie. In nomine Patris et Filii
 et Spiritus sancti. Amen.
- fol. 121ra <**Breviarium Romanum**, excerptum> (Officium matutini passionis)

Cat. Ruyschaert 57-58.

The MS falls into two main sections. Fol. 1ra-91va contain one text in several late 13th-century Spanish Gothic bookhands in brown ink. Fol. 92ra-120vb contain three texts in several 14th-century Germanic Gothic bookhands in brown ink. The two parts are connected by a stamped numeration. The excerpts at fol. 91va and 121ra were added later in other hands. Rubrics, capitals and paragraph signs are red. At <I>r is stamped: 'Dono di Pio X'. Several largely illegible notes are on the same page. Catchwords are framed at lower right in part one. There is a remnant of one at fol. 116vb in part two. The MS has a 20th-century cloth and parchment binding. <I>v and fol. 121v-<+I>v are blank.

| | |
|------------------------|-----------------|
| Vat. lat. 11450 | saec. XV |
|------------------------|-----------------|

Prov. Pius X (1903-14); P. Beckx S.J.; Rome, Collegium Romanum S.J.

<I> +135 fols.-65 + <I> chart. 177 (129) x 114 (80) mm, origin Italy. Seniones, saec.

XV.

fol. 1r-85r <Incertus auctor, forsan **Berengarius Fredoli, Summula in foro poenitentiali**> (Versio A aucta), imperfecta
(Textus) /// religiosus disolutus et secularis ypocrita ... (Finis) sacrario idest in sacro loco recondantur. (Colophon) Explicit summa uitiorum (*sic*). Deo gratias. Laus tibi Christe. Explicit liber iste. (*al. man.*) Dextera scriptoris careat grauitate doloris. (**Bibl.** Bloomfield, *Incipits* no. 4953, giving the incipit of Part III at fol. 22v; P. Michaud-Quantin, 'La "Summula in foro poenitentiali" attribuée à Berengar Fredol', *SG* 11 (1967) 146-67 at 167. This copy omits three chapters between *De prephatione* and *De die Dominica observanda*. After *De die Dominica observanda* (fol. 74r = Vat. lat. 4614 fol. 49v) the chapters do not match those of any other Vatican MS of this work.)

fol. 92r-134r **Johannes <de Friburgo> O.P., Confessionale** (See Vat lat. 2304 fol. 377ra-388vb for further information.) *Variants:*
(Rubrica) Ordinis fratrum predicatorum *om.* (Colophon) Amen. Deo gratias. Explicit confessionale fratris Iohannis Theotonici de ordine fratrum predicatorum. (Explicit ... predicatorum *bis*) (**Bibl.** Kaeppli, *Scriptores* II 435 no. 2346.)

fol. 134v-135r <**Tabula capitulorum Summulae**>

Cat. Ruyschaert 75-76, listing past owners.

The MS is written in a late Gothic cursive hand in gray-black ink. Its original first 4 folia are lacking. The text of the *Summula* jumps without a break from fol. 64r to fol. 66v. Rubrics are red. Capitals and paragraph signs are in red or blue with highlights in yellow. The colophon at fol. 135r was written in blue. Some of the old folio numbers were done in red. Notes on contents appear inside the cover and on <I>r. Each work has its own numeration; but the modern stamped, continuous one has been followed here. Fol. 23 is damaged. For the watermarks, cf. Briquet no. 15623. Catchwords are decorated, framed, and centered. The MS has a 19th-century non-Vatican paper and parchment binding. <I>v, fol. 64v-66r, 85v-91v, and 135v-<+1>v are blank.

| | |
|------------------------|----------------------|
| Vat. lat. 11456 | saec. XIVmed. |
|------------------------|----------------------|

96 fols. chart. 212 (141) x 150 (87) mm, origin Italy. Seniones, saec. XIVmed.

fol. 1r-90r <Incertus auctor, forsan **Berengarius Fredoli, Summula in foro poenitentiali**> (Versio A aucta), imperfecta
(Rubrica) Summula <in foro penitentiali breuis et> utilis et ualde necessaria <maxime> sacerdotibus (sacerdos^{ac}) super hoc [ne] /// noticiam non habentibus.
(Textus) In primis debet sacerdos interrogare penitentem utrum sciat 'Pater noster' ... (Finis) Hii latine dicuntur ministri quia sicut in sacerdote consecra/// (This copy, as far as tit. *De pace* of Part IV (fol. 72v = fol. 48v of Vat. lat. 4614, a complete copy of the *Summula*) is a normal text of Version A. Other materials were copied by the scribe thereafter up to the abrupt end in tit. *De diaconibus*.)

Bibl. Bloomfield, *Incipits* no. 2625; P. Michaud-Quantin, 'La "Summula in foro poenitentiali" attribuée à Berengar Fredol,' SG 11 (1967) 146-67 at 167.)

fol. 90r <Incertus auctor, **Versus de ordine legendi libros Bibliae**>
(Rubrica) Infrascripti uersus sunt designantes libros et tempora quando debeamus legere per totum annum distinguit. (Textus) Septus fit lege quod Deus cuncta creauit fecit ... (Finis) *sic fine* quiesce.

fol. 90v-92v <**Tabula rubricarum Summulae in foro poenitentiali**>
(Folio numbers have been added, probably in the same hand as the numbers on the reverse of each folio.)

fol. 93r-v <Incertus auctor, **Tractatus de luna**> (Italice)
(Rubrica) A trovare la luna. (Textus) Quando uuoli trovare la luna tiene questo modo ... (Finis) ell auro numero nuouo si cominça in kalende di março.

fol. 93v <**Adnotationes de numero aureo**>

fol. 94r <Incertus auctor, **Versus**>
(Invocatio) In nomine Domini. Amen. (Rubrica) Anno Domini millesimo ccc xli. (Textus) Esse grauem nobis bello ... (Finis) inueniens cum religiosis. (This verse deals with the years 1345-1346.)

fol. 94r <**Adnotationes ad inueniendum pascham**>

fol. 94v <Incertus auctor, **Tractatus de circumstantiis peccatorum**> (Italice)
(Invocatio) In Christo. (Rubrica) Dieci circumstantie che agrauano el peccato. Prima 1. (Textus) La prima circumstantia sie el tempo ... (Finis) la suo (*sic*) natura lo'nchina. (Colophon) Deo gratias. Amen. 'Domine in mente me habe dum ueneris in regnum tuum' (Lc 23.42).

fol. 95r <**Adnotatio de monachis vagantibus**>

fol. 95v <**Adnotationes variae**>

fol. 96r <**Tabula paschalis** (Latine) **cum adnotatione**> (Italice).
(Later hands have added references to the years 1404, 1412, and 1479.)

fol. 96v <**Adnotationes de dictionibus**>

Cat. Ruyschaert 91-92.

The MS is written in a Gothic bookhand in black ink with additions in several hands at fol. 90r and 93r-96v. Capitals, paragraph marks, and rubrics are red. The old numeration begins 'ii' on fol. 1v of the stamped one at the lower right which is followed here. Notes have been added in several hands over an extended period of time. For the watermarks, cf. Briquet nos. 4036 and 14141. The MS has a paper and parchment binding.

Prov. Rome, Collegium Romanum S.J.; Pius X (1903-1914). **Scr.** Michael Benedicti O.Cist.; Jean Fagot; Giacomo da Volterra; Giacomo Cacia da Novara; F. del Rosal; Johannes Marenchus; Gerardus; Giovanni Antonio de Panigali.
109 fols. memb. 265 (184) x 209 (124) mm, origin Italy (fol. 1-86r: Florence; fol. 86v-109v: Rome). Quiniones, saec. XVmed./XVI.

fol. 1r-8r **Benedictus XII ZZ Const.** *In agro dominico* (See Vat. lat. 2663 fol. 7r-11v for further information.)

fol. 8r-17r **Taxationes <litterarum officii poenitentiariae>** (See Vat. lat. 2663 fol. 11v-16r for further information.) *Variants:*
(Rubrica) Secuntur taxationes litterarum per commissarios cardinales facte.
(Rubrica secunda) Taxationes litterarum. (Finis) pro beneficiato cum irregularitate non ultra quam quinque Turonen.

fol. 17r-v **Benedictus XII, Privilegia et stipendia poenitentiariorum** (See Vat. lat. 3994 fol. 18v-19r for further information.)

fol. 17v-21v **<De observantiis poenitentiariorum>** (See Vat. lat. 3994 fol. 19r-23v for further information.)

fol. 21v-22v **<Feriae poenitentiariae>** (See Vat. lat. 2663 fol. 20va-21rb for further information.)

fol. 22v-28v **<Summa de absolutionibus et dispensationibus>** sive **Summa Nicolai IV, cum additionibus** (See Vat. lat. 2663 fol. 34r-38v for further information.)
Variants:
(Rubrica) Sequitur potestas poenitentiariorum. (Praefatio) Trescentesimo vicesimo pro cc^{mo} nonagesimo <Rubrica textus deest.>

fol. 28v-30r **<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 vi^{us}. Nota quod dominus Clemens papa vi^{us} concessit casus infrascriptos domino Gancelmo (*sic*) episcopo Albanensi maiori poenitentiario. (Finis) illa *add. post* sine (Rubrica rescripti) Sequitur *praem. ante* uerba; et concessionis eiusdem super predictis casibus. Ista sunt *add. post* scripta (Rescriptum) Gancelmo *pro* Gaucelmo (Finis) nostrum *add. post* officium.

fol. 30r-31v **Forma ad reconciliandum apostatam a fide** (See Vat. lat. 3994 fol. 32v-34r for further information.)

- fol. 31v-32r <**Innocentius IV, Const. Perlectis litteris**> (See Vat. lat. 3994 fol. 34r-v for further information.) *Variants:*
(Rubrica) (Textus) uestras *pro* uestris.
- fol. 32r-36r <**Casus pertinentes ad officium poenitentiariae**> (See Vat. lat. 3994 fol. 34v-40r for further information.)
- fol. 36r-37r <Incertus auctor, **De poenitentibus mittendis ad curiam Romanam**> (See Vat. lat. 3994 fol. 40r-v for further information.) *Variants:*
(Rubrica) de hiis *om.* (Finis) Ni *pro* Si.
- fol. 37r-39v <**Declaratio predictorum versuum**> (See Vat. lat. 3994 fol. 40v-43r for further information.) *Variants:*
(Rubrica) uersuum *om.*
- fol. 39v-45r <**Bonaguida de Aretio, Tractatus de dispensationibus**>, forma brevior
(See Vat. lat. 3994 fol. 43r-49r for further information.)
(**Bibl.** Izbicki, 'Problems in TUI' 485, listing this MS.)
- fol. 45r-60r **Berengarius Fredoli, <De excommunicatione et interdicto>**, imperfectus
(See Vat. lat. 3994 fol. 49r-64v for further information.) *Variants:*
(Finis) cum similibus aliis multis *om.*
- fol. 60r-62v <**Berengarius Fredoli, De exceptionibus duarum regularum circa iniectionem manuum in clericum**> (See Vat. lat. 3994 fol. 64v-67r for further information.) *Variants:*
(Rubrica) subsequencium *pro* sequentium (Finis) sed *pro* si.
- fol. 62v-66r <**Casus in quibus fertur sententia excommunicationis, interdicti vel aliarum censurarum secundum Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 67r-70v for further information.)
- fol. 66r <**De potestate poenitentiae ab episcopo commissa**> (See Vat. lat. 3994 fol. 70v for further information.)
- fol. 66v-71v <**Casus in quibus sententia vel poena incurritur ipso facto secundum Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 70v-76v for further information.)
- fol. 71v-74r <**Summaria titulorum in Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 76v-78v for further information.) *Variants:*
(Rubrica) De fide catholica. (Textus) Christus fuit mortuus lanceatus anima est. ZZ Fidei catholice, forma corporis humani ... (Cf. Vat. lat. 5424 fol. 29r-34v.)
- fol. 74r-v <Incertus auctor, **De exceptionibus duarum regularum**> (See Vat. lat. 3994 fol. 78v-79r for further information.)

- fol. 74v-76v **Regulae poenitentiariae**, imperfectae (See Vat. lat. 3994 fol. 79r-81r for further information.)
- fol. 76v-77r <**Memoriale de privilegiis poenitentiariorum minorum, saec. xiv**> (See Vat. lat. 3994 fol. 81r-v for further information.) *Variants:*
(Textus) Pontificatus sanctissimi in Christo patris domini nostri pape Gregorii vi^{ti} (*rectius xi*) anno quarto *add. post* quarto.
- fol. 77r-78r <**Excommunicationes papae reservatae**> (See Vat. lat. 3994 fol. 81v-82v for further information.)
- fol. 78r-79r **Clemens V, Const. Ne Romani** (Clem. 1.2.3).
(For the introductory rubric, cf. Vat. lat. 3994 fol. 82v.)
- fol. 79r-80v **Eugenius IV, Const. Ad sacram Petri sedem** (16 oct. 1435) (See Vat. lat. 3994 fol. 93v-85r for further information.)
- fol. 80v-82v <**Jordanus de Ursinis, Ordinationes super receptione poenitentiariorum**> (See Vat. lat. 3994 fol. 85r-87r for further information.)
Variants:
(Rubrica) reuerendissimi domini, domini Jordanis de Ursinis miseratione diuina episcopi Sabinensis cardinalis ac maioris penitentiarii domini pape Eugenii iii^{ti} *add. post* ordinatio (Finis) undecim *om.*
- fol. 82v-83v **Eugenius IV, Const. Devotionis vestrae sinceritas** (16 oct. 1435) (See Vat. lat. 3994 fol. 87r-v for further information.) *Variants:*
(Rubrica) secuntur *pro* sequitur.
- fol. 83v-84v **Eugenius IV, Const. Prudens pater familias** (14 jun. 1438) (See Vat. lat. 3994 fol. 87v-88v for further information.)
- fol. 84v-85v <**Forma bullarum receptionis poenitentiariorum**> (See Vat. lat. 3994 fol. 89r-90r for further information.)
- fol. 85v-86r **Forma litterae quae conceditur poenitentiario minori** (See Vat. lat. 3994 fol. 90r-v for further information.) *Variants:*
(Colophon) Laus tibi sit Christe (*sic*) nam liber explicit iste. (Colophon secundus) Ad mandatum Reuerendorum dominorum penitentiariorum minorum domini nostri pape ego minimus frater Michael benedicti ordinis cisterciensis transcripsi formulare istud ab antiquo officii penitentiariorum formulario fideliter integre et complete Florentie anno Domini m^o cccc^o xl die xxiii Septembris pontificatus domini nostri domini Eugenii pape iii^{ti} anno decimo. Existente priore penitentiariorum fratre Rodolpho Johannis de ciuitate Castelli. (**Ed.** The second colophon is printed at Ruyschaert 136.)

- fol. 86v-87r **Sixtus IV, Const. Provida Romani pontificis** (1 nov. 1473) (See Vat. lat. 5424 fol. 186v-190r for further information.) *Variants:*
(Notationes) Sine taxa *om.*; Collationata B. *om.*; Res. ber. zu^{ta} *add.*
- fol. 87v-89r **Philippus Calandrinus, Statuta collegii poenitentiariae** (See Vat. lat. 5424 fol. 190v-196v for further information.)
(The scribe of the text left the lower part of fol. 88v blank for the *subscriptio* of Johannes Antonius de Panigali, who left space for but never added his notarial sign.)
- fol. 89r **Julianus de Rovere** postea Julius II, **Mandatum ad minores poenitentiarios** (26 mar. 1490) (See Vat. lat. 5424 fol. 229v-230r for further information.)
- fol. 89r <**Nota**>
(Textus) Cum de aliqua re ad collegium poenitentiariorum pertinente ... (Finis) tunc erant septem (*Add. al. man.*) Sed hoc in contra statutum anticum. (This piece and the one preceding were later additions to the folio.)
- fol. 89v <**Nota de pecunia poenitentiariis numerata pro valore vestimentorum post mortem Sixti PP IV**> (See Vat. lat. 5424 fol. 197v-198v for further information.)
Variants:
(Textus) Anno *om.*; etc. *add. ante die* (Epilogus) Brunus *add. post* etc.
- fol. 90r-91r **Leonardus <Grossus de Rovere, Statuta collegii poenitentiariorum>** (23 apr. 1518) (See Vat. lat. 6347 fol. 211r-213r for further information.)
(The *subscriptio* is in the hand of Johannes Marenchus, clericus Astensis diocesis, and is accompanied by his notarial sign.)
- fol. 91v-92r **Leo X, Motu proprio ZZ** (13 aug. 1520) (See Vat. lat. 6347 fol. 213v-214r for further information.)
- fol. 92r <**Juramentum poenitentiarii**> (See Vat. lat. 6347 fol. 214r-v for further information.)
- fol. 92v **Leo X, Const. Ex debito** (23 aug. 1517) (See Vat. lat. 5424 fol. 231r-233v for further information.)
- fol. 93r-95v <**De infirmitate et de obitu papae**> (See Vat. lat. 5424 fol. 198v-208v for further information.) *Variants:*
(Rubrica) nostri *add. post* domini (Textus) quod *pro* que (As in Vat. lat. 6347 fol. 220r (q.v.), the colophon continues: 'cuius mandati tenor sequitur et est prout infra: R. sancti Georgii diaconus cardinalis ... signata (?) per notarium prefati domini cardinalis Phy. de Pontecorvo'.)
- fol. 96r-v <**Nota de pecunia poenitentiariis numerata pro valore vestimentorum post mortem Innocentii VIII**> (See Vat. lat. 5424 fol. 211r-212v for further information.)

information.)

fol. 96v-97r **Innocentius VIII, Const. *Super familiam*** (24 oct. 1486) (See Vat. lat. 5424 fol. 209r-211r for further information.)

fol. 97r <**Jacobus Caczia (?)**, **Nota de electione Alexandri VI**> (See Vat. lat. 5424 fol. 212v for further information.) *Variants:*
(Colophon) Et die ... lateranensis *add. al. man.*

fol. 97v-100v **Alexander VI**, <**Epistolae ad poenitentiariis de anno jubilei**> (See Vat. lat. 5424 fol. 212v-229v for further information.)

fol. 101r-104r **Julius III, ZZ Const. *Pastoralis officii*** (1 mar. 1552) (See Vat. lat. 6347 fol. 230r-234v for further information.) *Variants:*
(Subscriptio) Et quia ego Ioannes Fagot clericus senonensis diocesis ... in fidem et testimonium premissorum requisitus.

fol. 104r-v **Gregorius XXI**, <**Litterae pontificiae jubilei pro civitate et diocesi Mediolanensi**>
(Rubrica) Littere Gregorii xiii concessionis iubilei extra urbem post annum 1575.
(Inscriptio) Gregorius papa xiii uniuersis Christi fidelibus ... salutem etc. Saluator noster Dominus Iesus Christus Dei filius, cuius licet immeriti uices in terris gerimus ... (Finis) proxime futurae exclusiue (inclusiue *ed.*) dumtaxat ualituris. Datum Rome apud sanctum Petrum sub anulo piscatoris die xx ianuarii MDLXXVI pontificatus nostri anno quarto. (**Ed.** Acta ecclesiae Mediolanensis ab eius initiis usque ad nostram aetatem, ed. A. Ratti 4 vols. (Mediolani 1890-99) III 513-15.)

fol. 106r-107v <**Tabula codicis**>
(The last entry, for the letter of Julius III on fol. 101r-104r, was added by a later hand.)

Cat. Ruyschaert 132-38. **Bibl.** E. Carusi in review of Göller, *Archivio storico italiano* 72 (1914) 96-101 at 97-98, describing this MS, which had not yet been assigned a shelfmark, and noting its similarity to Vat. lat. 3994. (Haskins, 'Papal penitentiary' notes at 247 n. 19 a colophon in University of Rome MS 119 fol. 87 which matches that on fol. 86r here.)

The MS, written throughout in gray to black ink, consists of two distinct sections: an integral copy of a minor penitentiary's manual of the mid-15th-century (fol. 1r-86r) and additions made to it at various times down to the last quarter of the 16th-century (fol. 86v-107v). The first section is written in the neat late Gothic bookhand of the Florentine Cistercian Michael Benedicti (cf. his colophon at fol. 86r). Capitals alternate red and blue; two large initials on fol. 1r are in both colors, with elaborate filigree decoration. Capitals in the text are often slashed or filled with yellow or red and yellow. Rubrics are red; paragraph signs alternate red and blue. There are occasional notes and corrections in several hands. Catchwords in this section are centered and lightly decorated.

The second section is written in many hands, mostly cursive and notarial scripts. There is no color except at

fol. 101r-104r, where the opening initial has a simple colored ground, and touches of color were added to capitals and paragraph signs. At two places notarial attestations and signs appear, on fol. 91r (Johannes Marenchus, dioc. Astensis) and on fol. 104v (Johannes Fagot clericus senonensis diocesis); on fol. 88v the attestation of Johannes Antonius de Panigali appears without his sign. Catchwords occur only on fol. 101v-104v of this section, where they are vertical along the inner margin line. The arrangement and variations of the texts closely resemble those of Vat. lat. 6347 fol. 102r-234v, of which this manuscript may be an older relative. Fol. 108r is blank except for the note 'Prioris electio ... 88' and an old foliation number. The modern stamped foliation is followed here; the handwritten foliation skips from 92 to 98 (the modern fol. 108 bears the old number 96, indicating that the original order has been disturbed). The edges of the MS are gilded. On the inside front cover are several labels: 'Tabula seu inuentarium contentorum in hoc libro est in fine' (in a hand contemporary with the later ones in the MS); 'Formularium poenitentiarium, seu statuta et ordinationes circa officium Poenitentiariae', and 'Codex membranae, in fol. p^o Ms. saec... In fine addita sunt alia ad eandem rem poenitentiariae pertinentia. Constat foliis scriptis 107'; and 'Dono di Pio X' (20th-century, stamped). The MS has a 20th-century blue leather binding which incorporates part of an old binding with elaborate gold decoration. Fol. 105r-v, and 108v-109v are blank.

| | |
|------------------------|----------------------|
| Vat. lat. 11501 | saec. XV med. |
|------------------------|----------------------|

Prov. Pius X (1903-14); Rome, Collegium Romanum S.J.; Girolamo Lione; 'Micalangelo'; Jacobus Andreae de S. Eugenia (?).

317 fols. chart. (memb.: fol. 304, 306) 292 (222) x 218 (125) mm, origin Italy (Perugia?).
Quiniones, saec. XVmed.

fol. 1r-303v <**Benedictus de Benedictis, Lectura in Librum sextum**> (Lib. III-V)
(Rubrica) <D>e uita et honestate clericorum. Rubrica. (Texcus) <N>ota ex ista rubrica differentiam inter uitam et honestatem clericorum ... (Lemma primum)
Clerici ZZ <q>ui: Glossa i. summat et duo membra distinguit ... (Lemma ultimum) <F>*actum legitime*: ... (Finis) et uide no. per Bartolum in l. *Dapnum* § Sabini (Dig. 39.2.18.11 i.p.) ff. de dapno infecto et in l. iii § Lege Iulia (Dig. 22.5.3.5) ff. de testi. et in l. *Ad testium* § 1 (Dig. 28.1.22.1) ff. de testa. et in clementina *una* de off. deleg. (Clem. 1.8.1). (**Bibl.** Schulte, *Geschichte* II 344-45.)

fol. 304ra-vb <**Gregorius IX, Decretales**>, fragmentum (X 1.5.1 in prin.-1.6.14 in med.)
(This leaf is written in a 13th-century French gothic bookhand in brown ink, and extensive *notabilia* have been added at the bottoms of columns. The marginalia has been partially cut away on the upper and outer edges.)

fol. 305r-v **Petrus Leonardi de S. Eugenia**, <**Epistolae duae ad Jacobum Andreae de S. Eugenia**> (Italice)
(The first of the letters, which are arrange side by side, was written in Perugia. Both are in a late cursive bookhand, possibly that of Petrus Leonardi, in black ink.)

fol. 306r <Papa incertus, **Bulla**>, fragmentum
(This document is written in a 14th-century French chancery cursive in brown ink.)

fol. 307ra-313v <**Panormitanus, Lectura in Decretales**>, fragmenta (Lib. V: 5.1.1-

5.1.14)

(Textus) <Hec rubrica> continuatur duobus modis. Primo ad precedentia, secundo ad sequentia ... (Lemma primum) <S>*i legitimus*: De persona [accusa] accusatoris inquirendum est (prius est querendum *ed.*) in iudicio ... (fol. 312vb) (Lemma ultimum) *Licet in beato*: ... (Finis) ///are eorum p<roprium> prelatum /// (**Ed.** Panormitanus, *Decr. comm.* VIII fol. 1ra-6ra Fol. 313 is an unattached fragment of text found in the edition at fol. 4. The text is written in a late Gothic cursive bookhand in black ink.)

fol. 314r-317v (*rectius* 314v-r, 317r-v, 316r-v, 315v-r) <Incertus auctor, **Lectura in Institutiones**>, fragmenta (Inst 2.11.1-2.11.6, 2.12.1-2.14.6 (i.p.), ca. 4.1.19(20)). (Lemma primum) <Pl>*ane*. Testamentum celeb/// /// ... (Lemma ultimum) <Furti:> ... sed reu/// ///catio. (These fragments are written in a late Gothic cursive in black ink.)

Cat. Ruyschaert 144-46.

The main text is in a late humanistic cursive in black ink. Lemmata are in large dark, uneven letters, the ink of which has often bled through the paper. Many blank spaces have been left for lemmata. The MS was sparsely annotated by the scribe. Five folia have been cut away between fol. 264 and 265 (Sext. 5.12.5-5.13.5). The MS has been restored, the fragments at fol. 304-317 being remnants extracted from a previous binding and mounted on new leaves. Ruyschaert contends that Jacobus Andreae de S. Eugenia, a pupil of Benedictus de Benedictis, was the first owner. The ex libris 'Liber e de messer Micalagelo dato messer Girolamo Lione' appears at fol. 303v. At fol. 307r is stamped, 'Dono di Pio X'. Two notes on contents are pasted inside the front cover. Catchwords are centered. For the watermarks of the main text, cf. Briquet no. 7564. The MS has a mid-20th-century quarter parchment and cloth binding, with remnants of the old binding glued to the inside front cover. Fol. 60v is blank.

| | |
|------------------------|-----------------|
| Vat. lat. 11502 | saec. XV |
|------------------------|-----------------|

antea 1259. **Prov.** Pius X (1903-14); P. Beckx S.J.; Rome, Collegium Romanum S.J. 117 fols. chart. 284 (177) x 215 (100) mm, origin Italy. Quiniones, saec. XV.

fol. 1r-103r **Bernardus Papiensis, Summa Decretalium** (See Vat. lat. 2691 fol. 21ra-44vb for further information.) *Variants*:

<Invocatio et rubrica prima desunt.> (Rubrica secunda) magistri *praem. ante Bernardi*; episcopi *om.* (Proemium *add.*) In Christi nomine. Libellus extrauagantium a maiori parte ... (**Bibl.** Kuttner, *Repertorium* 462.)

fol. 107r-114r <**Tabula sessionum 1-37 concilii Constantiensis (1414-1418)**>

(Textus) Introitus domini Iohannis pape uicesimi tertii ... (Finis) Littera quedam de materia super articulis Boemorum.

fol. 1 15r <**Concilium Constantiense (1414-1418), Acta**>, fragmentum

(Rubrica) Acta generalis concilii Constantiensis presidente papa Io. xxiii (xxxiii^{ac}) usquequo etc. In fine presidet Martinus quintus. (Invocatio) In nomine sancte et individue Trinitatis. (Textus) Hic liber continet ordinationes ... (Finis) et diebus

inferius annotatis. (Ed. Mansi 27.531.)

fol. 115r-116v <**Guillelmus Fillastre, Gesta concilii Constantiensis**>, fragmentum
(Textus) Origo generalis concilii Constantiensis ... (Finis) fore conuocandum.
Idemque predecessor /// (ed. II 13-15.) (Ed. and Bibl. See Vat. lat. 7297 fol. 3r-
22r and 36r-38v.)

Cat. Ruyschaert 146-147.

The codex is a composite of two manuscripts, the *Summa* and the Constance material. The *Summa* is in a Gothic cursive hand in brown ink, with very occasional scribal corrections. A 17th-century hand added extensive notabilia and corrections, as well as cross-references to the *Liber extra* in an *Italic* script. The text is in small blocks, as if an apparatus were expected. Rubrics and running titles are red. Space was left at the beginning for a large initial, and there were to be smaller ones for chapters and later books; these are sometimes present in draft. Catchwords are vertical at the right edge of the text. For the watermarks, see Briquet no. 12147.

The table and the fragment of Fillastre, etc., are in different gothic cursive hands, in black ink. The table has flourished initials, and the first words are in display script; folio reference numbers are missing. The acts begin with a very elaborately flourished initial, Fillastre's work with a slightly smaller one; here too first words are in display script. There are no catchwords. For the watermark, cf. Briquet no. 7697. A small slip attached to the inside front cover has a modern note on the codex's contents, the stamp 'Dono di Pio X', and an ownership note of P. Beckx S.J., provost of the Collegium Romanum. A title and former shelfmark are written on the partly restored binding of the back cover by the same hand that annotated many other Vatican codices; see Ruyschaert 152. The binding is parchment over cardboard with remnants of ties. On the spine is the former shelfmark '1259'. Fol. 103v-106v, 114v, and 117v are blank.

| | |
|------------------------|------------------------|
| Vat. lat. 11503 | saec. XV (1427) |
|------------------------|------------------------|

Prov. Pius X (1903-14); Rome, Collegium Romanum S.J.; Johannes Baptista Coccino, auditor S.R. Rotae 1600-41, Mattheus de Grandis, later archdeacon of Syracuse. **Scr.** Mattheus de Grandis.
442 fols. chart. 292 (205) x 215 (135) mm, origin Italy (Padua). Quiniones, saec. XV (1427).

fol. 3ra-4rc <**Tabula alphabetica capitulorum Commentarii Prosdocimi**>

fol. 8r <**Matthaeus de Grandis, Tabula expensarum in gradibus Academiae Paduae**>
(Ed. J. le Goff, 'Dépenses universitaires à Padoue au XVe siècle', *Mélanges d'archéologie et d'histoire* 68 (1956) 377-95, editing the table at 392-93, of which he also gives plates, and describing de Grandis's career at 386-87.)

fol. 9r-442r **Prosdocimus de Comitibus et Bartholomaeus de Zabarella, Commentarius in II librum Decretalium**

(Invocatio) In nomine Domini eiusque gloriose uirginis matris Marie nec non beate Lucie uirginis et beati Iohannis euangeliste amen. (Rubrica) De testibus et actestacionibus. Rubrica. (Textus) Hec rubrica continuatur ad precedentes hoc ordine ... *Placuit*: Testes non ydonei non recipiuntur. Et sunt non ydonei ...

(Finis) glose omnes textuales sunt. Non habetis hic alia. (Colophon) Sequitur Deo gratias amen. Explicit secunda pars super secundo libro Decretalium sub domino Prosdocimo de Comitibus de Padua utriusque iuris doctore per Matheum de Grand. anno Domini M. cccc. xxvii. mense iulii. x^o eiusdem v^e. indictionis in Padua. Durant autem scripta domini Prosdocimi usque ad c. *Si iustus metus* de appell. (X 2.28.73) quod est c. finale. Ab illo c. usque ad finem huius uoluminis sunt dicta domini Bartholomei de Zabarella prothonotarii sedis apostolice. Et uterque eorum uocat dominum suum dominum Franciscum de Zabarella cardinalem. (**Bibl.** Schulte, *Geschichte* II 299 on Prosdocimus; Diplovatatus, *De claris iuris consultis* II 404 on Bartholomaeus, neither mentioning Bartholomaeus's additions. Bartholomaeus is listed as auditor in the audintia litterarum contradictarum from 1434 until 1445 in W. v. Hofmann, *Forschungen zur Geschichte der kurialen Behörden vom Schisma bis zur Reformation*. 2 vols. (Rom 1914) II 76.)

fol. 9r-442r, passim <**Additiones ad Commentarium Prosdocimi**> doc. (fol. 88r); fran. de zab. (fol. 153v); fran. de zabba. (fol. 153v); Innoc. (fol. 60v); Io. an. (fol. 94r); jo. de ymola (fol. 283r); m. (fol. 62r); m.g. (fol. 283r); marcus de zacis (fol. 198r); marcus de zaccis (fol. 197v); raf. de raymundis (fol. 56r); raphael fulgosius (fol. 100r).

Cat. Ruyschaert 148-49. **Bibl.** A. Romano, *'Legum doctores' e cultura giuridica nella Sicilia Aragonese* (Università degli Studi di Messina, Studi Giuridici 4; Milano 1984) describing the MS and giving notes on the provenance at 327-28, discussing it at 176-77 and nn. 65-66, and discussig the career of Matthaueus de Grandis, passim.

The text of the Commentary is in a Gothic cursive hand, in ink ranging from dark brown to black. Rubrics and the first words of chapters are in display script. Most of the additions are in Matthaueus de Grandis's hand. On fol. 180r he wrote 'Hec non recitantur per dominum Prosdocimum in lectura sua sed repperi ea in margine cuiusdam decretalis. M.'; on fol. 241v he wrote at the end of a gloss 'hec additio non est in lectura domini Prosdocimi sed in suis recollectis antiquis ponitur. M.'; and on fol. 283r he wrote 'ego uidi Bononie scripta domini Io. de ymola m.g.' Two other 15th-century hands very occasionally added, respectively, very short additions and notabilia. The table at the beginning of the codex, which includes the last few titles that are said to be by Bartholomaeus de Zabarella, is in a heavy Italic hand of the 17th or 18th-century. On the inside front cover a slip was pasted in with a modern note on the codex's contents, and the stamp 'Dono di Pio X'. Fol. 1r-v contains a decision of J.B. Coccino, auditor of the Rota (1600-41), from 26 May 1625 (**Ed.** D. Zaulis, *Decisiones S. Rotae Romanae coram ... D. Ioanne Baptista Coccino 3* (Romae 1672) 439 [unseen]). Fol. 7r contains excerpts from Juvenal (*Satyr.* 10.241-45 and 258-72) in a Gothic cursive hand, and then, each in a different hand, these notes: 'Secunda pars secundi P. episcopi Syracusani'; 'Secunda pars Sechundi domini Prosdocimi de Padua'; 'Morello Morelli'. There are also a few *probationes pennae*. In the upper margin of fol. 8r an early modern hand wrote 'no 199'. Fol. 7-8 are torn, slightly mutilating the table of expenses. Fol. 42 is a smaller sheet inserted by the scribe for a supplementation. In the upper right corner of fol. 8 is an old folio number, 2, and the present fol. 9-442 have a defective older system extending from 5 to 447. At the beginning of the commentary there are also traces of an old Roman numeral foliation system in the lower right corner where the present 9=ix. Catchwords are at the lower right. For the watermarks, cf. Briquet no. 11969. The parchment binding has recently been restored. Fol. 2r-v, 4v-6v, 7v, 8v, 42r, and 442v are blank.

Prov. Pius X (1903-14); P. Beckx S.J.; Rome, Collegium Romanum S.J.; Forcius of Auch (1321-). canon of Carcassone; Peter Barrani of Montréal (1321-).

<I> +107 fols memb. 232 (178) x 162 (122) mm, origin Southern France (?).

Quaterniones, saec. XIII.

fol. 1ra-7rb <Incertus auctor, **Ordo iudiciarius 'Parvus ordinarius'**>

(Textus) Quoniam (Quia *ed.*) causarum decisio per iudiciem debet terminari ...

(Finis) eorum que in iure petebantur decidi iustitia mediante. (Colophon) Explicit

libellus de facto. (**Ed.** L. Wahrmund 'Der "Parvus ordinarius",' AKKR 81 (1901)

3-37 and 195-222, not using this MS. **Bibl.** Fowler-Magerl, *Ordo* 149-51

(mentioning this MS) and passim. This is in a Gothic hand and has no corrections.

It begins with a red and blue initial with a long tail in the margin; otherwise

decoration consists only of paragraph signs. There are substantial glosses and one

notabilium in two different contemporary cursive hands. Margins have frequent

drolleries, often to signal *notabilia* in the text.)

fol. 1ra-7rb, passim <Auctores varii, **Glossae in ordinem iudicarium 'Parvus ordinarius'**>, inter alia, jo. (fol. 6va).

fol. 7va-11ra <**Guido Fava, Dictamina rhetorica**>, fragmentum (dict. 155-220)

(Textus) Fratri uero in Christo suis meritis ... (Finis) iniuriam patienti. Huius rei

sunt testes, etc. (**Ed.** A. Gaudenzi in *Il Propugnatore*, n. s. H 5/1 (1892) 86-129,

and 5/2 (1892) 58-109 [unseen], not using this MS. **Bibl.** Idem, 'Sulle opere dei

dettatori bolognesi', *Bullettino dell'Istituto storico italiano* 14 (1895) 118-50, esp.

129-38. This is in the same hand as the preceding, but capitals and paragraph

marks were never entered, the former are present in draft form. There are a few

corrections in a contemporary hand.)

fol. 11ra-vb <**Guido Fava, Exordia**>, fragmentum

(Textus) Ordo rationis expostulat ut amicorum (*ed.* 319) ... (Finis) ancillari debeat

seruiens de tributo. (**Ed.** O. Redlich, 'Eine Wiener Briefsammlung', *Mitteilungen*

aus dem vaticanischen Archive 2 (1894) 317-77. The MS diverges from the

edition, beginning at MS fol. 11ra line 13 from the bottom = *ed.* 320 no. 78, but

the antepenultimate exordium is found in the edition at p. 323, no. 140. The last

two are not there. This work continues in the same hand as the preceding, without

any break. Likewise there is no decoration until fol. 11v, where there are small

decorative capitals added by a later hand, the most elaborate saved for last. There

are no corrections or marginalia.)

fol. 12ra-16vb **Innocentius IV**, <**Novellae**, idest Collectio in 37 numeros divisa et extravag. *Non solum* (Po. 11416-17 = Sext. 3.14.2)>

(Inscriptio) Innocentius iiii in concilio Lugdunensi. (Rubrica) De rescriptis.

(Textus) Cum in multis iuris articulis infinitas reprobetur ... (Finis) aliis

defensionibus seu iuribus parzium derogari. (**Ed.** Mansi 23.651-74 passim, which

includes *Non solum*. **Bibl.** On the Coll. in 37 Numbers, see Kuttner,

'Decretalistica' 446-47 and Kessler, 'Untersuchungen' I 250-57. Ruyschaert seems to have made the first identification of this copy. The four additional *novellae* come at the end and run, using the numbers assigned by Kuttner in 'Decretalistica', 32, 28, 29, 41. *Non solum* is on fol. 14rb-va between 27 and 30 (= Coll. II 6 and 7). This is probably in a different Gothic hand and has occasional corrections by the scribe and two or three contemporary hands. Rubrics are in a Gothic cursive hand. At the beginning there is an initial with elaborate penwork decoration, and there are smaller ones for chapters. Inscriptions, rubrics, and sections within the decretals have decorative paragraph marks. In the upper margin of fol. 12r, in a cursive hand, is added the introductory bull of Coll. I, *Cum nuper* (Mansi 651) (with 'studentibus' for 'commorantibus' and 'Ludgunensi' for 'generali'), with 'Idem in eodem' at the end despite the inscription just below.)

fol. 16vb <Incertus auctor, **Nota de trinubio Annae**>

(Textus) Anna iii. maritos habuit ... (Finis) Iacobum maiorem et Iohannem Euangelistam. (**Bibl.** M. Förster, 'Die Legende vom Trinubium der hl. Anna', *Festschrift für Johannes Hoops* (Germanische Bibliothek 2; Heidelberg 1925) 105-30 [unseen]. This is in a contemporary Gothic hand, with a small plain capital at the beginning.)

fol. 17ra-rb <Incertus auctor, **Notabilia de libellis formulandis sive Excerptum ex commentario quodam in Institutiones**>

(Textus) In actione personali sic formatur libellus ... (Finis) a principali uirtute. Alias non procedit libellus. (This includes a reference 'Nota supra de act. in c. Rursus' (fol. 17ra = Inst. 4.6.5). There are many references to the Digest. Expressions like 'quero' and 'dic' are frequent. On fol. 17ra the author comments 'et hoc dicebat dominus p. a.' (for a Petrus de Aricio, see E. Cortese and G. D'Amelio, 'Prime testimonianze manoscritte dell'opera Longobardistica di Carlo di Tocco', *Atti del Convegno 'I Glossatori' ... 1971* (Pavia 1974) 85-108 at 91); on fol. 17rb 'et hoc secundum pla. ... Sed io. et Fre^o. (?) contradicunt.' This is in a Gothic cursive hand, with simple capitals and paragraph marks.)

fol. 17va <**Gregorius IX, Decretales**, excerpta tres> (X 2.20 .9, X 2.19.10, X 2.19.5)

(These are in a different Gothic hand, there are no corrections. Rubrics were added in the margin by the scribe. There was to be a decorative capital at the beginning, but it is missing. After the third decretal the scribe wrote: 'Sed dicit B. in apparatu suo quod presumptiue fuit probatum'.)

fol. 17va-vb, *marg.* **Arnoldus <De Villanova et alii, Praecepta tres medica>**

(Textus) Coriandrum bullitum in aceto ... excedere numquam sinit. Doctrina magistri Arnaldi Catalani siue de Villa Noua. (Praeceptum secundum) Pro remitendis pilis queratur talpa ... nam sertum et firmum est. (Praeceptum tertium) Vrbanus per se nescit ... (Finis) nequat tribus horis. (These were added in the margins after the decretals and, in the second column, below the excerpt from the *Glossa ordinaria* (see below). The first two are in two different Gothic bookhands, the third in a Gothic cursive hand; there is no decoration.)

- fol. 17vb-19vb <**Bernardus de Botone Parmensis, Glossa ordinaria in Decretales, excerptum**> (X 2.14.4 v. *contumaciter* - X 2.19.11 v. *praesumatur*, passim)
 (Rubrica) De dolo et contumacia. *Prout et infra. Contumaciter*: Contumax est qui cum debet parere (*ed.* fol. 202ra) ... (Finis) per ordinem ut littera dicit procedere (*ed.* fol. 116rb line 2 from bottom). (**Ed.** and **Bibl.** See Vat. lat. 1379 fol. 1ra-295ra. The MS follows the edition through fol. 18va line 13 from the bottom, where, after the gloss on X 2.14.5 v. *expensas* (*ed.* fol. 103ra line 34), the MS goes on to an unidentified text on the lemma *Secundum arbitrium discreti* (also in X 2.14.5). Then, on fol. 18va the last line begins with X 2.19.11, but with a long gloss on v. *negantis factum* that is not in the edition. The MS rejoins the edition at the lemma *directa probatio* (fol. 18vb, line 10 from bottom: =*ed.* fol. 115va no. b), and continues to the gloss v. *presumatur*, but stopping short of the end. This may be in the same hand as the *Libellus* material on fol. 17r; it has been corrected by the scribe. Chapters begin with small capitals and paragraph marks.)
- fol. 19vb <Incertus auctor, **Glossa quaedam in Dig. De custodia et exhibitione reorum**> (Dig. 48.3)
ZZ Legitimum: Ff. de custo. et exi. *Si quis reum* (Dig.48.3.4) obiicitur ubi dicitur quod si quis reum ... (Finis) extra hordinem in corpore punitur, ut C. de fideiussoribus. Si Barsatoram (Barsatorem *orig.*; Cod. 8.40.13). (*Legitimum* has not been identified. This is in the same hand, and has the same decoration, as the *glossa ordinaria* excerpts. No authors are cited.)
- fol. 20ra-73vb **Tancredus <Bononiensis>, Ordo iudiciarius**
 (Rubrica) Incipit iudiciarius hordo a Tanqreto aperitus. (Praefatio) Assiduis postulationibus me socii mei carissimi ... (Rubrica textus) De hordine iudiciorum. (Textus) Iudiciorum siquidem ordo ... (Finis) ad iudicii instructionem breuiter dixisse sufficient. (Colophon) Explicit hordo iudiciarius. (**Ed.** Pillius, Tancredus, Gratia, *Libri de iudiciorum ordine*, ed. F.C. Bergmann (Göttingen 1842, anast. repr. Aalen 1965) 89-314. **Bibl.** K. Nörr, 'Die Literatur zum gemeinen Zivilprozess', Coing, *Handbuch* I 383-97 at 389; Schulte, *Geschichte* I 203-04; R. Fraher, 'Tancred's "Summula de criminibus": A new text and a key to the Ordo iudiciarius', *BMCL* 9 (1979) 23-35. See also Vat. lat. 2343 fol. 63ra-74vb for the revised version, of which there is another copy below, fol. 83va-107rb. This is in the same hand as the *glossa ordinaria* excerpts, etc., and has been corrected by the scribe. The first word of each section is in large display script with elaborate penwork decoration; on the first part there are several other decorative initials. Thereafter chapters have large plain capitals, and the text is much divided by paragraph marks. Several contemporary hands added glosses and *notabilia*; grotesques were also added to mark notable passages.)
- fol. 73vb-79vb <Incertus auctor, **Abbreviatio librorum Decretalium Gregorii IX**>, imperfecta (X 1.2.1-X 2.13.13)
 (Rubrica) Gregorius iii (*sic*) de constitutionibus. (Textus) Canonum statuta ab omnibus custodiantur ... (Finis) potius repellere uim uindicta. (**Ed.** of the

complete text, Friedberg 2. Each chapter is summarised in usually no more than a few lines. This is in a different Gothic hand although it continues after the *ordo* with no space left between. The scribe corrected it self. The rubric is in display script in small letters, and this is repeated for the beginning of Book 2. Small plain capitals for chapters run in the margins. The scribe added marginal schemata here and there.)

fol. 80ra-83va **Guillelmus Lemovicensis, <Summa iuridica versificata>**

(Praefatio) Prologus in librum Willelmi Lemouicensis (Willelmi Lemouicensis *sup. eras., et spat. relict. post* Willelmi) cuius uerba tonant et lingua secat (sonat cod.) uelut ensis ... Plus auditores format quam mulcet aures. (Textus) Quedam que ualent ad canones distinguendos ... (Finis) Etiam (? Et?) licet hora, dies, mensis non preteratur. (Bibl. G. Fransen, unpublished description of the juristic MSS of Seo de Urgel, bibl. capit. MS 2030, fol. 1r-v, with a fragment of this work, from which the present copy was emended. After a long general introduction the text moves to 'De coniugio' (fol. 80rb) and then, on fol. 81vb, to a final section on procedural law (beginning 'In causis v. persone sepe laborat (*sic*)'). No authors are cited, and the text is extremely elementary. It is in the same hand as the preceding piece and has scribal corrections. A large initial with penwork ornaments begins the text. The scribe wrote a few *notabilia* in the margins, some of which have been trimmed off.)

fol. 83va-107rb **Bartholomaeus Brixiensis, Ordo iudiciarius**, idest Tancredi Ordo a Bartholomaeo reuisus (See Vat. lat. 2343 fol. 63ra-74vb for further information.)

Variants:

(Rubrica) Incipit liber ordinis iudicarii magistri Tanqeti (*sic*). (Rubrica textus) Rubrica *om.* (Finis) sufficiant *pro* sufficiat (Colophon) Explicit libellus Tancreti. Amen. Hic liber est scriptus, scriptor omni tempore benedictus. (This is in the same hand as the preceding piece (from which it continues without any spatial break), and has been corrected by the scribe. The first word is in display script with elaborate penwork decoration, and chapters for the first two pages are likewise ornamented; thereafter chapters have plain capitals, and the text is much broken up by paragraph signs. The scribe occasionally added mnemonic verses in the margins.)

fol. 107rb <Incertus auctor, **Commentum breve in Decr. De restitutione spoliatorum c. Gravis** (X 2.13.11)>

(Textus) *Extra. de restitut. spo. Grauis.* Fructus intelliguntur qui supersunt deductis ... (Finis) i. et ii. extra de iureiurando Quinta Vallis (X 2.24.23).

fol. 107rb <Incertus auctor, **Nota brevis de exheredatione**>

(Textus) Notantur cause exquibus licet exheredare ... (Finis) et ita fuit turpe mandatum. (This and the preceding commentary, each of about twenty lines, follow in the same hand, after a few lines of blank space, after the *Ordo*. No authors are cited. Each begins with a paragraph mark.)

fol. 107va <Incertus auctor, **Commentum in Decr. De pignoribus et aliis cautionibus c. Ex litteris** (X 3.21.5)>

(**Textus**) *De pignoribus* (marg.) *Ex litteris*: Quia uero mulier estimationi ... (Finis) sui prefati noscitur possidere. (This 12-line commentary may be in the same hand as the preceding pieces; no authors are cited, and there is no decoration.)

Bibl. Ruyschaert 175-81.

The MS is written in varying shades of ink in multiple Gothic bookhands as noted above. The decorative style changes with each section. Initials and capitals are usually red, occasionally blue, with violet or red penwork respectively. Rubrics and paragraph signs are red throughout. On the inside front cover is stamped 'Dono di Pio X'; a slip pasted in has, in a modern hand, 'Bartolomeo Brixiense (*sic*) Lib. ordinis iudiciarii'; and on another slip a different modern hand wrote 'Canoni raccolti da Greg. III'. On <I>r a 17th- or 18th-century hand wrote 'XIV aut XV ZZ saeculi' (cf. Ruyschaert viii); pasted here is another slip on which a different modern hand described the contents similarly to the earlier notations, and an ownership note of P. Beckx, provost of the Collegium Romanum. In the upper margin of fol. 1r a 15th-century hand wrote 'Summa mihi ignota et IX Vagantes (*sic*) Innocentii III et ordo iudiciarius a Tancredo compositus'. In the lower margin of fol. 19v there is the note 'Anno Domini m°.cc°.lxxx°.viii°. die Simonis et Iude G. de Auruntis persoluit B. filio domini Aderii (?) iii s. /// minus iiiii^{of}. 1. ...' with two witnesses' names. Fol. 52v-53v in the lower margins, and fol. 107v (after the short commentary) contain legal documents: (1) fol. 52v-53v: an exception submitted to the bailiff of Montréal, in a large Gothic hand; (2) fol. 107v: an exception proposed by B. de Marsano against Garsias de Degui, to the bailiff of Montréal; (3) *ibid.*: a libellus of 20 feb. 1265 of the cleric Geraldus Faber against Geraldus de Rebolino senior, before the official of Agen; (4) *ibid.*: a sentence in the same case; (5) *ibid.*: an appeal petition in the court of Prior Gavaretti of the diocese of Auch. Of the last four items, on fol. 107v: the first two are in the text-space and are in two different Gothic cursive hands; the last two are in long blocks across the lower margin, in two different Gothic hands. In the lower margin of fol. 107r there is a note of sale: 'Iste liber est emptus per Forcium de Auxo clericum a Petro Barrani filio quondam Petri qui moratur apud Montem Regualem...'. followed by a list of names and dated 1321. Barranus became a canon of Carcassone in 1324; see G. Mollat, ed., *Jean XXII. (1316-1334). Lettres communes* 5 (Paris 1909) 96 no. 19197. Quire structure is mixed, but quaternions predominate. Catchwords are framed and centered or at the right. The binding is parchment. <I>v is blank.

| | |
|------------------------|------------------|
| Vat. lat. 11516 | saec. XIV |
|------------------------|------------------|

antea 73. **Prov.** Pius X (1903-14); P. Beckx, S.J.; Rome, Collegium Romanum S.J. **Scr.** Nycolaus.

139 fols. memb. 235 (157) x 165 (106) mm. Quaterniones, saec. XIV.

fol. 1r-17r **Rolandinus Passagerii, Tractatus notularum** (See Vat. lat. 2326 fol. 92rb-107vb for further information.) *Variants*:

(Inscriptio *add.*) In nomine domini amen. (Rubrica *add.*) Hec est ars notarie composita a domino Rolandino Passagerio que de negotiis hominum legitime ordinandis tractans ponit primo quendam tractatum ZZ casibus legum felciturum (*sic*) super ipsam summam compositum. (Colophon) Explicit tractatus super summa notarie composita a domino Rolandino Passagerio de Bononia. Deo gratias. Amen.

fol. 17v-138r **Rolandinus Passagerii, Summa artis notariae**, imperfecta (See Vat. lat. 2326 fol. 1ra-92rb for further information.) *Variants*:

(Rubrica) Hic incipit exordium quod immediate post ipsum tractatum sequitur artem notarie predictam in quo lector intueri poterit ipsam diuidi per capitula X partium preter supradictum tractatum. (Epilogus) iam *add. post* Ecce; humilis *pro* minimus (Colophon) Amen. *add.* (Colophon secundus *add.*) Finito libro sit laus et gloria Christo. Amen. Amen. Amen. Nycolaus uocatur a Christo benedicatur. Amen. (Lacunae in the text result from the loss of folios between fol. 38 and 39 and between 79 and 80; cf. Ruyschaert 207.)

fol. 138v <**De interrogatorio super articulis**>

(Rubrica) De interrogatorio faciendo super articulis a testibus. (Textus) Interrogentur testes super articulis infrascriptis ... (Finis) et predictae interrogationes super quolibet articulo repetantur.

Cat. Ruyschaert 206-09.

The MS is written in a round humanist bookhand, in brown ink. The opening initial of each major work is blue decorated with red; large decorated initials begin each title in the Summa. The text on fol. 138v is in the same or a very similar hand. Capitals are red or blue, some with penwork in the contrasting color. Rubrics are red; paragraph signs are red in the Tractatus, red and blue in the Summa. Catchwords are framed at the lower right; prickings are visible. There are annotations and corrections in contemporary and later hands. In the upper margin of fol. 1r is the number '73'. Fol. 134v and 136r contain toothache remedies in the lower margins. On fol. 135r-v, 136v, and 137r there are prayers in the lower margins. On fol. 138r there is the following note in the lower margin, readable only by ultra-violet light. 'M^o ccc^o nonagesimo nono pontificatus domini Bonifacii pape viiii anno <decimo> eius vii indictione xv mensis decembris prima die natus fuit filius meus Petrucius //// in festo sancti Andree'. On fol. 138v-139v are notes and instrumenta. See Ruyschaert for further information on the many marginal notations: Fol. 1 is stained; fol. 139 is stained and mutilated (the top half of the folio is gone), and there is some worm damage on the last leaves. Some sections show signs of water damage. Inside the front cover are the shelfmark, a note of the contents of the MS common to MSS from the Collegium Romanum and the stamped notation. 'Dono di Pio X'. The MS is bound in 18th-century parchment with gold stamping.

| | |
|------------------------|-------------------|
| Vat. lat. 11519 | saec. XIII |
|------------------------|-------------------|

Prov. Pius X (1903-14); P. Beckx S.J.; Rome, Collegium Romanum S.J.

III + 83 fols. memb. (chart.: I-III) 240 (175) x 156 (102) mm, origin Italy. Quaterniones, saec. XIII.

fol. 1ra-83ra **Bernardus <de Botone> Parmensis, Summa in titulos Decretalium**

(Rubrica) Incipit summa super <titul>is decretalium a <ma>gistro B<ernardo> parmensi composita. (Praefatio) Formauit Deus hominem ad imaginem et similitudinem suam xxxiii q. v. *Hec imago* (C.33 q.5 c.13) et C. de poenis *Si quis in metallum* (Cod. 9.47.17). ... (fol. 2rb) (Rubrica) De constitutionibus. (Textus) Premiso fidei fundamento ad alia (fol. 2va) procedamus ... (Finis) non possunt quibus studia sunt diuersa x. vi. q. vii. *Nona* (Nova *cod.*) *actione* (C.16 q.7 c.22). (Colophon) Explicit liber quintus *hec* liber est scriptus qui scripsit sit benedictus. Amen.

Cat. Ruyschaert 211, misdating the MS to saec. XII. **Bibl.** Schulte, *Geschichte* II 116-

17; Kuttner, *Repertorium* 389 n. 6, but not mentioning this MS.

The MS is written in a rough Gothic bookhand in black ink. Rubrics, capitals, and paragraph marks are red. The capitals beginning each of the five books are larger and decorated in a rough and amateur design. Running heads, consisting of 'L' and the book number, are red. The colophon is struck through in red. There are some corrections by the scribe and scattered notes by at least two other hands, including long notes on fol. 16r-v and 19r-v. Fol. 83v is covered with *probationes pennae* and notes in Hebrew, perhaps pawn marks. On the inside front cover and Ir are notes that this MS is a gift of Pope Pius X. IIIr has the modern title: 'Mag. Bernardus Parmensis. Summa super Titulis Decretalium.' Catchwords are low against the inner margin line. The MS has an old parchment binding which has been restored with new end papers. <I>v- <II>v and <III>v are blank.

| | |
|------------------------|------------------|
| Vat. lat. 11522 | saec. XIV |
|------------------------|------------------|

Prov. Pius X (1903-14); P. Beckx S.J.; Rome, Collegium Romanum S.J.
144 fols. memb. 231 (159) x 168 (110) mm. Seniones, saec. XIV.

fol. 1ra-128ra **Raymundus de Pennaforte O.P. (s.), Summa de casibus poenitentiae**
(See Vat. lat. 2301 fol. 24ra-287vb for further information) *Variants:*
(Rubrica praefationis) Incipit prologus in summa Raymundi. (Rubrica textus)
Incipit suma (*sic*) Raymundi de symonia rubrica (Finis) iocunita pro iocunditatis;
suam *pro* illam; etc. *om.* (Colophon) Amen.

fol. 128ra-144vb **Raymundus de Pennaforte O.P. (s.), Summa de matrimonio** (See
Vat. lat. 2301 fol. 287vb-333vb for further information.) *Variants:*
(Rubrica) summa *add. post* Raymundi (Rubrica textus) Incipit summa magistri
Raymundi de matrimonio (*sponsalibus add. sup. lin.*). (Finis) animo *om.*

Cat. Ruyschaert 230-31.

The MS is written in Gothic bookhand, probably by a single scribe, in brown and black ink that has flaked rather badly in places. Initials opening the texts are red and blue with blue penwork decoration. Capitals alternate red and blue, with penwork in the contrasting color. Rubrics are red; paragraph signs are usually red, sometimes blue. There are corrections and annotations in several hands. A long marginal note on fol. 49r is signed 'Raynaldus'. The MS is ruled in lead. A modern slip of paper with a note on the contents of the MS is attached to fol. 1r. Catchwords are at the lower right, usually framed. The parchment and cloth binding dates from the second quarter of the 20th century.

| | |
|------------------------|--------------------|
| Vat. lat. 11527 | saec. XVI.1 |
|------------------------|--------------------|

Prov. Pius X (1903-14); Rome, Collegium Romanum S.J. **Scr.** Antonius Aurelius (?).
98 fols. chart. 210 (154) x 146 (92) mm, origin Italy (?). Seniones, saec. XVI.1.

fol. 2r-91r <**Formularium poenitentiarum, saec. XVI**>
(Rubrica) De contrahendo in 4^o consanguinitatis uel affinitatis mutatis mutandis

et etiam seruit pro 3^o ut infra. (Inscriptio) Venerabili in Christo patri Dei gratia archiepiscopo Ianuensi uel eius uicario in spiritualibus, Leonardus ... (Textus) Sedis apostolice prouidencia circumspecta non nunquam rigorem ... (Finis) eodem modo de Sutrinensi et Nepesaniensi. (This small formulary contains standard types of texts, mostly concerned with marriage law, followed by a selection of variant forms for salutation and dating clauses. The names of Leonardus Grossus de Rovere, cardinal penitentiary c. 1511-20, and minor penitentiaries Claudius Cathelini and Francisco Berthelai appear in the text. Cf. Göller, *Die päpstliche Pönitentiarie* I.1 p. 15 and II.1 p. 38 n. 3.)

fol. 91r-v **Formularium super facultatibus assistentium**, <excerpta duo>
(Rubrica) Extractum ex formulario super facultatibus assistentium.. (Textus) In absentia autem alterius correctoris ualitudinarij uel infirmi ... et quo usque talis corrector sibi substituatur. (fol. 91v) (Rubrica secunda) Item quod correctores non expediant litteras nisi in officio etc. (Textus) De nouo ad maiorem cautellam de consensu et uoluntate... (Finis) exceptis litteris rescribendis dum tamen correctis et emendatis. Datum etc.

fol. 92r-96r <**Tabula codicis**>

fol. 96v-97r <**Epistolae poenitentiarii duae**>
(Epistola prima) (Inscriptio) Laurentius etc. discreto uiro confessori ... (Textus) Ex parte dicti N. nobis oblata petitio ... et commode accedere possit nudus etc.
(Epistola secunda) (Inscriptio) Leonardus etc. dilecto in Christo Ferdinando Perez de Theruel ... (Textus) Ex parte tua fuit propositum coram nobis ... (Finis) consuetudinibus cuiuscumque tenoris existentibus rescisis (*sic*) contrariis quibuscumque. Datum. ('Laurentius' in the first letter is probably Lorenzo Pucci, cardinal penitentiary, 1521-29.)

Cat. Ruyschaert 260-61. **Bibl.** E. Carusi, review of Göller, in *Archivio storico italiano* 72 (1914) 96-101 at 98-99, describing this MS (without shelfmark).

The MS is written almost entirely in one 16th-century French notarial hand, in brown ink. No color was used. The rubrics and some of the marginal notes are in other contemporary hands; later hands appear in other notes. Some of the marginalia refer to charges (*taxae*) levied by the penitentiary for the preparation of various documents. In some places the text has been heavily corrected, e.g. fol. 38v and 45v. The two letters at the end of the volume are in hands different from those in the rest of the MS. The insides of the MS's cover and fol. 1r-v and 97v-98v are full of various notes and *probationes pennae*. The name Antonius Aurelius appears twice, on the inside front cover and on fol. 98r, and 'Aurelius scriptor penitentiariae' appears twice on fol. 1v. Also on the inside front cover are two library labels and the stamped notation 'Dono di Pio X'. Among the notes on the inside back cover are 'Aurelius', and several repetitions of the phrase 'Vive le roy de France'. The original foliation in the upper right corner is in Roman numerals; the modern stamped foliation at lower right is followed here. For the watermarks, cf. Briquet nos. 7855, 3646, 49, and 13889. The MS retains its original parchment binding.