

Vat. lat. 5002**saec. XIIex./XIIIin.**

139 fols. + 8a memb. 242 (164) x 155 (113) mm, origin Northern France. Quaterniones, saec. XIIex./XIIIin.

fol. 1ra-82vb **Ivo Carnotensis (s.), Panormia**, imperfecta (Lib. 1-8.134med.) (See Vat. lat.

1358 fol. 5rb-103ra for further information.) *Variants:*
(Inscriptio *man. recent.*) Iuonis Carnotensis Panormia. (Rubrica) Incipit liber sacrorum canonum. (Textus summarii libri primi) Pars prima continet de fide, de diuersis heresibus ... (Rubrica textus) Ex Niceno concilio. De fide sanctae Trinitatis. (Finis) tamquam si aliquis dolose ostendat uiam sciens in ea esse latrones et dicat /// (The prologue is missing; each book is immediately preceded by a summary. **Bibl.** Fournier, 'Yves' 58.293-326; Mordek, *Kirchenrecht ZZ* 375ff.; S. Kuttner, 'Research on Gratian: Acta and agenda', *Proceedings Cambridge* 3-26 at 23 n. 58.)

fol. 8a^r <Incertus auctor, **Nota theologica**>

Grecum. Ad Esculapium Hermes Trismagistus. Deum quidem intelligere difficile. Eloqui autem impossibile. Est enim trishypostatos id est trium personarum inexplicabilis substantia et natura non habens apud homines similitudinem.

fol. 83ra-va <**Canones septem de decimis**>

(Rubrica) Quod laici non etiam monachi tenentur ad decimas. Paschalis II. (Textus) Decimas a populo sacerdotibus atque leuitis ... (Canon ultimus) Fiscus ab omnium uectigalium prestationibus ... (Finis) ab ecclesiastica statione decimas exigere potest. (Six of the seven items on this folio may also be found as C.16 q.1 c.47, C.16 q.1 c.55, C.12 q.1 c.7, C.16 q.1 c.46, X 3.30.2 and Dig. 39.4.9. The fifth item, 'Statuimus secundum priorem ...', is attributed to Gregory I; cf. Kuttner, 'Some Roman Manuscripts' 7-29 at 12, an another copy in Vat. lat. 1361 fol. 246ra. The orientation of the collection suggests a monastic origin.)

fol. 84ra-139vb **Isidorus Hispalensis (s.), Quaestiones in vetus testamentum**, imperfecta

(Rubrica) In nomine sancte et indiuidue Trinitatis. Incipit libellus quem s. Isidorus Ispalensis episcopus de diuersus patrum opusculis collegit de expositione historie. (Prologus) Historia sacre legis non sine aliqua prenunciatione ... (fol. 84rb) <Tabula capitulorum> ... (Rubrica secunda) Praefatio. (Praefatio) Creatura caelae et terrae quomodo historialiter ... (Textus) In principio fecit dues (*sic*) caelum et terram. Principium Christus est ... (Finis) et potestas cum Patre et Spiritu sancto in secula seculorum. Amen. (**Ed.** PL 83.207-424. In *Leviticum* is incomplete, ending in the middle of ch. 17. **Bibl.** Arévalo, *Isidoriana ZZ* PL 81.809ff.)

The MS is written in several late Carolingian minuscule bookhands in brown ink. The same group of scribes copied the works of Ivo and Isidore; a similar but distinctive hand appears on fol. 83r-v. The MS

may be the product of a monastic scriptorium. In the *Panormia*, large decorated initials in blue and red open each book. The capitals which open each section of the *Quaestiones* are red or blue lightly decorated in the contrasting color; sometimes green is used. Minor capitals are red, blue, or in ink, occasionally with light decoration or a contrasting wash. Rubrics are red. Fol. 1r-2r and 3v-5r are now largely illegible. Fol. 8a is a leaf tipped in, probably during a rebinding. The note it contains is in a 15th-century cursive hand. Another contemporary hand added 'fuit emptus Cesar[eae] anno domini M° iiii° quadragesimo vii° liber iste.' The same hand added running titles; marginal notes are mostly in the two 15th-century hands. Although the quire structure is mixed, quaternions predominate. Quires are marked with roman numerals centered in the lower margin of the first leaf of each quire; they were probably added during rebinding. The MS has a 19th-century leather and parchment binding which incorporates parts of a 17th-century predecessor. Fol. 8a^v and 56rb-vb are blank.

Vat. lat. 5003

saec. XII^{med}.

Prov. Antonio Agustín, abp. of Tarragona 1577-86; Miguel Tomás Taxaquet, bp. of Lerida 1577-78.

<I> +71 fols. memb. 170 (112) x 120 (73) mm. Quaterniones, saec. XII^{med}.

fol. 1ra-71r <**Poenitentiale romanum**>

<Tabula titularum> ... (fol. 2r) (Rubrica tituli) De homicidio. (Rubrica) De interfectoribus sacerdotum. Ex concilio magotiensi cap. xxiiii. (Textus) Qui presbiterum occiderit xii annorum ei penitentia ... (Finis) uel episcopi in necessitate posset accedere. <alia manu> Finis. (**Ed.** *Canones paenitentiales*, ed. A. Agustín, in *Opera*, 8 vols. (Lucae 1765-1774) III 257-297. **Bibl.** Ibid. 253; H.J. Schmitz, *Die Bussbücher und die Bussdisziplin der Kirche* (Mainz 1883; repr. Graz 1958) xii, 798; H. Wasserschleben, *Die Bussordnungen der abendländischen Kirche* (Halle 1851; repr. Graz 1958) 95-96; Kuttner, 'Some Roman Manuscripts' 7(-8) n. 4, 20-21.)

fol. 71v <**Rituale**, excerptum>

(Rubrica) Oratio ad fratres suscipiendos in orationibus nostris. (Textus) Suscepimus Deus misericordiam tuam in medio templi tui ... (Finis) Domine famulum tuum, ut in uita presenti ab ///

Bibl. Kuttner, 'Some Roman Manuscripts' 7(-8) n. 4, 21, nothing that this MS is no. 349 in the catalogue of Agustín's library.

The MS is written in long lines, in a late Carolingian minuscule, in brown ink. Each book of the *Poenitentiale* opens with a large red initial, sometimes with simple penwork decoration; other initials and rubrics are red. A table of contents precedes each book; the first two are each written in double columns. Fol. 2r-32r have contemporary running titles. Annotations in several early modern hands refer to other canonical collections (cf. Kuttner). The last canon and the final piece are in different hands, the first contemporary with the hand of the main text. <I>r is a title page, of 16th-century origin: 'Paenitentiale Romanum. Tit. I. De homicidio. Index capitulorum'. A folio has been cut away at the end of the last quire. Catchwords are centered along the lower edge of the folio; a few have been cut away. The old binding is parchment reinforced with leather strips. <I>v is blank.

Vat. lat. 5058

saec. XVI.1

Prov. Giovanni de Salviati, card. 1517-1553.

108 fols.-45 + 46bis chart. 215 (139) x 139 (80) mm, origin Italy. Quiniones, saec. XVI.1.

fol. 1r-108v <Incertus auctor, **Compendium iuris canonici**>, imperfectum (X 1. 1-5.3)
(Rubrica) Rubrica. De summa Trinitate et fide catholica. (Textus) <Q>uoniam ut ait philosophus primo posteriorum et V^{to}. metaphysice 'Nobilitas scientiae ex nobilitate subiecti consideratur.' ... (Finis) Contrahitur autem simonia tribus modis ut puta.

The MS is in a cursive bookhand in black ink. Blank spaces have been left for capitals. Rubrics are red, as are paragraph signs to fol. 13v. Catchwords are vertical on the inner margin line. On fol. 1r appears the ex libris: 'Io. car. de Saluiatis'. For the watermarks, cf. Briquet no. 3668. The MS has a late 18th-century leather binding.

Vat. lat. 5063

saec. XV

68 fols. chart. 218 (150) x 142 (100) mm, origin Italy. Quiniones, saec. XV.

fol. 1r-67r <**Antonius de Florentia O.P. (s.), Confessionale**> *Omnis mortalium cura* (Invocatio) Ihesus. (Praefatio) Omnis mortalium cura quam multiplicium studiorum labor exerzet ... Dize sancto Severino nel libro che fa di filoxoficha consolazione (Boethius, De Cons. Phil. III 176) ... (fol. 1v-2r) (Textus) Quanto ala prima dico che se uole schiuare el pechatto ... (Finis) ogni graeza per far quello che se conuien. (Colophon) Finito libro referamus gratiam Christo. Amen. (Ed. *Somma dello archivescovo Antonino 'Omnis mortalium cura'* (Firenze 1490). **Bibl.** Kaeppli, *Scriptores* I 98 no. 257.)

fol. 67r-v **Hymnus** '*Christe qui lux est et dies*'

fol. 67v **Orationes duae**

(Rubrica) Oratio. (Textus) Visita quaesumus Domine habitationem istam ...
(Oratio secunda) (Rubrica) Oratio dicenda de mane post ortum diei. (Textus)
Domine Deus operis que nos ad principium huius dice ... (Finis) ut dirigantur cogitationes opera.

fol. 67v **Psalmus** <**69**>

fol. 67v-68r **Orationes decem**

(Rubrica) Oratio. (Textus) Deus cui proprium est miserere ... (Oratio ultima)
(Rubrica) Oratio. (Textus) Omnipotens sempiterna Deus dirige actus nostros ...
(Finis) mereamur bonis operibus habundare. Per eundem Christum Dominum nostrum. Amen. Deo gratias. Amen. Amen.

The MS is in black ink, written by two scribes; the first wrote a rough cursive bookhand (fol. 1r-27v), the second a fine humanistic bookhand (fol. 28r-68r). Rubrics are red. Capitals are red or blue-green.

Catchwords are framed and centered. The watermarks are caught in the binding and illegible. The MS has an 18th-century leather binding. Fol. 68v is blank.

Vat. lat. 5066

saec. XIII

90 fols. memb. 118 (76) x 85 (58) mm. Quiniones, saec. XIII.

fol. 1r-46r **Johannes de Deo, Libellus dispensationum**, recensio II

(Rubrica) Libellus dispensacionum magistri Iohannis de Deo in quo xiiii capitula ponuntur. (Praefatio) Et primo de diuina dispensacione (ne *sup. lin. al. man.*) cum humano genere ... (fol. 2r) super operis imperfectione ueniam postulet. (Rubrica textus) Quid est dispensatio. (Textus) Et nota quod dispensacio est iuris communis relaxacio ... (fol. 45v) (Finis) causa breuitatis instruo partes qualiter se habeant in sententiis proferendis. (Colophon) Explicit summa composita super dispensacione omnium prelatorum ... (fol. 46r) sub anno Domini M.cc.xliii. Indictione prima. v. kalendas septembris. Tamen super operis imperfectione ueniam postulo a lectoribus uniuersis. (**Bibl.** Sousa Costa. *João de Deus* at 97-105; S. Kuttner, 'Pope Lucius III and the Bigamous Archbishop of Palermo', in *Medieval Studies presented to Aubrey Gwynn, S.J.*, ed. J.A. Watt et al. (Dublin 1961) 409-53, repr. in S. Kuttner, *The History of Ideas and Doctrines of Canon Law in the Middle Ages* (London 1980) VII with *Retractiones* 11-14, at 429-31, with a tentative edition of fol. 2v-5v at 449-51 using this MS (siglum V); Sarti-Fattorini, *De professoribus* I 431, excerpting much of the colophon.)

fol. 46r-52v <Incertus auctor, **Summula de sponsalibus**>

(Rubrica) Quibus modis sponsalia contrahuntur, scilicet per uerba de presenti. (Textus) Pluribus modis (fol. 46v) sponsalia contrahuntur ... (Finis) xxii. q. v. Iuramenti (C.22 q.5 c.12) ubi dicitur quod inter iuramentum et simplicem loquelam non est differentia. (Colophon) Explicit summa super dis. (*sic*). (**Bibl.** Sousa Costa, *João de Deus* 147-8 identifies this tract as that of Johannes Andreae, but it does not correspond to his text in TUI 9 fol. 2ra-3vb.)

fol. 52v <**Versus**>

(Textus) Si quis forte cupit in iure peritus haberi ... (Finis) hec duo iunta simul fructificare solent. (**Ed.** of a similar verse from London B.M. Addit. 24659 in S. Kuttner, 'Dat Galienus opes et Sanctio Justiniana', *Linguistic and Literary Studies in Honor of Helmut A. Hatzfeld*, ed. A.S. Crisafulli (Washington D.C. 1964) 237-46, repr. in S. Kuttner, *The History of Ideas and Doctrines of Canon Law in the Middle Ages* (London 1980) X with *Retractiones* 18-19, at 243, and mentioning the verse in this MS at 245.)

fol. 53r-62v <Incertus auctor>, **Flores Decretorum** <idest Tabula summaria Decreti>

(Rubrica) Incipiunt flores decretorum. Di. 1. (Textus) De iure scripto et non scripto. Et quid cui preponatur ... (Finis) et quadragesime obseruatione et iocunditate, et aliis capitulis. (Colophon) Expliciunt flores siue breuiarium decretorum. (**Bibl.** Rambaud-Buhot, *Abrégés du Décret* 398; Kuttner,

Repertorium 26, 46, 281.)

fol. 63r-70v <Incertus auctor>, **Flores Decretorum**

(Rubrica) Flores decretorum. (Textus) Hic quia ius lego canonicum me dum rota cursu ... (Finis) de sacramento baptismi - liquor. De sacramento ieiunii esca. (Colophon) Expliciunt flores decretorum.

fol. 71r-82v **Bonaguida de Aretio, Summa introductoria super officio advocacionis in foro ecclesiae**, <excerptum> (I 1-3) (See Vat. lat. 2661 fol. 1ra-10va for further information.) *Variants*:

<Rubrica praefationis et praefatio desunt.> (Rubrica textus) secundum Bonaguidam *add.* (Textus) ZZ aliqua pro aliqua (Finis) quia non est sapiens qui relatis omnibus aurem prebet. (Colophon) Expliciunt mores, exordia, et cautele aduocatorum secundum Magistrum Bonaquidam (*sic*) iuris canonici profexorem. (Ed. A. Wunderlich, *Anecdota quae processum civilem spectant* (Göttingen 1841) 133-345 at 136-66 for this excerpt.)

fol. 83r-89r **Egidius <de Fuscarariis, Ordo iudiciarius, excerptum>** (cc. 189-211) (See Vat. lat. 2661 fol. 64va-78vb for further information.) *Variants*:

(Rubrica) De moribus siue exordiis aduocatorum secundum Egidium. (Textus) Ea solummodo que ab antiquis maioribus. (Colophon) Expliciunt exordia Egidii doctoris decretorum. (Ed. and **Bibl.** Wahrmund, *Quellen zur Geschichte des römisch-kanonischen Processes* III.1 258-70, with a brief description of this MS at xix.)

fol. 89v-90v <**Formulae tres indulgentiarum**>

(Rubrica *margin. sup., al. man.*) Indulgencia in festo dedicationis alic<uius> ecclesie. (Inscriptio) <V>niuersis Christi fide<libus> presentes litteras inspecturis salutem. (Textus) Si populus Israeliticus qui sub legis ... (Finis) de misericordia Ihesu [Christi] et apostolorum meritis indulgemus. Data. (**Bibl.** The first formula 'Si populus Israeliticus', granting forty days' indulgence for visiting a newly dedicated church, is similar in phrasing to an indulgence in *Les Registres d'Innocent IV*, ed. F. Berger, 4 vols. in 8 (BEFAR; Paris 1884-1920) I.1 p. 26, no. 132. The second, 'Si iuste diuine scripture', resembles an example in the same registers, II.2 p. 166 no. 4952. The third formula, 'Particeps mercedis efficitur' (forty days' indulgence for bridge-building), although likely to be of Innocent IV ZZ as well (Honorius III was the last predecessor named) has not been located in Innocent IV's register. Similar indulgences, however, appear in the *Regestum Clementis papae V*, ed. Monachi ordinis S. Benedicti, 9 vols. in 8 (Rome 1885-88) I 167 no. 910 and IX 96 no. 10300.)

The MS is written in black ink in a single gothic hand, except the indulgences at the end, which are in a different though similar script. At least part of the codex is a palimpsest: erased gothic script can be seen written crosswise in several places (e.g. fol. 46r). An historiated initial 'p' begins the libellus, presumably taking the initial from the 'p' of 'Et primo' opening the preface; the rubric was emended by at least one later hand. Capitals are red with blue decorations until fol. 30. Thereafter capitals are red, rubrics are red throughout. Catchwords, in decorative red and blue frames, are at the lower right. The binding is of leather, from the late 18th-century.

Vat. lat. 5067**saec. XV (1444)**

219 fols, memb. 131 (75) x 86 (57) mm, origin Italy. Quiniones, saec. XV (1444).

fol. 1r-5v <Incertus auctor>, **Compendium de doctrina christiana**

(Rubrica) Incipit compendium de doctrina christiana. (Textus) Quod debet christianus de primo scire Pater noster ... (Finis) gustus tactus odoratus.

fol. 5v-177r **Antoninus de Florentia O.P. (s.), Confessionale Defecerunt** (Recensio 1)

(See Vat. lat. 1237 fol. 70vb-143va for further information.) *Variants:*

(fol. 5v-9v) <Tabula confessionalis> (fol. 9v) (Rubrica) Incipit tractatus de instructione confessorum reuerendi patris fratris [Antonii de Florentia] ordinis predicatorum (Praefatio) psalmista *pro* psalmus (Textus) igitur *add. post* Quantum; ut *pro* scilicet (Finis) uel alia signa exprimentia consensum prebet. (Colophon) Explicit interrogatorium confessionale fratris [Antonini de Florentia] ordinis predicatorum etc. 1444. (Ed. Antoninus de Florentia, *Confessionale* (Strassburg 1496). **Bibl.** Kaeppli, *Scriptores* I 95 no. 256a. This copy does not contain the additions by Nicolas de Ausimo which appear in Vat. lat. 1237.)

fol. 177r-191r **Antoninus de Florentia O.P. (s.), <Tractatus de ornatu mulierum>**

(Rubrica) Determinacio reuerendi patris fratris [Antonini de Florentia] ordinis predicatorum super multiplices uanitates uestium et ornamentorum. (fol. 177v) (Textus) Queritur primo utrum ornatus mulierum secundum morem patrie qui uidetur uanus ... (Finis) pauciores possunt superfluitates et uanitates faciant et uendant etc. (**Bibl.** Kaeppli, *Scriptores*, I 87-88 no. 249; S. Orlandi, *Bibliografia Antoniniana* (Città del Vaticano 1961/62) 324.)

fol. 191r-217r , <Incertus auctor>, **Tractatus de excommunicationibus**

(Rubrica) Incipit tractatus excommunicationum. (Textus) Cum apostolica doctrina cunctos fideles admoneat dicens eph. 5^o (v. 15) 'Videte quomodo caute ambuletis ...', ... (Finis) uel in diuinis aut in contemptum ecclesie.

fol. 218r-219r <Incertus auctor, **Casus episcopales**>

(Rubrica) Isti sunt casus secundum opinionem diuersorum doctorum qui de iure reseruantur dyocesanis. (Textus) Primus est peccatum propter quod esset indicenda solempnis penitentia ... (Finis) item symonia in quocumque genere.

The MS is written in a single bookhand in brown ink. Rubrics are red. Capitals are red or blue with decoration in the contrasting color. Those at fol. 10r and 177v have been gilded. Catchwords are framed and centered. An enumeration of leaves was made on fol. 219v. The MS has an 18th-century leather binding. Fol. 217v is blank.

Vat. lat. 5068**saec. XV.2**

275 fols. + <I> memb. 129 (96) x 96 (61) mm, origin Italy. Quiniones, saec. XV.2.

fol. 1r-63r <Incertus auctor, **Interrogatorium**>

(Rubrica) Interrogationes pulcre sed ualde utiliores que debent haberi circa quascumque personas que ad confessionem uenire continue uolunt. Videlicet. (Textus) Primo igitur ut confessor confiteri uolentem ad salutiferam preparet confessionem ... (Finis) auctoritatem circa ceteros extra de procura<toribus>. Qui ad agendum (Sext. 1.19.4) Hec ibi. Deo gratias et laus.

fol. 63r <Nota de fratribus ingredientibus monasteria monialium ex declaratione Nicolai> (ital.)

fol. 63v-70r **Johannes de Capistrano, O.F.M. (s.), <Responsa>**

(Rubrica) Infrascripta sunt quedam dubia que fuerunt declarata per reuerendum patrem fratrem Iohannem de Capistrano. (Textus) Vtrum guardiani uel alii fratres de licentia guardianorum possint absolvere ... (Finis) ut non soluatur nisi quod est iustum et licitum.

fol. 70r-71r <**Pseudo->Bernardinus Senensis, <Responsa>** imperfecta

(Rubrica) Hec sunt quedam interrogationes quas uerbotenus feci a beato Bernardino. Cronica inueterate sapientie et sanctitatis norma. (Textus) Primo quoad fratres. An frater teneatur audire missam cotidie ... (Finis) nisi esset pillata uel tignosa uel similia. (This work does not appear in Bernardino's *Opera omnia*; cf. D. Pacetti, *De Sancti Bernardini operibus* (Florentiae 1947) 97. Part of the text is evidently missing; the catchword on fol. 70v does not match the first word of fol. 71r.)

fol. 71r-72r <Incertus auctor, **De aetatibus in iure**>

(Textus) Nota quod anni discretionis quoad episcopum instituendum sunt 30 anni completi ... (Finis) tunc possunt peccare mortaliter etc.

fol. 72r <Recepta pharmaceutica>

fol. 72v-131r **Antoninus de Florentia O.P. (s.), <Confessionale Defecerunt, Interrogatorium>**

(Rubrica) Incipit confessio fratris Antonii (*sic*) de Florentia ordinis predicatorum. Primum preceptum. (Textus) Postquam ille qui uult confiteri dixit ex se ea que uoluit ... (Finis) sic potest fieri absolutio post supradicta indulgentia. (*sic*) (**Ed.** Antoninus, *Confessionale* (Strassburg 1496) fol. 41va-98rb. **Bibl.** Kaeppli, *Scriptores* I 95 no. 256C; cf. Vat. lat. 1237 fol. 70vb-143va.)

fol. 135r <Nota de conscientia>

fol. 135ra <Notae de incarnatione Domini>

(The first note is labelled as from a homily of Bede.)

fol. 135rb **Jacobus de Primadiciis O.F.M., <Epistola ad fratrem Martinum de Parma O.F.M.>**

(Rubrica) Fratri Martino de Parma guardiano loci Sancti Mamme Mantue extra Rauennam frater Jacobus Primaditius ... (Inscriptio) Venerabili (*sic*) pater in Christo, tuus Jacobus ... (Textus) Sapiati per questa como ... (Finis) per questa cas/// possono absoluere. (Colophon) Valet. ex /// die xii martii. Vicario episcopi Rauenne. Credo quod Venetiani teneant terram Rauenne <cum> licentia pape. (Ed. and Bibl. C. Piana, 'Per la biografia del beato Marco da Bologna († 1479) e per la storia del suo convento di S. Paulo in Monte nel '400', *Atti e memorie della deputazione di storia patria per le provincie di Romagna* n.s. 22 (1971) 85-265 at 208-09 n. 60 prints part of the text, from this MS. Cf. Orlandi, *Bibliografia Antoniniana* 228. This letter concerns a papal privilege to the friars for the hearing of confessions of Venetian troops in Ravenna.)

fol. 137r-138v <Incertus auctor, **Casus papales**>

(Rubrica) Iste sunt excommunicationes papales a quibus ipse solus absoluit. (Textus) Si quis iniecit manum uiolentam in clericum uel religiosum ... (Finis) uide processum criminalem curie.

fol. 138v-141v <Incertus auctor, **Casus episcopales**>

(Rubrica) Iste sunt excommunicationes episcopales ille scilicet a quibus ipse absoluit. Incipiunt excommunicationes episcopales. (Textus) De hiis qui exigunt pedagium uel guidagium per se uel per alium ... (Finis) habentes errores sapientes heresim modo esset papalis.

fol. 141v <Recepta pharmaceutica>

fol. 141v-142r <Orationes in ordinatione clericorum>

(Textus) Ex ordinario id est pastorali siue libro in quo conscriptus ... (Finis) amabiliter seruientes gratos efficere dignare per dominum nostrum Iesum et filium tuum qui tecum uiuit et regnat in uniuersa secula seculorum d[icitur] per omnes amen. (There is a break in the text at the end of fol. 141v.)

fol. 145r-262v **Bartholomaeus de Chaimis O.F.M., Confessionale**

(Rubrica) Incipit confessionale siue interrogatorium per uenerabilem fratrem Bartolomeum de Caymis de Mediolano ordinis minorum compositum. Et distinguitur in quattuor partes. (Praefatio) 'Cum ars artium sit regimen animarum' Extra de etate et qualitate Cum sit (X 1.14.14) ... (fol. 146r) (Rubrica textus) Incipit prima pars huius opusculi. De potestate confessoris. (Textus) Circa primum notandum quod non sacerdos etsi possit audire peccata ... (Finis) pro ultimo articulo mortis tue uti eadem littera domini nostri pape continetur. In nomine Patris et Filii et Spiritus sancti. Amen. (Ed. Bartholomaeus de Chaimis, *Confessionale* (s.1. 1474). Bibl. Schulte, *Geschichte* II 453-54, Michaud-Quantin, *Sommes de casuistique* 76.)

fol. 262v-265v <Incertus auctor, **Compendium excommunicationum**>

(Rubrica) Incipiunt excommunicationes sub compendio breuissime redacte. Et primo ponuntur papales. (Textus) Prima est de grauiter percutientibus clericos uel personas ecclesiasticas ... (Finis) pro aliquo beneficio uide plenius in textu.

fol. 265v-266v <Incertus auctor>, **Forma instrumenti procurae**

(Rubrica) Incipit forma instrumenti procure scilicet fatiendi procuratorem fratrum minorum de obseruantia ut hic infra continetur (Invocatio) In nomine Domini nostri Iesu Christi. Amen. (Textus) Anno a natiuitate eiusdem M^o etc. indictione etc. ... (Finis) plenam et liberam concessit auctoritate apostolica facultatem. (The author mentions bulls of Martin IV and Martin V.)

fol. 266v-275v **Nicolaus de Ausimo O.F.M., Quadriga spiritualis**, <excerptum>

(Rubrica) Incipiunt regule per quas cognoscuntur peccata mortalia composite per uenerabilem patrem fratrem Nicolaum de Ausimo in libro in libro (*sic*) intitulato quadriga spiritualis. (Textus) Quantum ad regulas peccatorum est sciendum quod aliquando homo mortaliter peccat ... (Finis) sicut Melchisedech dicitur sine patre quia non legitur de eius patre. (Bibl. Schulte, *Geschichte* II 435; Michaud-Quantin, *Sommes de casuistique* 62-66.)

Bibl. S. Orlandi, *Bibliografia Antoniniana* (Città del Vaticano 1961) 227-28.

The MS is written in black ink in three gothic cursive bookhands: fol. 1r-83v, 117r-131r, fol. 84r-116v, and fol. 135r, 137r-142r, 145r-275v. Rubrics, capitals, and paragraph signs are red. The first letter after a paragraph sign is struck through with yellow. At the bottom of fol. 135r is an erased letter, dated May 1454, mentioning frater Gabriel de Bononia (cf. Piana, art. cit. 215 n. 6.). Catchwords are centered to fol. 80v; from fol. 154v they are vertical against the binding. The quires are marked in a combination of letters and numbers in the lower recto of each bifolium, many of the markings being cut away. The MS has an 18th-century leather binding. Fol. 131v-134v, 135v-136v have been erased; fol. 142v-144v and <+I>r-v are blank.

Vat. lat. 5081

saec. XV.1

Scr. Egidius Serliparis (?).

304 fols. + <II> memb. 190 (131) x 124 (95) mm, origin Italy. Quaterniones, saec. XV.1.

ZZ fol. 1ra-5va <Tabula Summae Bartholomaei de Sancto Concordio>

fol. 1ra-304ra <**Bartholomaeus de Sancto Concordio O.P., Summa de casibus**

conscientiae> (See Vat. lat. 2319 for further information.) *Variants:*

(Finis) tunc est inuidia supra Inuidia § 1. (Colophon) Et sic est finis. Deo gracias.

Egi<dius> Serliparis (?). (Bibl. Kaeppli, *Scriptores* I 164 no. 436.)

<+I>va-<+II>r <Incertus auctor, **Tabula abbreviationum in Summa Bartholomaei de Sancto Concordio**> (See Vat. lat. 2318 fol. 192vb-193ra for further information.)

Variants:

(Rubrica) abbreviaturis *pro* breuiaturis ... ponantur. (Textus) Ala. [idest Albertus] idest Alanus. Al. idest Albertus Theutonicus ... (Finis) curet *pro* cures; probaciones *pro* probacionem ponuntur Benedictus qui uenit.

The MS is in brown ink in the neat gothic bookhand of Egidius Serliparis(?). The *Summa* opens with a large illuminated initial on a square field with gold disks in the margins; similar smaller initials, without the gold disks, begin the sections of the *Summa*. Capitals are red with violet or blue with red decoration. Paragraph signs are red or blue. Catchwords are centered. The MS has a 19th-century leather binding incorporating the 18th-century one. Fol. 6r-v, 304v-<+I>r, and <+II>v are blank.

Vat. lat. 5092

saec. XIV-XV

Prov. Ferrara, priory of San Domenico O.P., Johannes de Raffanelis; Thomas de Ferraria O.P.; Antoninus de Alexandria. **Scr.** Thomas de Ferraria O.P
<II> + 36 fols. + <VIII> memb. 240 (167) x 177 (122) mm, origin Italy (Ferrara-Modena). Quaterniones, saec. XIV-XV.

fol. 1ra-34ra <Incertus auctor>, **De officio inquisitionis**

(Praefatio) Vt offitium inquisitionis magis habeatur in habitu, sciendum quod primo tractabo de offitibus huius offitii ... (Textus) Inquisitionis autem officium principaliter iniungitur fratribus a summo pontifice ... (Finis) et substituendis eis in expensis prouidere curetis ad inquisitionis huiusmodi (huius cod.) officium oportunis. Datum etc. Explicit. Amen. (**Ed.** *Il 'De Officio Inquisitionis'. La procedura inquisitoriale a Bologna e a Ferrara nel Trecento*, ed. L. Paolini (Bologna 1976), using this MS (siglum B). **Bibl.** Dondaine, 'Manuel de l'Inquisiteur' 117-21.)

fol. 35r-36r <**Forma sententiae inquisitionis**>

(Rubrica) Forma sententiae (This form, containing the name of Thomas de Ferraria O.P., specifically mentions proceedings at Modena on 19 iun. 1474.)

fol. 36r-v <Incertus auctor, **Quaestiones de inquisitione**>

(Textus) Questio ordinarii post iniunctum officium inquisitoribus possint de iure in eadem procedere ... (Finis) et ita notant ibi doctores etc.

fol. 36v <**Johannes de Raffanelis, Nota de testamento Gerardi de Confaloneriis**>

(Ferrara, 27 oct. 1482)

(**Bibl.** Dondaine, 'Manuel de l'Inquisiteur' 168-69.)

<+I>ra-<+IV>rb <Incertus auctor, **Repertorium alphabeticum privilegiorum Inquisitionis**>

(Rubrica) De hereticorum inquisitione. Absolui. (Textus) Quod excommunicati per inquisitores non possunt absolui nisi per eos. *Alexander Ad capiendas uulpeculas ...* (Rubrica ultima) Vsura. (Finis) Quod inquisitores non debent iudicialiter audire de usuris. *Alexander.* (Colophon) Explicit tenor priuilegiorum

ab apostolica sede inquisitoribus concessorum. Amen.

<+IV>v <Forma absolutionis ab inquisitore impartitae>

(This form contains the names of frater Andreas O.P. and of a Johannes.)

<+IV>v <Forma institutionis vicarii>

<+V>r-<+VI>v <Incertus auctor, **Tabula errorum Albigenium, Bagnolensium et Concorrentium**>

(Praefatio) Hec capitula breuiter scripta continent fere omnes errores trium sectarum ... (Textus) Quod duo sunt principia unum penitus bonum, alterum penitus malum, A et B ... (Finis) Quod non debent radi capita, A B et C. Explicit. Deo gratias. (Ed. C. Douais, *La somme des autorités à l'usage des prédicateurs méridionaux au XIII^e siècle* V (Paris 1896) 130-33.)

Bibl. Dondaine, 'Manuel de l'Inquisiteur' 167-70; *Il 'De Officio Inquisitionis'. La procedura inquisitoriale a Bologna e a Ferrara nel Trecento*, ed. L. Paolini (Bologna 1976), with a plate of fol. 1r as the first frontespiece; T. Kaeppli, 'Antiche biblioteche Domenicane in Italia', AFP 36 (1966) 5-80 at 16, listing this MS as belonging to the priory of S. Domenico, Ferrara and printing the ex libris at <II>r.

The main body of the MS falls into two portions: fol. 1ra-34ra; and <+I>ra-<+IV>rb, <+V>r-<+VI>v. The first part is written in *littera bononiensis* in black ink; the second is in a gothic bookhand in brown ink. Fol. 1r opens with an historiated initial containing the figure of a Dominican saint. The initial is on a square field with a half border in an acanthus design extending from it. The border design is highlighted with gold disks. The capitals in the first part are red with violet or blue with red elaborate penwork decoration. Paragraph signs are red or blue. Catchwords are framed. They are centered at fol. 8 and 16, just right of center at fol. 24 and 32. The second part has red paragraph signs and a red initial opening the table at <V>r. This part is composed of a binion and a bifolium. Thomas de Ferrara O.P. added the texts at fol. 35r-36v, except the note on the will of Gerardus de Confaloneriis, which may have been written by Johannes de Raffanelis. These are written in personal cursives. The texts on <+IV>v are in different cursive hands. Thomas de Ferrara noted at <I>v the death of Marcial Auribelli at Avignon in 1473; and, at <II>r, he wrote, 'Iste liber est officii inquisitionis Ferrariensis quem ego magister Thomas de Ferrara inquisitor habui a predecessore meo magistro Antonino de Alexandria 1462'. Thomas also wrote, at <+VII>r, 'Benedicta 1466 21 /// Mutine' and, at <+VII>v, a note on the capture of Guizardus de Villa Braide of Saxoli at Bologna in ZZ 1468. This latter note ends with a reference to the death of Francesco Sforza, duke of Milan. At fol. 34ra is written, 'O<mnes> litere florice huius libri sunt xxxii', and, at the bottom of <+VI>v, 'Piro de Pergamo, Pipino de Brisia, Anselmus de Pergamo'. At <+VII>v is another ex-libris, 'Iste liber est officii inquisitionis Ferrarie'. The MS has a late 18th-century leather binding. <I>r, <II>v, fol. 34v, and <+VIII>r-v are blank.

Vat. lat. 5104

saec. XV.2

antea 5040.

<V> + 99 fols. chart. 216 (122) x 141 (88) mm, origin Italy. Seniones, saec. XV.2.

<I>v-<II>r **Bernardus <Claraevallensis, O.Cist. (s.), Epistolae, excerpta quatuor de**

praelatione>

(Rubrica *marg.*) De prelatione Bernardi in quadam epistola. (Textus) Pascere tripliciter dicitur: exemplo conuersationis ... (Finis) quod licet statim etiam expedit. (**Ed.** The third of these four excerpts paraphrases PL 182.818-19.)

fol. 1r-99r <Incertus auctor, **Summa confessorum**>

(Rubrica) Absolutio. (Textus) <I>Illos debemus nos per pastoraalem auctoritatem absoluere ... (Finis) (fol. 96v) usurarum crimine inuolutur. Extra de usuris c. Super eo Alexanader 3^{us} libro 5^o titulo 19^o (X 5.19.4.) (Colophon) Iesus Christus et laus Deo semper finis. (fol. 97r-99r) <Tabula summae confessorum>. (This work is composed of excerpts from the *Corpus Iuris Canonici*. The sources are underlined.)

fol. 99r-v **Damasus** <I (S.), **Carmen VII**>

(Rubrica) Damasus papa in prohemium epistolarum Pauli de eius mirificis preconiis. (Textus) Iam dudum Saulus procerum precepta secutus ... (Finis) sancte (Paule *ed.*) tuos Damasus uoluit monstrare triumphos. (**Ed.** PL 13.379-81.)

The MS is in two humanist bookhands in reddish-brown ink. One wrote the letter on <I>v- <II>r, the other the remainder. Rubrics and paragraph signs are red. Space has been left for capitals, and some rubrics (e.g. fol. 3r) were added in the margins later. Catchwords are centered, sometimes in decorative frames. For the watermarks, cf. Briquet no. 4772. On <II>r, the old shelfmark '5040' has been cancelled. <I>r, which also has the old shelfmark, was once glued to the cover. The MS has an 18th-century leather binding. <II>v- <V>v are blank.

Vat. lat. 5304

saec. XVI

123 fols. chart. 313 (242) x 204 (135) mm, origin Italy. Bifolia, saec. XVI.

fol. 1r-123v **Antonius de Rosellis, Repetitio c. Cum contingat** (X 2.24.28)

(Praefatio) Antonius Rosellus Francisco Contareno. Sepenunero cogitanti mihi Francisce Contarene patriciis ex illustribus Venetis ... (fol. 1v) (Rubrica) Repetitio c. Cum contingat de iureiurando domini Antonii de Rosellis. ZZ (Textus) *Cum contingat*: Non auditur mulier contra alienationem rei dotalis cui sponte consentit ... (Finis) sanctissimi domini nostri Nicolai pape, si in aliquo contra supra per me dicta sentiret.

Bibl. This *repetitio* is missing from the list of works compiled in A. Belloni, *Professori giuristi a Padova nel secolo XV: profili bio-bibliografici e cattedre* (Ius commune Sonderhefte 28; Frankfurt a.M. 1986) 145-49. vgl. Walther in Baumgärtner, Consilia 214 A 18.

The text is in a cursive hand in brown ink, with no colored decoration. Gatherings, bifolia in groups of 9, are signed with large letters at the beginning. For the watermarks, cf. Briquet no. 1487. The MS has a late 18th-century leather binding.

Prov. Fulvio Orsini(?), card. 1565-81; Theodore à Malsen of Utrecht; Verona, monastery of San Zeno.

<I> + 146 fols. memb. 206 (150) x 141 (99) mm, origin Italy (Verona). Quaterniones, saec. IX-X.

fol. 1r-142v <Incertus auctor, **Edicta regum langobardorum cum interpolationibus**> (Invocatio) In nomine domini et saluatoris nostri Iesu Christi. (Rubrica) Incipit edictum quod renouavit dominus Rothari uir excellentissimus rex gentis langobardorum cum primatis iudicibus suis. Incipit argumentum. (Praefatio) Ego in Dei nomine Rothari uir excellentissimus rex gentis langobardorum septimus anno Deo propitante regni mei octauo etatique XXXVIII ... Mammo filius Vuifthor. Explicit (*sic*) nomina regum. Incipit (*sic*) capitula ad inquirendum. (fol. 2r) <Tabula capitulorum> ... (fol. 12r) (Textus) Si quis homo contra animam regis considerauerit (Finis) possessionem iuxta lege (*sic*) et si (et si *al. man.*, et *sup. lin.*) non potueret (*sic*) deseruiat et in antea. (**Ed.** MGH LL in 4° 4, ed. F. Bluhme, pp. 1-204, using this MS (siglum 5); with a description at xxiv-xxv and a facsimile of a few lines of fol. 12r at xxiii. **Bibl.** G. Moschetti, *Primordi esegetici sulla legislazione Longobarda nel sec. IX a Verona secondo il cod. Vat. lat. 5359* (Centro italiano di Studi sull'Alto Medioevo 1; Spoleto 1954), with an in-depth study of this text, concentrating on the form, content, and meaning of the interpolations. A folio has been lost between fol. 48 and 49, another between 115 and 116.)

fol. 142v-145v **Hlotharius** <I, **Capitulare Papiense**> (832)
(Rubrica) De ecclesiis emendandis. Incipit (*sic*) capitula que domnus Hlotharius rex ... (Textus) De ecclesiis emendandis uolumus ut ita obseruetur ... (Finis) sicut in capitulare (*sic*) predicti aui nostri Karoli continetur. (**Ed.** MGH Capit. 2, ed. A. Boretius and V. Krause, pp. 60-63, using this MS (siglum 3), but mistakenly asserting that the MS lacks cc. 11, 12, and 14. **Bibl.** A. Boretius, *Die Capitularien im Langobardenreich* (Halle 1864) 45-46.)

fol. 145v-146r **Hlotharius** <I, **Capitulare Olonnense** (825), cc. 10-14
(Rubrica) Capitula data Holona (*sic*) palatio placit (*sic*) generale. Anno Impe/// (fol. 146r) (Textus c. 10) Videtur nobis ut quicumque liber ... (Finis) ut sicut lex habet. (**Ed.** MGH Capit. 1, ed. A. Boretius, p. 331, mentioning this MS at p. 329, although erroneously listing its contents as cc. 10, 11, 2, and 3. **Bibl.** Boretius, *Die Capitularien*, loc. cit. Two folios have presumably been lost between fol. 145 and 146.)

fol. 1r-50v, 53r-118v, 139r-v <**Psalterium cum canticis**> in palimpsesto, imperfectum (**Bibl.** H. Schneider, 'Der altlateinische Palimpsest-Psalter in cod. Vat. lat. 5359', *Biblica* 19 (1938) 361-82; *Manuscripts liturgiques*, ed. Salmon V 3; Lowe, CLA I

8, no. 23.)

Bibl. G. Moschetti, *Primordi esegetici sulla legislazione Longobarda nel sec. IX a Verona secondo il Cod. Vat. lat. 5359* (Centro Italiano di Studi sull'Alto Medioevo 1; Spoleto 1954), describing this MS in depth, with seven plates illustrating the five hands of the MS; F. Bluhme, *Iter italicum*, 4 vols. (Berlin und Stettin 1824-36) IV 272-73 claimed that the MS belonged to Cardinal Fulvio Orsini, but it is not mentioned in P. de Nolhac, *La bibliothèq̄ue de Fulvio Orsini* (Bibliothèque de l'École des Hautes Etudes 64; Paris 1887).

The MS is written in rough early Carolingian minuscule, by five hands (cf. Moschetti 55-107), in brown ink. Rubrics and initials are orange on fol. 87v-142v. Gatherings are marked with centered roman numerals on the last verso of each quaternion; these were probably added during a rebinding and serve to show that the missing folios were still present at that time. The contents are noted on <I>v in a 17th-century cursive script. In the upper margin of fol. 1r is the ex libris 'Liber hic est Theodori à Malsen Ultraiectini' in a 16th-century Italic cursive. The 14th-century ex libris of the monastery of San Zeno in Verona is readable by ultraviolet below the 16th-century one (cf. Moschetti 42-43). The palimpsest text is in a 7th or 8th-century uncial. The MS has a mid-19th-century leather binding. Fol. 146v contains only the palimpsest text, with 'xix' written at the top; the folio is torn at the bottom. <I>r is blank.

Vat. lat. 5387

saec. XIII; XV

antea 487.

59 fols. memb. 245 (178) x 158 (122) mm, origin Italy. Quaterniones, saec. XIII; XV (fol. 1ra-38vb saec. XIII; fol. 39r-59r saec. XV).

fol. 1va-6rb <Bartholomaeus Brixienſis, Quaestiones dominicales, excerpta> (Praefatio) <A>d honorem omnipotentis Dei et ecclesie Romane cui presidet Gregorius IX^{us} ... (Textus) Quidam habens uxorem condempnatus est de crimine capitali ... (Finis) qui post uotum factus est clericus. (Ed. and Bibl. See Vat. lat. 2657 fol. 1ra-17vb, and M. Bertram, 'Kanonistische Quaestionensammlungen von Bartholomäus Brixienſis bis Johannes Andreae', *Proceedings Cambridge* 265-82 at 266, 268, 278-79. This version contains *quaestiones* 1, 3, 9, 12, 13, 15a, 17, 18, 20, 25, 36, 37, 40.)

fol. 7ra-38vb **Dinus de Mugello, Apparatus in titulum de regulis iuris in Sexto** (See Vat. lat. 1452 fol. 131ra-156va for further information.) *Variants:* (Rubrica) Dignus (*sic*) super regulis iuris libro vi^o. (Finis) § nomen et *pro* 1. Nomen (Colophon) Explicit apparatus domini Dini de Musello supra titulum de regulis iuris libro sexto. Amen etc.

fol. 39r-44r <Incertus auctor, **De gente Carrariae**> (Italice) (Rubrica) Qui de sotto si contiene sotto breuita i nome de magnifici possenti e memorabili signori della splendida e famosissima casa da Carrara secondo che se ha possu trouare per antiche scripture instrumenti e priuilegii imperiali da mille e sexanta octo anni in ça. Misser Gomberto. (Textus) Questo Gomberto se troua per uno instrumento d'una donasom ... (Finis) Fiyuoli di messer Francesco çouene predicto. (The work falls into two parts: fol. 39r-42v is a general account; fol. 44r

has the lineage of the lords of Pavia.)

fol. 47r-51r <Incertus auctor, **Tractatus de memoria artificialie**> (Italice)
(Rubrica) Testo dela artificialie memoria. (Praefatiuncula) Mo passemo at tesoro dele cose trouatte ... (Textus) <M>emoria sie ae alguna cossa di arte ... (Finis) et e cossa necessaria conferma con estra zitacione. (Colophon) Finis textus artificialis memorie.

fol. 51r-59r <Incertus auctor, **Expositio memoriae artificialis**> (Italice)
(Rubrica) Sequitur expoxicio in generali proemii (*sic*) et primo de loco.
(Praefatio) <P>er lungo tempo frattelo carissimo fui tuo debittore ... (fol. 51v)
(Textus) Domandi et desidery a te la memoria artefficialle destinttamente ...
(Finis) nela exposicione del ttesto come nele cosse sequente uedrai. Finis commentti in zenerali.

The first part of this MS (fol. 1ra-38vb) is in a gothic bookhand in brown ink. The second part (fol. 39r-44r) is in a humanistic bookhand in brown ink; the third (fol. 47r-59r) in a late cursive. Fol. 7r has a blue rubric and capital with red and blue paragraph marks. The remainder of the first part has red capitals and paragraph marks. Fol. 1r has an old shelf mark '487' and an original title, as well as later notes. A later hand added a new rubric at fol. 7ra: 'Rubrica de regulis iuris Dyni.' The catchwords of the first part are framed at lower right; the second has no catchwords; but those in the third are at lower right. Fol. 1 and 38 have suffered damage. The MS has a 19th-century leather binding. Fol. 6v, 43r-v, 44v-46v are blank.

Vat. lat. 5399

saec. XVI.2

695 fols. (I: 1-132, II: 133-695) chart. I: 338 (320) x 220 (168), II: 276 (247) x 203 (171) mm, origin Rome. Saec. XVI.2.

fol. 2r-35r **Antonius Augustinus, Tabula fontium Decreti Gratiani**
(fol. 2r) (Rubrica secunda) Sumpta a Gratiano, ex Burchardi Vormaciensis, et Iuonis Carnotensis, atque Anselmi Lucensis, item Deusdedit Cardinalis Decretis.
(Fol. 2-35 were originally a separate unit, numbered i-xxxiv in the upper right corner.)

fol. 36r-70r, 71v-92v, 96v-99r, 100r-111v, 115r-124r, 135r-226r, 409r-522v, 526r-598r, 601r-664r, 669v-677r, 685r-689r <**Correctores Romani, Correctiones in Decretum Gratiani**>, minutae
(Rubrica) Distincti. XVII. i. c. Synodum. (Textus) In titulo huius c. legebatur prius Maxentio episcopo ... (Finis) 4. suae poenitentiae [suae potentiae.] Finis distinctionis primae. (Bibl. A. Theiner, *Disquisitiones criticae in antiquas iuris canonici collectiones* (Romae 1836) app. I 8.)

fol. 96r, 599r-600r, 661r ., <**Johannes Marsa, Epistola dedicatoria**, minutae> (See Vat. lat. 4889 IIr for further information.)
(These are longer versions of the letter, clearly very rough drafts.)

- fol. 125r-v <**Notae variae extractae ex archivio civitatis Mutinae, praecipue de venditionibus terrae**>
 (Rubrica) Num. 873. 1278. (Textus) Vgolinus de Fontana commorans in uilla fredri uendidit ... (Nota ultima) 1223 Giliciono filio quondam Gerardi ... (Finis) per consilium sapientium Mediolani super causa episcopi Mutin<ensis> contra Beccasabos(?). (The entries are dated variously from 1168-1348. Most recount sales of land, some around Modena, but some also seem to pertain to books.)
- fol. 126r-127v **Patricius <O'Hely, O.F.M.>, episcopus Magionensis, Epistola ad <Franciscum> Alciatum Cardinalem**
 (Inscriptio) Illustrissime domine protector. (Textus) Praesentium lator est Dermotus Craticus ybernus sacerdos ... (Finis) seruet incolumem (Datum) Lutetiae Parisiorum 23. augusti 1578. (Subscriptio) D.u. illustrissime ut patri paratissimus Patricius episcopus magonensis. (This is a letter of introduction from Patrick O'Hely, bishop of Mayo 1576-1579, for Dermot McCraghe, future bishop of Cork and Cloyne. On fol. 127v, the outside wrapping of the letter, is the address: 'Illustrissimo ac Reuerendissimo Domino Cardinali Alciato protectori ybernorum amplissimo suoque colendissimo etc. Romae.' and traces of a seal.)
- fol. 238r-239v <**Regulae observatae in correctione**> (See Vat. lat. 4889 Vr-VIr for further information.)
- fol. 240r <**Ordo servatus in correctione Decreti**> (See Vat. lat. 4889 VIIIr for further information.)
- fol. 240v-408v <**Correctores Romani, Correctiones in primam partem Decreti**> (See Vat. lat.4889 VIIIv-fol. 159r for further information.) *Variants:*
 (Praefatio) (Textus) D. *pro* domini (Finis) et ut Christi *pro* ut et Christi (For the explicit, cf. Vat. lat. 4889 fol. 152v. This is a neat but not finalized copy of the text found in Vat. lat. 4889. It generally lacks marginal notes and inscriptions from fol. 267r onwards.)
- fol. 668r **Marianus Victorius, Epistola ad Latinum Viterbiensem** (Italice)
 (Inscriptio) Molto reuerendo et eccellente signor mio ossequio. (Textus) Io non uenni alla congregazione passata ... (Finis) crede il contrario. (Subscriptio) Servitore Mariano Victorio. (The author († 1572) was bishop of Amelia and Rieti.)

This MS consists of drafts and working notes for materials found in finished form in Vat. lat. 4889, q.v. The MS is not so much an integral work as a dossier, the work of many hands (both copyists and annotators), in black ink and without decoration. The gatherings are extremely irregular. The working drafts of Marsa's letters (fol. 96r, 599ff, and 661r) and those of editorial aids such as the 'leges' and 'ordo' suggest that this collection of materials originated with someone participating in the work at quite a high level, perhaps Marsa himself. (The presence of Patrick O'Hely's letter suggests a source in Alciato's circle.) But there is also a large amount of purely scribal work, like the tediously repeated blocking out of the inscriptions of the correctors. Dates given in the material range from May 1566 (fol. 240v) to August 1578; with the exception of sections at fol. 59r-63v (an C.1. q.2-3) and fol. 685r-689r (on *De poen.*), the contents deal only with the *Distinctiones*. Fol. 1r is a title page, with the shelfmark '5399 p. 1', and the inscription

'Sumpta a Gratiano, ex Burchardi Vormacensis, et Iuonis Carnotensis, atque Anselmi Lucensis, item Deusededit Cardinalis Decretis. Ex Bibliotheca Ant. Augustini Episcopi Ilerdensis ab eodem pro iuuanda correctione Decreti D. Gratiani transmissa'. On fol. 678r-679r is a rough draft of the minutes of a consistory; cf. Vat. lat. 4913 fol. 76r-v. On fol. 683r is a note on a local festival in Turin, 'de celebratione passionis Ss. Solutoris, Adventoris et Octavii in civitate Taurinensi tertio decimo calendas februarii ... 12^o calendas decembris potissimum recolitur' (a slip of paper pasted in length-wise). Fol. 684r contains a note concerning the *ius patronatus* of a chapel of the Trinci family, dated 1578. Other notes apart from the usual type of editorial material appear on fol. 230v, 236r, 237r-v, 507v, 542r, 568r (on types of indices), 595v, 670v, 677r (a slip pasted in, listing various books and libraries), 680r-684r, 689v-691r. Tables of sources appear on fol. 93ra-95rb and 112r-113va; fol. 231v contains a list of assignments of parts of the *Decretum* to various members of the commission. Catchwords are rare, appearing at the lower right when present. The parchment binding of the MS dates from the last quarter of the 18th-century. Fol. 1v, 35v, 64r-v, 70v-71r, 88v, 95v, 99v, 114r-v, 121v, 124v, 126v-127r, 128r-134v, 163v, 166r, 226v-230r, 231r, 232r-235v, 236v, 265r, 266r-v, 274v, 277r, 282v, 323v, 332r, 334v, 409v, 427v-428v, 433r-v, 434v, 439r-v, 441v, 445v, 449r-v, 455r-v, 456v, 462r, 464v, 465v, 468r-v, 478r-v, 494r-495v, 500v-503v, 508r-v, 509v, 511v, 512v, 516r, 518v, 519v, 523r-525v, 526v, 527v, 539r, 541v, 542v, 547v, 562v, 565v, 568v, 586r-587v, 596r, 598v, 600v, 603r-v, 624r-627r, 628v, 632r-633v, 635v-636r, 646v-647v, 657v, 660v, 661v, 663v, 664v-667v, 668r, 669r, 675v, 676v, 677v-678r, 679v, 681v, 684v, and 691v-695v are blank.

Vat. lat. 5403

saec. XVIex.

antea 87. Prov. Francesco Peña, auditor of the Rota (1588-1612). **Scr.** Johannes Baptista de Monte Libano. O.P.

<III> + 135 fols. chart. 400 (365) x 268 (120) mm, origin Lebanon (?). Quiniones, saec. XVIex.

fol. 72v-5r, 1v (*sic*) **Didascalia apostolorum** <syriace cum translatione latina> (fol. 72v) (Rubrica) Didascalia scilicet doctrina catholica duodecim apostolorum et discipulorum sanctorum saluatoris nostri. Caput primum. De lege simplici et naturali. (Textus) Planta Dei et uinea sanctae ecclesiae eius catholicae electi confidentes ... (fol. 1v) (Finis) qui erat et est et permanet nunc et in aetatem aetatum et in saecula saeculorum. Amen. (Colophon) Explicit didascalia uidelicet doctrina (*sup. lin.*) apostolorum sanctorum eorum oratio nobiscum. Amen. (**Ed.** Cf. *Didascaliae apostolorum canonum ecclesiasticorum traditionis apostolicae versiones latinae*, ed. E. Tidner (Texte und Untersuchungen zur Geschichte der altchristlichen Literatur 75; Berlin 1963); R.H. Connolly, *Didascalia apostolorum. The Syriac version translated and accompanied by the Verona latin fragments* (Oxford 1929; repr. 1969), both of which, based on the Syriac text, have a Latin text closer to this MS than *Didascalia et Constitutiones apostolorum*, ed. F.X. Funk, 2 vols. in 1 (Paderborn 1905; repr. Torino 1970), which is based on the Greek. The Syriac text, not reproduced here, is written from back to front on fol. 72v-5r, finishing on 1v. The interlinear Latin translation must be read in the same way, including ZZ reading each line from right to left. The colophon was added by a later hand.)

fol. 73r-76v **Concilium Ancyritanum** (314)

(Invocatio) In nomine Domini Dei nostri Iesu Christi. (Praefatio) Rursus. Canones 24 qui positi fuere in ciuitate Anacora (*sic*) Galatiae ... (Canones) Presbiteri qui

immolarunt et postea redierunt ... (Finis) ad orationem iuxta gradus (canones *sup. lin.*) prefinitos. (Colophon) Expliciunt canones 24 qui propositi fuere a synodo Ancirana. (**Ed.** Cf. Turner, *Monumenta*.II 1-11, 18-27, 33-43, 48-51, 54-115.)

fol. 76v-78r **Concilium Neocaesariense** (314/15)

(Praefatio) Rursus. Canones alii 15 synodi que congregata fuit in Neocaesarea ciuitate ... (Rubrica) Canon I. De presbiteris qui ducunt uxores, aut fornicantur aut adulterantur ... (Canones) Presbiter si duxerit uxorem cesset (deponatur *sup. lin.*) ab ordine suo ... (Finis) magna sit ciuitas, persuadeatur ex libro actuum. (Colophon) Expliciunt canones synodi (*sic*) Neocesariensis qui erant definitiones quindecim. (**Ed.** Cf. Turner, *Monumenta* II 12-15, 28-35, 44-47, 52-53, 116-44. **Bibl.** Cf. Vat. lat. 1342 fol. 8v-10v.)

fol. 78r-81r **Concilium Gangrense** (340/41)

(Praefatio) Rursus canones 20 qui positi fuere Gangre ... (Epistola synodalis) Quoniam scilicet cum congregata esset synodus sancta episcoporum in ecclesia Gangresi (*sic*) ... (fol. 79r) (Canones) (Rubrica) Canon i. De eis, qui execrant (contaminant *sup. lin.*) matrimonium ... (Textus) Si qui (*sic*) uiteperat (*sic*) matrimonium ... (Finis) et a traditionibus apostolicis ut sint in ecclesia oramus. (Colophon) Expliciunt canones 20 qui propositi (positi *sup. lin.*) sunt in synodo Gangrense (*sic*) (**Ed.** Cf. Turner, *Monumenta* II 146-214. **Bibl.** Cf. Vat. lat. 1342 fol. 6v-8v. The list of bishops is included in the preface.)

fol. 81r-86v **Concilium Antiochenum** (341)

(Rubrica) Rursus Synodus congregata in renouationibus ecclesiae Antiochenae canones 25. Praefatio ipsius synodi. (Epistola synodalis) (Praefatio) Synodus sancta et pacata a Deo congregata in ecclesia ... (fol. 81v) (Canones) (Rubrica) Canon 1. De his qui faciunt contra que Niceae definita sunt circa festum s.Pascatis. (Textus) Omnes illi qui audent soluere difinitionem synodi magnae (fol. 82r) et sanctae, que Niceae congregata ... (Finis) approbante (interligante (?) *sup. lin.*) synodo sancta ipsius prouinciae quod condecet, et rectum est. (Colophon) Expliciunt canones 25 synodi Antiochenae. (Subscriptions) Eusebius proximus (?) omnibus his quae determinata (diffinita *sup. lin.*) sunt a synodo sancta consensi ... cum unum corpus sit ecclesia catholica. Hic etiam relinquo epistolam dictam breuitatis causa. (**Ed.** Cf. Turner, *Monumenta* II 216-320.)

fol. 87r-90r **Concilium Laodicenum** (347/381 ???)

(Rubrica) Synodus Laodicensis. Rursus canones alii 59 positi Laodiceae Phrigiae Synodus sancta que Laodiceae Phrigiae Pacatianae congregata fuit ex diuersis prouinciis Asiae definitiones (determinationes *sup. lin.*) posuit ecclesiasticas sicuti ordinatae et positae sunt infra. (Canones) (Rubrica) Canon primus. (Textus) De eo quod decet secundum canonem ecclesiasticum qui libere, et legitime ... (Finis) sed solum illos canonicos testamenti ueteris ac noui. (Colophon) Expliciunt canones 59 synodi congregatae Laodiceae; Phrygiae Pacatianae. (**Ed.** Cf. Turner, *Monumenta* II 321-400.)

fol. 90r-93r **Concilium Constantinopolitanum I** (381)

(Rubrica) Synodus septima Constantinopolitana. (Praefatio) Rursus canones alii qui positi fuere in synodo ... (fol. 90v) (Canones) (Rubrica) Canon 1. De eo quod immobilia permaneant ea que Niceae definita fuere et de anathematibus hereticorum. (Textus) Ne spernatur fides patrum 318 qui Niceae Bythyniae congregati sunt ... (fol. 92r) (Finis canonum) affecit canones et corruptit pulchritudinem (uenustatem *sup. lin.*) ordinis ecclesiastici. (Colophon) Expliciunt canones 4. definiti a synodo sancta episcoporum 150 qui Constantinopoli Roma noua ... <Subscriptions> ... (Rubrica) Relatio symboli (*add. sup. lin.*) fidei episcoporum 150. (Symbolum) Credimus in unum Deum Patrum tenentem (omnipotentem *sup. lin.*) omnia ... (fol. 92v) (Colophon) Explicet symboli fidei patrum 150 qui congregati sunt simul Constantinopoli ciuitate regni (*regia sup. lin.*). Epistola missa ad diligentem Deum Theodosium magnum a synodo sancta episcoporum 150. (Inscriptio) Fideli et diligenti Deum regi Theodosio synodus sancta episcoporum que ex prouinciis diuersis congregata est ad Constantinopolim. (Epistola) Initium (principium *sup. lin.*) scriptionum nostrarum que ad fidelitatem uestram est ... (Finis) ita et haec que communiter placere nobis omnibus diffinias. (Colophon) Explicet epistola 150 patrum ad Theodosium. (Ed. Turner, *Monumenta* II 401-72, and, for the letter to Theodosius, Mansi 3.558. The preface misdates the council to 429.)

fol. 93r-94r **Concilium Ephesinum** (431), excerpta

(Rubrica) Rursus canones duo, qui positi fuere in synodo sancta quae congregata fuit in Epheso propter impium Nestorium in diebus Theodosii regis fidelis, qui uocatur minor. (Textus) Negotium extra leges ecclesiasticas et extra canones patrum ... (Finis) per quosdam orientales qui insurrexerunt contra gubernatores. At praecipui (noti *sup. lin.*) ipsius synodi erant isti Caelestinus episcopus Romanus, Cirillus ... Memnon Ephesi, Theodotus Ancirae, Acachius Militensis. (Colophon) Expliciunt haec quae sinodi Ephesinae. (Ed. *Acta conc. oecum.* 1.3-5, ed. Schwartz, passim for Ephesus material. The excerpts concern the patriarch of Antioch's powers in Cyprus and the heresy of Nestorius.)

fol. 94r-105r **Concilium Carthaginense** (258)

(Rubrica) Rursus Synodus 87 episcoporum facta (habita *sup. lin.*) Charcidoniae (*sic*) ciuitate Aphricae in diebus sancti Cipriani episcopi et martiris. (Rubrica secunda) Decisio episcoporum, 87 in numero, que interpretata (exposita *stup. lin.*) fuit grecae aequale lingua Romana de eo quod oportet baptizare hereticos. (Textus) Cum congregati (congregatae) fuerunt kalendis septemb. quod est prima septembris episcopi complures ex Aphrica ... (Finis) ex inimicis, amici, ex antichristis idest aduersariis Christi, Christiani. (Colophon) Explicet sectum (*sic*) episcoporum 87. (Ed. Mansi 1.951-65.)

fol. 105v-107v **Cyprianus (s.), Epistola <71> ad Quintum**

(Rubrica) Item, epistola eiusdem Cipriani S. ad Cynthium (*leg. Quintum*). (Inscriptio) Ciprianus ad Cinthium fratrem meum in Domino gaudendum. (Textus) Lucianus presbiter simul, o frater dilectissime, narrauit mihi de cura ...

- (Finis) et ad episcopos alios filios ministerii nostri, qui in eadem regione prepositi sunt. (Colophon) Explicit epistola S. Cipriani episcopi et martiris ad Cintium episcopum. (**Ed.** *S. Thasci Caecilii Cypriani Opera omnia*, 2 vols., ed. G. Hartel (Corpus Scriptorum Ecclesiasticorum Latinorum 3.2; Vindobonae 1868-71, repr. New York 1965) II 771-74.)
- fol. 107v-110r **Cyprianus (s.), Epistola ad <Fidum>**
 (Rubrica) Rursus epistola alia ad Philum (*leg.* Fidum) episcopum de presbitero cuius canon solutus fuit ... baptizari pueros si sit neue (*sic*) (periculum *sup. lin.*). (Inscriptio) Ciprianus et episcopi qui mecum sunt Filo fratri nostro et filio ministerii nostri in Domino gaudendum. (Textus) Legimus scriptiones tuas, o frater dilectissime, quibus significasti nobis ... (fol. 109v) (Finis) nihil aliud faciunt, nisi offerre supplicationem. (**Colophon**) Explicit epistola, et que ad synodum Carcidonensem. (fol. 110r) (Colophon secundum) Explicit epistola sancti Cipriani ad Philum episcopum de pueris baptizandis. Expliciunt que pertinent ad synodum Carcidon. Aphrice 87 episcoporum diebus sancti Cipriani episcopi et martiris, que tunc e lingua Romana in Grecam, nunc uero anno 998 Grecorum e Greca in Syriacam. (**Ed.** PG 3.1047-56.)
- fol. 110r-112r **Concilium quodam Antiochenum, canones ex epistola ad episcopos orientales**
 (Rubrica) Rursus canones alii ex epistola scripta ex Italia ad episcopos orientales, hi uidelicet qui missi fuere ab episcopis qui congregati sunt in Antiochia. Canon primus. (Textus) Si quis profiteatur mussitationem aut incantationem (ueneficium *sup. lin.*) tempus homicidæ ... (Finis) non igitur permittamus (sustineamus *sup. lin.*) perire cum talibus. (Colophon) Expliciunt canones 16 ex epistola conscripta ex Italia ad episcopos orientis. (**Bibl.** F. Schulthess, 'Die syrischen Kanones der Synoden von Nicea bis Chalcedon nebst einigen zugehörigen Dokumenten herausgegeben', *Abhandlungen der königlichen Gesellschaft der Wissenschaften zu Göttingen, philologisch-historische Klasse* 10 (1908) no. 2, p. ix; the text is edited from Paris BN syr. 62.)
- fol. 112r-114r **Ignatius, episcopus Antiochensis (s.), Epistolae variae, excerpta**
 (Rubrica) Verba selecta ex epistolis sancti Ignatii discipuli apostolorum ... habentibus uim canonum ecclesiasticorum. Ex epistola ad Ephesios. (Textus) Caueamus igitur ne simus aduersarii episcopis ... (Excerptum ultimum) (Rubrica) Rursus ex illa que ad Policarpum supra posita. (Textus) Conuenit tibi o Polycarpe digne beatitudine a Deo ... (Finis) hoc enim opus Dei est, et uestrum cum perficeritis (exemti eritis *sup. lin.*) illud (*ed.* 726B). (Colophon) Expliciunt que sancti Ignatii induentis Deum et martiris. (**Ed.** of full texts, PG 5.643-727 passim. The last excerpt is from the letter to Polycarp; cf. 726B.)
- fol. 114r-121v **Petrus episcopus Alexandrinus (s.), Epistola**
 (Rubrica) Rursus ex concione sancti Patri (*sic*) patriarchæ Alexandriæ et martiris de eis qui inciderunt in persecutionem. (Textus) Ideo qui inciderunt in laqueum calumniatoris uolentes se paenitere ... (Finis) et pro regno coelorum in Domino

oro, dilectissimi. (Colophon) Explicit epistola Petri episcopi Alexandrini et martiris de eis qui ceciderunt in persecutione. (**Ed.** PL 18.467-608 for the works of Petrus; this may be taken from his *epistola canonica*. **Bibl.** T. Vivian, *St. Peter of Alexandria: Bishop and Martyr* (Studies in Antiquity and Christianity; Philadelphia [1988]), with a translation into English of the canonical letter.)

fol. 121v-122r **Concilium <Pseudo->Serdicense**

(Rubrica, *marg.*) Concilium Sardicense. (Rubrica) Synodus Sardicensis conflata ex diuersis prouinciis et regionibus orientis. (Textus) Credimus in unum Deum Patrem omnipotentem creatorem ... (Finis) factus est anno 30. Domini nostri die 25 mensis martii. (**Ed.** Turner, *Monumenta* I 638-41. The text breaks off in the middle of the discussion of the paschal cycle.)

fol. 122v-127r **Concilium Serdicense** (343)

(Rubrica) Quae diffinita fuerunt in synodo Sardicensi. (Praefatio) Diffinitiones ecclesiasticae propositae a synodo magna Sardicensi conflata ex prouinciis et Roma ... (Canones) (Rubrica) Prima diffinitio. (Textus) Osius (Cusius *ed.*) episcopus ciuitatis Cordobae posuit sic: Non totam hanc consuetudinem malam ... (Finis) qui eiusmodi est, omnes episcopi dixerunt diffiniatur et hoc. (**Ed.** Turner, *Monumenta* I 490-531.)

fol. 127r-129v **Concilium Chalcedonense** (451), excerpta

(Rubrica) Rursus canones 25 (*sic*) concilii Calcedonensis. (Praefatio) Synodus multorum episcoporum congregata fuit in Calcidonia Ciuitate ... (Canones) (Rubrica) Primus canon. De confirmatione omnium canonum priorum. (Textus) Canones priores qui huiusque a patribus nostris in omni sinodo ... (Finis) decidere a gradibus suis, si uero laici, excommunicari. (Colophon) Expliciunt canones 27 qui diffiniti sunt in synodo Calcedonensi. (**Ed.** Cf. *Acta conc. oecum.* 2.3, ed. Schwartz, pp. 531-37.)

fol. 130r-133r **Concilium Seleceense-Ctesiphon** (449??)

(Rubrica) Rursus canones aliqui, et ordinationes propositae a synodo episcoporum Persarum facta Seleuca et Cataisphon ciuitatibus ... (Textus) Congregati sunt episcopi 40 in Seleuca et Cataisphon et erant principales eorum Isaac Catholicus ... (Finis) ut auaritia et crapula querat ab eis negotia accipiendi et dandi. Finis conciliorum. (**Ed.** J.B. Chabot, *Synodicon orientale* (Paris 1902), unseen. **Bibl.** Mansi 4.441-42.)

Bibl. F. Schulthess, 'Die syrischen Kanones der Synoden von Nicea bis Chalcedon nebst einigen zugehörigen Dokumenten herausgegeben', *Abhandlungen der königlichen Gesellschaft der Wissenschaften zu Göttingen, philologisch-historische Klasse* 10 (1908) no. 2, describing Paris BN syr. 62 and similar collections (e.g. Borgh. sir. 82) and printing a collective edition of the Syriac texts; A. Baumstark, 'Frances Peña und die kirchenrechtliche Literatur der Syrer'. *Oriens Chrtistianus* 3 (1903) 211-14, describing the MS and placing it in its historical context.

The MS can be divided into three parts: (1) the Syriac Didascalia text with translation (to be read

backwards) on fol. 72v-5r, Iv; (2) the translations without the Syriac original on fol. 73r-133r, in a contemporary hand; (3) fol. 2r-4v, a table of contents of a Syriac MS, with which Baumstark shows that the exemplar for this MS might have been Paris, BN syr. 62. The Paris MS may have passed through Lebanon enroute to Florence; in Lebanon it might have been used by the scribe of this MS, who added a note on baptism on fol. 105r: 'Iohannes Baptista de Monte Libano ordinis predicatorum ab ecclesia Romana Dei ueritatem edoctus ...'.

The Syriac text is written in a fluent cursive script, the interlinear Latin in a small, cramped cursive, both probably by the same scribe and both in dark brown ink. It appears to also be by Johannes Baptista de Monte Libano, who definitely wrote fol. 73r-133r. All texts are written in a single narrow column against the binding with almost half the folio free for annotations. There is no color or decoration. Fol. 2-4 are much smaller leaves (282 [265] x 200 [82]) inserted between the last two leaves of the Syriac text. <I>r has the former shelfmark '87' and the note 'Ex libris Francisci Peniae Rotae Romanae decani'. Below the explicit on fol. Iv is the note 'Sedulitate atque iussu reuerendissimi domini domini Francisci nuncupati Penia auditoris Rotae peritissimi e syriaco in latinum sermonem translata est hec didascalia anno Dominicae reparationis millesimo quingentesimo nonagesimo sexto.' For watermarks, cf. Briquet 7629 (similar?) The MS has a late 18th-century parchment over cardboard binding. Fol. 132v and 133v are blank.

Vat. lat. 5405

saec. XV (1467-71)

Prov. Francesco Peña, auditor of the Rota (1588-1612); Ludovico Podocataro, card. 1500-1504; Angelo Fasola. **Illum.** Giuliano Amadei. 246 fols. memb. (chart.: fol. 1) 328 (200) x 226 (120) mm, origin Italy (Rome). Quiniones, saec. XV (1467-71).

fol. 2r-237r <**Concilium Chalcedonense**>, imperfectum (See Vat. lat. 1319 fol. 99ra-240vb for further information.) *Variants:*

(Epistola 35) (Rubrica) Exemplar imperialium litterarum quae Niceae missae sunt sancto concilio dum adhuc piissimus imperator in Thracia resideret ut deberet indifferenter Calcedona migrare. (Inscriptio) Imperator (*sic*) Valentinianus et Marcianus uictores semper augusti, sancto concilio quod Nicea per Dei uoluntatem nostra sanctione collectum. (Textus epistolae) Dudum quidem per alias diuinas nostras litteras indicauimus uestre religioni ... (Rubrica actionis primae) Incipit eiusdem magne synodi actio prima. (Textus actionis primae) perpetuo *pro* perpetui, indictionis pro indictione (Colophon) Explicit. (**Ed. Acta conc. oecum.**, ed. E. Schwartz, 2.3.1-2, pp. 22-346, 361-561, 346-357. This codex lacks the first 34 of the 35 letters which normally precede the first session of the council. As in Vat. lat. 1321, several selections from the end of Actio III follow the proper ending of the concil; see Schwartz's note, 2.3.2, p. 347.)

fol. 237r-241r <**Facundus Hermianensis (s.)**>, **Epistola fidei catholicae in defensione trium capitulorum** (See Vat. lat. 1321 fol. 139vb-144ra for further information.)

Variants:

(Rubrica) in defensione *add. post* catholice

fol. 241v-246v **Cyprianus (s.)**, **Epistola ad Caecilium de sacramento dominici calicis**, imperfecta (See Vat. lat. 1321 fol. 144ra-147ra for further information.) *Variants:*

(Rubrica) Celium *pro* Cecilium (Inscriptio) Celio *pro* Cecilio (Textus) sentiam *pro* sciam (Finis) et obseruare quod docuit et facere quod fecit. (Colophon) Sanctum Chalcedonense consilium (*sic*) explicit feliciter. Deo gratias.

Bibl. J. Ruyschaert, 'Miniaturistes "romains" sous Pie II', *Enea Silvio Piccolomini Papa Pio II*, ed. D. Maffei (Siena 1968) 245-82 at 265-66, identifying the decorator and former owners.

The MS is written in black ink by a single scribe writing humanist Italic cursive. This is the same copyist who wrote Ottob. lat. 458 (cf. Ruyschaert). Fol. 2r has a three-quarter border in white vine design with birds and putti. The gold letter opening the text is worked into the design. In the lower margin, two putti support a wreath within which are the arms of Ludovico Podocataro, card. 1500-1504. According to Ruyschaert, these cover the arms of Angelo Fasola. Gold initials with white vine decoration open each session. Minor capitals are simple blue or red block letters. Rubrics, usually in Roman round, are red. Fol. 1r has a 16th-century ex libris: 'Ex libris Francisci Peniae rotae Romanae decani'. Catchwords are centered and lightly decorated. The MS has a late 19th-century leather binding. Fol. 1v is blank.

Vat. lat. 5424

saec. XVIin.

Prov. Francesco Peña, auditor of the Rota (1588-1612).

a-f + 233 fols. + 136a + 230a-b chart. 204 (160) x 137 (78) mm. origin Rome(?).

Seniones, saec. XVIin.

fol. b^r-d^v <Tabula codicis>

fol. 1r-11r <**Summa de absolutionibus et dispensationibus**, sive Summa Nicolai IV, cum additionibus> (See Vat. lat. 2663 fol. 34r-38v for further information.)

Variants:

(Rubrica) De potestate penitentiariorum (Praefatio) trecentesimo uicesimo *pro* cc^{mo} nonagesimo ... (Finis) quas in tales in certis locis promulgauit.

fol. 11r-18v <**Casus in quibus fertur sententia excommunicationis, interdicti vel aliarum censurarum secundum constitutiones Clementinas**> (See Vat. lat. 3994 fol. 67r-70v for further information.) *Variants:*

(Finis) pape *pro* predicti (Colophon) Deo gratias. Amen. *om.*

fol. 18v-19r **De potestate iniungendi poenitentias ab episcopo commissa** (See Vat. lat. 3994 fol. 70v for further information.)

fol. 19r-29r <**Casus in quibus sententia vel poena incurritur ipso facto secundum constitutiones Clementinas**> (See Vat. lat. 3994 fol. 70v-76v for further information.)

fol. 29r-34r <**Summaria titulorum constitutionum Clementinarum**> (See Vat. lat. 3994

fol. 79r for further information.) *Variants:*

(Rubrica) De fide catholica. (Textus) Christus fuit mortuus, lanceatus. Anima est

- fidei catholice forma corporis humani ... (Finis) Romana curia *pro* curia romana.
(This MS contains an additional paragraph at the start.)
- fol. 34r-v Incertus auctor, **De exceptionibus duarum regularum** (See Vat. lat. 3994 fol. 78r-79r for further information.)
- fol. 34v-38v **Regulae poenitentiariae**, imperfectae (See Vat. lat. 3994 fol. 79r-81r for further information.)
- fol. 39r-55v **Benedictus XII, Const. In agro dominico**
(Ed. *Bullarium Romanum* IV 416-24.)
- fol. 55v-74r **Taxationes litterarum poenitentiariae** (See Vat. lat. 3994 fol. 9v-18v for further information.) *Variants:*
(Inscriptio) Ganzelmus *pro* Gaucelmus
- fol. 74r-75v **Benedictus XII, Privilegia et stipendia poenitentiariorum** (See Vat. lat. 3994 fol. 18v-19r for further information.)
- fol. 75v-84v <**De observantiis poenitentiariorum**> (See Vat. lat. 3994 fol. 19r-23v for further information.) *Variants:*
(Rubrica) Capitulum *om.* (Finis) recipiendo *pro* incipiendo
- fol. 84v-86v <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)
- fol. 86v-89r **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 sextus. Nota quod dominus Clemens papa vi concessit casus infrascriptos domino Gaucelmo episcopo Albanensi maiori penitentiario (Rubrica rescripti) Sequuntur uerba domini nostri pape de manu sua scripta et concessionem eiusdem super predictis casibus. Ista sunt. (Rescriptum) nostrum *add. post* officium.
- fol. 89r-92r **Forma ad reconciliandum apostatam a fide** (See Vat. lat. 3994 fol. 32v-34v for further information.)
- fol. 92r-93r <**Innocentius IV, Const. Perlectis litteris**> (See Vat. lat. 3994 fol. 34r-v for further information.) *Variants:*
(Textus) Per litteras uestras *pro* Perlectis litteris uestris
- fol. 93r-103r **Casus pertinentes ad officium poenitentiariae** (See Vat. lat. 3994 fol. 34v-40r for further information.)
- fol. 103r-v Incertus auctor, **De poenitentibus mittendis ad curiam Romanam** (See

- Vat. lat. 3994 fol. 40r-v for further information.) *Variants:*
 (Rubrica) de hiis *om.*; Versus siue casus *marg.* (Textus) Hereticus *pro* Hereticus
 (Finis) ZZ Nisi pro Ni (sic) sibi
- fol. 103v-108v, **Declaratio predictorum versuum** (See Vat. lat. 3994 fol. 40v-43r for further information.) *Variants:*
 (Rubrica) Sequitur predictorum uersuum declaracio. (Finis) ZZ Nisi pro Si; Ni (sic) sibi; id in ipsis factor eorum add.
- fol. 108v-120v **Bonaguida de Aretio, <Tractatus> de dispensationibus**, forma brevior
 (See Vat. lat. 3994 fol. 43r-49r for further information.) *Variants:*
 (Rubrica) Sequitur potestas abbatis. (**Bibl.** Izbicki, 'Problems in TUI' 485.)
- fol. 120v-156r **Berengarius Fredoli, <Liber de excommunicatione et interdicto>**, imperfectus (See Vat. lat. 3994 fol. 49r-64r for further information.) *Variants:*
 (Inscriptio) Biturensis pro Biturensi.
- fol. 156r-163r **<Berengarius Fredoli, De exceptionibus duarum regularum circa iniunctionem manuum in clericum>** (See Vat. lat. 3994 fol. 64v-67v for further information.) *Variants:*
 (Rubrica) subsequentium *pro* sequentium
- fol. 163r-164v **<Memoriale de privilegiis poenitentiariorum minorum, saec. xiv>** (See Vat. lat. 3994 fol. 81r-v for further information.)
- fol. 164v-167r **<Excommunicationes papae reservatae>** (See Vat. lat. 3994 fol. 81v-82v for further information.) *Variants:*
 (Finis) preterque *pro* preter quam
- fol. 167r-169r **Clemens <V>, Const. Ne Romani** (Clem. 1.2.3).
 (See Vat. lat. 3994 fol. 82v for the introductory rubric.)
- fol. 169r-173r **Eugenius IV, Const. Ad sacram Petri sedem** (See Vat. lat. 3994 fol. 93v-85r for further information.)
- fol. 173r-175r **Eugenius IV, Const. Devotionis vestrae sinceritas** (See Vat. lat. 3994 fol. 87r-v for further information.)
- fol. 175r-177v **Eugenius IV, Const. Prudens paterfamilias** (See Vat. lat. 3994 fol. 87v-88v for further information.)
- fol. 177v-180v **<Forma bullarum receptionis poenitentiariorum>** (See Vat. lat. 3994 fol. 89r-90r for further information.) *Variants:*
 (Textus) zelus *pro* celus
- fol. 180v-185v **<Jordanus de Ursinis, Ordinationes super receptione**

poenitentiariorum> (See Vat. lat. 3994 fol. 85r-87r for further information.)

Variants:

(Rubrica) Reuerendissimi domini, domini Jordani de Ursinis miseratione diuina episcopi Sabinensis cardinalis ac maioris penitentiarii domini pape Eugenii ⁱⁱⁱⁱ^{ti} *add. post ordinatio* (Finis) undecim *om.*

fol. 185v-186v **Forma litterae quae conceditur poenitentiario minori** (See Vat. lat. 3994 fol. 90r-v for further information.) *Variants:*
<Colophon deest.>

fol. 186v-190r **Sixtus IV, Const. Provida Romani pontificis** (1 nov. 1473)
(Rubrica) Sequitur bulla sancte memorie Sixti contra bullatores in fauorem penitentiariorum super emolumentis plumbi. (Inscriptio) Sixtus episcopus ... ad futuram rei memoriam. (fol. 187r) (Textus) Prouida Romani pontificis circumspectio ... (Finis) huiusmodi debeant inuiolabiliter obseruare. Nulli ergo ... Si quis ... Datum Rome apud sanctum Petrum anno incarnationis Dominice millesimo quadingentesimo septuagesimo tertio kalendis nouembris pontificatus nostri anno tertio. (Notationes) De curia Grifus Yo. Tartinis Registrata in camera apostolica de Ursinis pro G. Blondo. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2, pp. 77-78 edits most of the text, omitting the summary of the statute of Eugenius IV at the beginning, citing this MS and printing the notations at the end of the text.)

fol. 190v-196v **Philippus Calandrinus, Statuta collegii poenitentiariae**
(Rubrica) Ista sunt statuta sacri collegii poenitentiariae apostolice edita per reuerendissimum in Christo patrem et dominum, dominum Philippum miseratione diuina episcopum Portuensem sancte Romane ecclesie cardinalem Bononiensem et maiorem poenitentiarium, que iussit de consensu unanimi omnium minorum poenitentiariorum et uoluit per omnes tam minores poenitentarios quam substitutos et supernumerarios ubique respectiue inuiolabiliter obseruari. (Textus) Singulis diebus hora prima, scilicet in ortu solis omnes poenitentiarii conueniunt ... (Finis) alias astringantur pena, ut poenitentiarii. (Subscriptio) Lecta fuerunt et publicata supradicta statuta per me Iohannem Antonium de Panigali ... hic me propria manu subscripsi. (Additio) Insuper postmodum anno millesimo quadingentesimo septuagesimo quarto die quinta iulii post publicationem ... prout confectum fuit per cancellarium reuerendissimi domini cardinalis. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2, pp. 35-39, using this MS. siglum V⁴.)

fol. 197r-198v <**Nota de pecunia poenitentiariis numerata pro valore vestimentorum post mortem Sixti papae IV**>

Anno M[cccc]lxxxiv die decima mensis septembris pro obitu bone memorie domini Sixti pape IIII poenitentiarii minores, qui tunc temporis ... (Finis) quos in uestris computis admittemus. Datum in camera apostolica sub nostri signeti impressione die x septembris MCCCCLXXXIIII ante coronationem sanctissimi domini nostri Innocentii pape octau. Falco prothonotarius et thesaurarius generalis. H. Brunus d. (Quitantia) Die introscripta (*sic*) nomine omnium ... et

quietauit in forma etc. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2 pp. 135-36, using this MS: siglum K.)

fol. 198v-208v <**De infirmitate et de obitu papae**>

(Rubrica) Infrascriptus modus seruatur in infirmitate pape et eius morte prout etiam habetur in formulariis dominorum sacriste et magistrorum cerimoniarum domini pape. (Textus) Sciendum est quod (que cod.) iste modus consuevit obseruari in Romana curia Romano pontifice egrotante ... (Finis) per ordinem usque in finem. (Colophon) Hec omnia supra scripta ego Jacobus Cacia Nouariensis et penitentiarius pape reperi in libris sacriste ... super exequiis prefati domini pape deputato die tertia augusti 1482 (*recte et ante corr.* 1492). (Ed. *Le cérémonial papal de la fin du moyen âge à la renaissance*, ed. M. Dykmans, 4 vols. (Bibliothèque de l'Institut historique Belge de Rome 24-27; Rome 1977-85) IV 216-27, not using this MS or printing the colophon. **Bibl.** Cf. Göller, *Die päpstliche Pönitentiarie* II.2, p. 136, note preceding item B.)

fol. 209r-211r **Innocentius VIII, Const. Super familiam** (24 oct. 1486)

(Rubrica) Bulla declarationis uoluntatis et decreti familiaritatis cappellanie sedis apostolice et prefati domini Innocentii pape et successorum suorum necnon continue commensalitatis pro penitentiariis apostolicis. (Inscriptio) Innocentius episcopus ... ad perpetuam rei memoriam. (Textus) Super familiam domini licet ... (fol. 210v) (Finis) ceterisque contrariis quibuscumque. Nulli ergo ... Si quis ... Datum Rome apud sanctum Petrum ... pontificatus nostri anno 3°. (Colophon) Gratis de mandato s.d.n. pape. A. de Valle. Registrata in camera apostolica. Blondus. Hanc bullam ego Jacobus Cacia penitentiarius registraui in presenti formulario de uerbo ad uerbum, prout in bulla continebatur. (**Bibl.** Göller, *Die päpstliche Pönitentiarie* II.2 p. 85, printing the colophon from this MS.)

fol. 211r-212v <**Nota de pecunia poenitentiariis numerata pro valore vestimentorum post mortem Innocentii VIII**>

(Rubrica) De obitu Sixti IIII (corr. in marg. Innocentii) Millesimo quadringentesimo nonagesimo secundo, die XXV iulii, in festo sancti Iacobi paulo post horam quintam noctis adueniente festo sancte Anne, pie memorie Innocentius papa octauus ex hoc seculo migrauit ad Dominum ... (Finis) quid sint acturi et que ipsorum partes esse debeant (Subscriptio) Jacobus Cacia penitentiarius. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2, pp. 136-37, using this MS siglum: K.)

fol. 212v-213r <**Jacobus Cacia(?), Nota de electione Alexandri VI**>

(Textus) Item anno m° cccc° lxxxxii die vi augusti. Reuerendissimi domini cardinales s.r.e. ingressi fuerunt conclaue ... (Finis) qui uocatus est Alexander VI. Et die xxx septembris accepit confirmationem in ecclesia sancti Iohannis Lateranensis. (Ed. E. Carusi, in review of Göller, *Die päpstliche Pönitentiarie* in *Archivio storico italiano*, 72 (1914) 96-101 at 98, from Vat. lat. 11497 fol. 97r.)

fol. 213r-229v **Alexander VI, <Epistolae ad poenitentarios de anno iubilei>**

(Rubrica) Breue apostolicum quod nemo recipiatur in penitentiarium nisi prius publice responderit ... idoneus repertus fuerit. (Inscriptio) Alexander papa sextus ... salutem et apostolicam benedictionem. (Textus) Attendentes, quod uos et pro tempore ... (Epistola ultima) (Rubrica) Annunciatio sacri iubilei instantis anni centesimi et declaratio, quid pro consequenda illius plenissima indulgentia a christifidelibus fieri debeat. (Inscriptio) Alexander episcopus ... ad futuram rei memoriam. (Textus) Inter curas multiplices que nobis ex apostolatus officio incumbere ... (fol. 229r) (Finis) et meritis per que eorum bona opera consequi mereantur. Amen. Nulli ergo ... Si quis ... Datum Rome apud sanctum Petrum anno incarnationis Dominice millesimo quadingentesimo nonagesimo nono, tercio decimo kal. Ianuarii pontificatus nostri anno octauo. (The four letters of this group, instructions for the penitentiaries regarding the jubilee year of 1500, are: *Attendentes quod uos* (26 August 1497) (fol. 212v-214v [Ed. Göller, *Die päpstliche Pönitentiarie* II.2, pp. 86-87, citing this MS]); *Pastoris eterni* (20 December 1499) (fol. 214v-219r [Ed. Johann Burchard, *Diarium sive rerum urbanarum commentarii*, ed. L. Thuasne, 3 vols. (Paris 1883-85) II 588-91. **Bibl.** Göller, *Die päpstliche Pönitentiarie* II.2, p. 87]); *Cum in principio* (4 March 1500) (fol. 219r-224r [Ed. Göller, *Die päpstliche Pönitentiarie* II.2, pp. 87-90, using this MS.]), and *Inter curas multiplices* (20 December 1499) (fol. 224r-229v [Ed. Burchard, op. cit. II 585-88]).)

fol. 229v-230r **Julianus de Rovere postea Julius II, Mandatum minoribus poenitentiariis** (26 mar. 1490)

(Rubrica) Sequitur mandatum reuerendissimi domini cardinalis Sancti Petri ad Vincula et maioris penitentiarii. (Textus) Iulianus episcopus Sabinensis maior penitentiarius etc. sancte Romane ecclesie cardinalis uobis priori et minoribus penitentiariis in basilica sancti Petri precipimus et mandamus, quatenus sub pena medii ducati ... (Finis) et in omnibus aliis actibus in quibus consueuistis interesse alias. Datum Rome apud Sanctos Apostolos sub fide nostri sigilli die xxvi marcii millesimo quadingentesimo lxxx (*recte* lxxxx). (Colophon) Gerardus, de mandato. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2 p. 39, citing this MS.)

fol. 231r-233v **Leo X, Const. Ex debito** (23 apr. 1517)

(Inscriptio) Leo episcopus ... ad perpetuam rei memoriam. (Textus) Ex debito pastoralis officii super uniuersum gregem dominicum ... (Finis) et consuetudinibus ceterisque contrariis quibuscumque. Nulli ergo ... Si quis... Datum Rome apud Sanctum Petrum anno incarnationis Dominice millesimo quingentesimo decimo septimo, nono kal. maii pontificatus nostri anno quinto. (Subscriptio) F. del Rosal. (**Bibl.** Göller, *Die päpstliche Pönitentiarie* II.2 p. 90, item 19.)

Bibl. Göller, *Die päpstliche Pönitentiarie* I. 1, pp. 72-73 for a description of the MS.

The MS is written in black ink, mostly in a single humanistic hand with chancery influences. (The last item was added by one of the annotators of the MS.) Each item begins with a few words in larger script. There are scribal corrections and sparse marginal notations in several hands, frequently including the date of the various documents. On fol. 196v-197r the mandate of cardinal Giuliano della Rovere is cancelled, with a

note added to the bottom of fol. 196v: 'Require infra fol. 229'. On fol. a^r is written 'Ex libris Francisci Peniae Rotae Decani' and '5424 Vat.' There are no visible catchwords. For the watermarks, cf. Briquet nos. 48 and 12205. The edges of the folios are gilded. The MS has a parchment binding dating from the late 19th-century. Fol. a^v, e^r-f^v, and 230a^r-b^v are blank.

Vat. lat. 5436

saec. XVI

a-c + 305 fols. + <X> (I: a-c, fol. 1-137; II: fol. 138-305 + <X>) chart. 330 (235) x 218 (126) mm, origin Italy (Rome?). Quaterniones, saec. XVI.

fol. a^r-c^r <ZZ **Catalogus Elenchus pontificum**> (Marcellus I-Calixtus II)

fol. 1r ZZ <**Pseudo->Clemens, Epistola ad Jacobum fratrem Domini**, excerptum (See Vat. lat. 3829 fol. 3r for further information.)

fol. 1r-298v <**Collectio Vaticani latini 3829**> (See Vat. lat. 3829 fol. 3v-279v for further information.)
(**Bibl.** Fournier-LeBras, *Histoire* II 211.)

fol. 298v <**Concilium Lateranense**> (1110), c. 1 (See Vat. lat. 3829 fol. 282r for further information.)

fol. 299r-300r <**Concilium Lateranense**> (1112), canones (See Vat. lat. 3829 fol. 282r-283r for further information.)

fol. 300r-v <**Pseudo->Leo IX, Epistola** (See Vat. lat. 3829 fol. 283r for further information.)

fol. 300v-301r **Nicolaus I (s.), Epistola ad Brenduem Bridico episcopum** (JL 2855)
(See Vat. lat. 3829 fol. 283v for further information.)

fol. 300r **Urbanus II, Epistola ad Vitalem presbyterum** (JL 5740) (See Vat. lat. 3829 fol. 283v for further information.) *Variants:*
(Inscriptio) Pruiensi *pro* Bruuiensi, cetera *pro* alia

fol. 300r <**Concilium Romanum** (1059)> c. 5 (See Vat. lat. 3829 fol. 281r for further information.)

fol. 301v <**Pseudo-Eugenius II**>, **Decretum** (See Vat. lat. 1351 fol. 94v for further information.)

fol. 301v **Concilium Troianum** (1089) (See Vat. lat. 3829 fol. 280v for further information.)

fol. 302r **Cosmus (s.), Epistola ad Hestium** (JE 339), imperfecta (See Vat. lat. 3829 fol.

280v for further information.) *Variants:*
stipendia om. et remanet vacuum

fol. 302r-305r <**Concilium Lateranense II**> (1139) (See Vat. lat. 1340 fol. 370ra-371vb for further information.) *Variants:*
<Tabula deest.>

fol. 305v <Incertus auctor, **Epistola de materia usurae**> (See Vat. lat. 3829 fol. 287r for further information.) *Variants:*
(Inscriptio) G. *om.* (Colophon) *Laus Deo optimo maximoque.*

<+III>r-<+X>v <Incertus auctor>, **Genera expeditionum cancellariae Romanae**
(Rubrica) *Genera expeditionum factarum tempore Clementis septimi.* (fol.
<+IV>r) (Textus) A. *Absolutiones ab homicidiis habita pace ...* (Finis) *uniones ad uitam.*

The MS is a composite codex. Fol. a^r-c^r and 1r-305v are written in a fine Italic cursive in black ink, with initials and rubrics in red. There are occasional marginal notes in several contemporary hands, usually cross-references to Gratian's Decretum. Catchwords are at the lower right. This portion of the MS is a careful copy of Vat. lat. 3829 (q.v.), probably done for the *Correctores Romani*. The scribe omitted the short *nota de sacerdotibus* on fol. 3r, and noted (at fol. 291v-292v here) the break in the text at fol. 267v-268r of his exemplar. Fol. 298v-302r reflect the original order of Vat. lat. 3829, before the penultimate quire of that MS was rearranged.

The unnumbered folios at the end, also in black ink, are in a 16th-century secretarial cursive. Apart from large calligraphic letters dividing the alphabetical sections, there is no decoration. For the watermark, cf. Briquet no. 5926, very difficult to see. The MS was bound in two volumes (a-137 and 138-x) in parchment, late in the 19th-century. Fol. c^v, <+II>r-v, and <+III>v are blank.

Vat. lat. 5437

saec. XV (1465-1468)

Scr. Buscherus de Mera de Zeelandia (fol. 191ra-241rb).
324 fols. + 1a - (242-248) chart. (memb.. fol. 1 et 324) 332 (208) x 230 (138) mm, origin Italy (Rome). Quiniones, saec. XV (1465-1468).

fol. 1a^{ra}-123va <**Pseudo->Thomas Aquinas O.P., Tractatus fidei contra diversos errores super titulum de summa Trinitate et fide catholica** (X 1.1.1)
(Rubrica) <I>ncipit tractatus fidei contra diuersos errores super titulum de summa Trinitate et fide catholica in decretalibus editus per gloriosum sanctum Thomam de Aquino. (Praefatio) <Q>uoniam fides est totius spiritualis edificii fundamentum ... (Rubrica textus) *Quid est Trinitas.* (Textus) <T>rinitas est trium unitas. Unitas autem trium est essentia trium ... (Finis) *Ad idem Mat. x.d (v.22) et xxiii.b (v.13), Lu. ix.g. (v.23), Apoc. ii.i (v.4), prima Thi. v.b. (v.12).* (Colophon) *Laus Deo etc.* (An anonymous copy in Munich Clm 12311 is listed in Hauréau V 138.)

fol. 131ra-181rb **Nicolaus de Crucibus, Tractatus de rebus ecclesiasticis**

- (Rubrica) Tractatus rerum ecclesiasticarum editus a clarissimo decretorum doctore d. Nicolao a Crucibus Dei et apostolice sedis gratia episcopo Farrense (*sic; leg.* Pharensi) necnon s. D. nostri pape Pauli ii referendario dignissimo feliciter incipit. Primo de quibus peccatis requiratur penitentia. (Textus) <P>rimo queritur utrum requiratur penitentia ante baptismum ... (Finis) expressa mentio habeatur in c. Quia periculosum de sententia excommunicationis in vi° (Sext. 5.11.4).
- fol. 191ra-230rb <**Bernardinus Senensis O.F.M. (s.), Tractatus de restitutionibus**> (See Vat. lat. 7667 fol. 92va-142va for further information.) *Variants:* <Rubricae desunt.> (Textus) enim *om.* (Colophon) Scriptum et finitum per me Buscherum de Mera nec non de Zeelandia die i octobris 1465.
- fol. 230va-233va <Incertus auctor, **Sermo**> (Textus) <C>apitulum euangelii, quod lectum est, fratres dilectissimi, purum oculum cordis inquit ... (Finis) ut impleamini in omnem plenitudinem Dei.
- fol. 234ra-237ra <**Lucius Annaeus Seneca, De tranquillitate animi**, epitome> (Textus) <I>n me Serene quedam uitia apparent in aperto posita ... (Finis) que ad solutaria (*sic*) mitigatibus effectibus uenit. (**Bibl.** Cf. *L. Annaei Senecae dialogorum libri duodecim*, ed. L.D. Reynolds (Oxonii 1977) 207-38.)
- fol. 237ra-238vb **Lucius Annaeus Seneca, De beneficiis**, <epitome> (Rubrica *marg.*) Incipit liber Senece de beneficiis. (Textus) <I>nter multos et uarios errores temere inconsulteque uiuentium optime Lucilli ... (Finis) quam ZZ pudere benefactorem beneficii uiolati. (**Bibl.** This MS is not listed in G. Mazzoli, 'Ricerche sulla tradizione medievale del *De beneficiis* e del *De clementia* di Seneca III - Storia della tradizione manoscritta', *Bollettino dei classici* ser. 3,3 (1982) 165-223.)
- fol. 238vb-241rb <**Pseudo->Seneca, Proverbia**> (Rubrica *marg.*) Prouerbia Senece. (Textus) <A>lienum est omne (*om. cod.*) quidquid optando euenit ... (Finis) Celari autem hominibus uiciosum est. (Colophon) Completum die 12° octobris 1465. (**Ed.** *Publilii Syri mimi sententiae*, ed. O. Friederich (Berolini 1880) 27-60 line 10 matches this collection from fol. 238vb to 240rb 'Negandi tamen auaro numquam deficit.' Thereafter the collections diverse, the MS following the edition, pp. 274-82. This is one of the *deteriores* listed by F. Giancotti, *Ricerche sulla tradizione manoscritta delle sentenze di Publilio Siro* (Biblioteca di cultura contemporanea 79, Messina 1963) 125.)
- fol. 249ra-320va **Johannes Calderinus, <Concordantiae Bibliae ad ius canonicum>** (See Vat. lat. 2666 fol. 199ra-260vb for further information.) *Variants:* (Rubrica) Tabula Io. Cal. auctoritatum sententiarum biblię inductarum in compilationibus decretorum et decretalium. (Textus) Aaron *om.*; summum *pro sumum* (Finis) etc. *add.* (Colophon) τελοδ. Explicit tabula auctoritum (*sic*) sancte

tentiarum (*sic*) inductarum in compillationibus decretarum et decretalium quotatarum domini Iohannis Calderini decretorum doctoris etc.

fol. 321ra <**Oratio ad s. Mariam virginem**>
(Dated 'Romae anno 1468.').

Bibl. *Colophons*, ed. Bénédictins de Bouveret I 301 no. 2399 for Buscherus de Mera.

This MS is written in four cursive bookhands: fol. 1a^r-50va, 131ra-181rb; fol. 50va-123va; fol. 191ra-241rb (Buscherus de Mera), fol. 249ra-320va. All used black ink. Notes in other hands appear on fol. 1r-v, 93rb, 130v, 181v, 320va, 324r-v. Some are in the hand of the prayer on fol. 321r. One has added after the colophon at fol. 320va 'Anno Domini millesimo quingente quadragesimo'. The numeration error skipping from fol. 241 to 249 is noted at the top of fol. 249r. Blank spaces have been left for capitals. Rubrics and paragraph signs are red. Catchwords are perpendicular to the text at lower right and framed by the first two hands. They are framed at lower right by the third, and framed and centered by the fourth. For the watermarks, cf. Briquet nos. 6271 and 2472. The MS has a 19th-century parchment binding. Fol. 124r-130r, 182r-190v, and 321v-323v are blank.

Vat. lat. 5582

saec. XV

Prov. Angelus Tomai.

501 fols. + 310a memb. et chart. 298 (209) x 204 (138) mm, origin France (?). Bifolia, saec. XV.

fol. 1ra-501vb **Egidius de Bellamera, De regulis iuris** (Pars I: Sext. 5.13.1-42), imperfectum
(fol. 1r) (Rubrica *al. man.*) D. Egidii Bellamerae. (fol. 1ra) De regulis iuris rubrica libro sexto. (Praefatio) <C>irca rubricam istam moueo duodecem questiones. Prima est questio qualiter constituetur rubrica ... (fol. 1va) (Lemma primum) *eneficium* ... : Aduerto quia ista regula et (et *sic*) sequentes adeo sunt breues ... (fol. 493rb) (Lemma ultimum) *Accessorium* (Finis) in illo qui tenebatur disputare et tradere si per priuilegium ///

Bibl. Gilles, 'Gilles Bellemère' 388 and n. 2, 398-400 and n. 4.

The MS lacks a gathering beginning 'eximebatur' after fol. 501vb. An addition, similar to those already in the text, was made at fol. 190va *marg.* This MS is the first volume of a two-part set of which the second volume is Vat. lat. 5583. The text is in several gothic cursive bookhands in black ink. Some rubrics and the capitals, when they are present, have red decoration. Paragraph signs are red. The 'R' at fol. 145ra was filled in, with an accompanying drawing, by a later hand, perhaps the same which signed 'Angeli Tomai' at fol. 501vb. The quires are constructed of 10 bifolia with parchment leaves on the outside and at the sewing, the rest of the leaves being paper. For the watermarks, cf. Briquet nos. 14306 and 771. Catchwords are centered except at fol. 20v, where the catchword is at lower right. The MS has a 19th-century leather binding incorporating the 17th-century one.

Vat. lat. 5583

saec. XV

Prov. Angelus Tomai (?).

485 fols. + 150a, 198a, 390a memb. et chart. 295 (211) x 210 (145) mm, origin France
Bifolia, saec. XV.

fol. 1ra-356va <**Egidius de Bellamera, De regulis iuris**> (Pars II: Sext. 5.13.43-88)
(Lemma primum) *Qui tacet consentire uidetur*: Pone casum liiii di. Si seruus
(D.54 c.20). ... (fol. 341ra) (Lemma ultimum) *Datum Rome* ... (Finis) que cause
autem dicantur bone uel male satis fuit superius declaratum. (Epilogus) Completo
igitur opere decretalium sexti libri clementinarum et presencium regularum ...
cuius inclusio incepit circa x diem mensis septembris dicti anni nonagesimi
octaui.

fol. 357ra-485vb <**Egidius de Bellamera, De regulis iuris, additiones**>
ZZ (Rubrica *marg.*) Additiones quedam facte secundum quendam ad lecturam
principalem tituli de regulis iuris /// proxime parte (*sic*) decreti secundum
quotaciones infrascriptas. Super regula Beneficium. (Rubrica textus) Folio primo
columpna iii. § Nunc autem linea v in principio post uerbum 'Herenius'. (Textus)
Dicit quidam quod iura ista et c. Consultacionibus de iure patro (X 3.38.19) ...
(Lemma ultimum) *Quod quis mandato*. ... (Finis) que allegat facit c. In presencia
de renunciationibus (X 1.9.6) etc. (Colophon) Scriptor qui scripsit cum Christo
uiuere possit. Amen. [signum scriptoris].

Bibl. Gilles, 'Gilles Bellemère' 388 n. 2 400 n. 4.

This MS is the second part of a set, the first part of which is Vat. lat. 5582. They share the same type of
script, the same decoration, construction and binding. The catchwards here, however, are at lower right.
Fol. 288v is blank except for 'nihil deficit'.

Vat. lat. 5592

saec. XVIex.

Prov. Rome, Castel Sant' Angelo.

<XIII> + 459 fols. + 300b chart. 314 (244) x 220 (153) mm, origin Italy (Rome?).

Quiniones, saec. XVIex.

<III>r-<XII>v <Tabula materiae>

fol. 1r-459v <**Concilium Ephesinum**>

(Rubrica) Actorum tertiae synodi liber primus. Caput primum. (Epistolae
praeliminares) (Inscriptio) Cyrillus presbyteris, diaconis ... dilectis, ac
desideratissimis in Domino salutem. (Epistola prima) Quidam qui aetatem una
uobiscum agunt, de more +m (*sic*) Alexandriam uenerunt ... (fol. 150r) (Acta)
(Rubrica) Caput xxvi. (Textus) Post consulatum dominorum nostrorum semper
augustorum Flauii quidem Theodosii decimum tertium, Valentiniani ?
(Valentianiu^{ac}) uero tertium decimo kalendas iunias synodo ex pietissimorum
Christianissimorumque regum nostrorum edicto in Ephesiorum metropoli
congregata ... (Finis) Saluta que tecum est fraternitatem: que mecum est te salutat.
Opto te in Domino ualere. Finis.

Ed. and Bibl. See Vat. lat. 1319 fol. 1ra-91vb. The text does not agree with any of the various traditions edited by Mansi and Schwartz. It ends with the letter from Cyril to Valerianus episcopus (cf. Mansi 5.354-71).

The MS is written in multiple 16th-century cursive hands. In several places the black ink has eaten through the paper. <I>r has, an elaborate title: 'Translatio primi Ephesini concilii ex originali latino apud Ill. et Re^{mum} D. Othonem episcopum Albanensem Sanctae Romanae Ecclesiae Cardinalem Augustanum uulgariter nuncupatum asserentem se illud habuisse ab Ex^{mo} moderno Duce Bauierae (*sic*) reperto fideliter extracta, et curiose collationata. Lege faeliciter.' Otto Truchsess von Waldburg was cardinal bishop of Albano 1562-70. <I>r also has an ex libris 'di Castello'. for Castel Sant' Angelo. For the watermarks, cf. Briquet no. 7629. The MS has an old parchment binding, perhaps the original. <I>v-<III>v, <XII>r-v, fol. 197, 240, 339, 363-365, 382-383, and 402-403 are blank.

Vat. lat. 5593

saec. XVI

Prov. Rome, Castel Sant' Angelo.

<VII> + 220 fols. chart. 315 (257) x 216 (138) mm, origin Italy (Rome). Quiniones, saec. XVI.

fol. 1r-220v <**Concilium Constantinopolitanum IV (869)**> (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants:*

Causa *pro* Cause; synodi Constantinopolitanae *pro* synodi; deprompta *pro* deprompta <Rubrica textus deest.> (Invocatio) Amen *add.* <Colophon deest.>

Bibl. C. Leonardi, 'Anastasio Bibliotecario e l'ottavo concilio ecumenico', *Studi medievali* ser. 3, 8.1 (1967) 59-192 at 147-48 for a description of the MS and additional bibliography.

The MS was written in black ink by three scribes, all using 16th-century cursive scripts. The hands divide: 1 (fol. 1r-18r, 40r-50r, 63r-80r, 123, 150r-174v), 2 (fol. 18r-38v, 50v-61r, 81r-122v, 145r-149v), 3 (fol. 124r-144v, 175r-220v). Copyists 1 and 3 also seem to have worked on Vat. lat. 6813, cf. Leonardi. The scribes have followed the error of Vat. lat. 1332, misplacing part of Actio X. The misplaced text is on fol. 145r-148r, the resulting lacuna on fol. 217r. The penultimate and antepenultimate letters are reversed from the edition (Mansi 16.1-208). The MS is undecorated. On <VII>r is a note on the exemplar: 'Translatio octavae synodi Constantinopolitanae. Ex originali latino quod Romae in bibliotheca Vaticana in ultima illius aula sub armario seu pluteo (ut uocabulo intitulationis armariorum dictae bibliothecae utar) secundo asseruatur, fideliter extracta, et ad amussim auscultata et collationata'. At <VII>v is an historical note on the eighth general synod. <I>r has the ex libris 'Di Castello'. For the watermarks, cf. Briquet no. 7629. The MS is in an old parchment binding. <I>v-<VI>v, fol. 39r-v, and 61v-62v are blank.

Vat. lat. 5595

saec. XV.2

Prov. Castel Sant' Angelo.

<I> + 530 fols. + 200a + 278a chart. 282 (200) x 211 (142) mm, origin Italy, saec. XV.2.

fol. 1r-8v, 27v-58v, 61r-76v, 96r-98r, 103v-107r, 109r-110r, 170v-175r, 189r-237v, 256r-258v <**Auctores varii, Opera polemica**>: Antonius de Butrio, Consilium de

schismate (fol. 38r-42v [Ed. Paulus Castrensis, *Consilia* I fol. 214ra-215ra, lacking the texts between 214va 'intentio' and 214vb 'ad hoc astringuntur']); Antonius Luschus, De modo tenendi per concilium ad Petrum de Candia (fol. 104r-105r); Bartholomaeus de Saliceto, Consilium de schismate (fol. 45r-v [Ed. Vincke, *Schriftstücke* 30-32 no. 3. using this MS]); Bononiensis Universitas, Conclusiones de schismate (fol. 46r-47v) [Ed. Mansi 27.219-21, 221 n. a, 221-22, 222 n. b.]; Franciscus Zabarella, Tractatus de schismate, fragmentum (fol. 103v [Ed. Franciscus Zabarella, *Consilia*, Venetiis 1581, fol. 153vb-156va). This is the beginning of the second version of the tract; for a copy of the third, see Vat. lat. 2254 fol. 212rb-219vb]); Johannes de Bellantibus de Senis, Consilium de schismate (fol. 48r-58v); Marcus de Canetulo, Orationes duae (fol. 256r-258v [Bibl. G. Alidosi, *Li dottori bolognesi* (Bologna 1620) 169]); Matthaeus de Mathesillanis, Consilium de schismate cum subscriptione Johannis de Cannetulo (fol. 35r-37v [Ed. Paulus Castrensis, *Consilia* I fol. 215ra- va]); Nicolaus de Bittonio, O.F.M., Tractatus de schismate (fol. 1r-8v [Bibl. Vincke, 'Magister Theologiae' 178-206]); Parisiensis Universitas, Consilium de schismate (fol. 61r-v, 74v-76v); Paulus de Castro, Consilium de schismate (fol. 28v-31v [Ed. Vincke, *Schriftstücke* 29-32 no. 2, using this MS]); Paulus Castrensis, *Consilia* I fol. 213rb-214ra]); Petrus de Alliaco et Johannes Gerson, Epistola ad Gregorium XII (fol. 61v-62r [Genoa, 15 sept., Ed. and Bibl. Jean Gerson, *Oeuvres complètes* II xvi no. 22 and 84-86 no. 22]); Petrus de Alliaco, Decem considerationes circa concordatum Massiliae (fol. 62r-63v [Bibl. Glorieux, 'L'oeuvre d'Ailly' 73]); Petrus de Ancharano, Consilia de schismate (fol. 43r-44v [Ed. Petrus de Ancharano, *Consilia* fol. 24vb-25rb], fol. 170v-175r [Ed. Ed. cit. fol. 115vb-117rb], fol. 189r-192r [Ed. Vincke, *Schriftstücke* 112-18 no. 18, not using this MS], fol. 192r-193v [Ed. Ed. cit. 119-21 no. 19, not using this MS], fol. 193v-211v); Petrus de Candia, postea Alexander V, Responsio Antonio Luscho (fol. 109r-110r); Robertus de Francola, Tractatus de schismate, imperfectus (fol. 211v-237v); Incerti auctores, Consilia de schismate (fol. 27v-28r [Ed. Vincke, *Schriftstücke* 32-34 no. 4, using this MS]); Quaestio super opinione episcopi Ragusini (fol. 64r-74v). De modis tenendi per dominum Gregorium XII (fol. 96r-98r [Ed. Vincke. *Schriftstücke* 142-46 no. 24, using this MS]); Considerationes de schismate, imperfectae (fol. 105r-106r [Ed. Vincke, *Schriftstücke* 134-41 no. 22 to 137, using this MS]), Epistola officialium curiae Romanae (fol. 106r-107r).

fol. 9r-27r, 77r-96r, 99r-103r, 110r-138r, 140r-170v, 175r-176v, 237v-138v <Auctores varii, Acta de schismate>: Benedictus XIII, Epistolae (fol. 25r-26v [Ed. Mansi 26.1014-16], fol. 89v-90r [Portovenere, 13 iun.; Ed. Mansi 26.1016-18], fol. 90r-v [Ed. Mansi 26.1016], fol. 100v-103r [Portovenere, 16 iun. Ed. Mansi 26.1103-09], fol. 103r [15 iul.; Ed. Mansi 26.1110-11], fol. 127v-130r [13 nov., Ed. Mansi 26.1180-84]) cum epistola cardinalium eiusdem (fol. 130r-v [1408; Ed. Mansi 26.1184]); Carolus VI rex Franciae, Epistolae (fol. 81r [Paris, 12 ian. 1407], fol. 81r-82v [Paris, 12 ian. 1407], fol. 82v-83r [Paris. 12 ian. 1407], fol. 90v-91v [Paris, 22 maii 1408]); Collegium Avinionense cardinalium, Epistolae (fol. 24v-25r (Villeneuve d'Avignon, 16 iul.), fol. 110r-113v [Ed. Mansi 26.1161-67], rep. fol. 153r-156r, fol. 124v-127r [Pisa, 24 sept. 1408, Ed. Mansi 26.1175-79]);

Cedula in conclavi post mortem Clementis VII (fol. 95v [**Ed.** Souchon, *Papstwahlen* I 298-,99]); Collegium cardinalium, Epistolae (fol. 130v-133v (Livorno; **Ed.** Mansi 26.1167-75], fol. 118r-120v), Capitula in conclavi post mortem Bonifacii IX (fol. 169r-170v [24 oct. 1404; **Ed.** Souchon, *Papstwahlen* I 280-84]), Capitula in conclavi post mortem Innocentii VII (fol. 9r-11v [**Ed.** Souchon, *Papstwahlen* I 287-92]); Collegium unicum cardinalium, Epistolae (fol. 83v-86v [Pisa, 13 maii 1408], fol. 88r-89v, 94r-95r 1 iul. 1408; **Ed.** Mansi 27.46-49], fol. 130v-133v [25 ian. 1409; **Ed.** Mansi 27.207-12], fol. 156r-157v [Livorno]), Responsio oratoribus Venetorum et Florentinorum (fol. 149r-152v (**Ed.** Martène et Durand, *Thesaurus* II 1411-19]), Declaratio facta marchioni Montis Ferrati (fol. 99r-100r), Responsio Malatestae de Pensauero (fol. 159r-162r [**Ed.** Mansi 27.239-45 no. 17]); Concilium Perpinianum (1408), Cedula (fol. 137v-138r); Florentina communis, Epistolae (fol. 148r-v [Florence, 28 feb. 1409; **Ed.** Mansi 27.434-35], fol. 175r-176v [Florence, 28 feb. 1409; **Ed.** Mansi 27.430-33]), Salvusconductus (fol. 133v-134v [Florence, **Ed.** Mansi 27.203-04]); Gregorius XII, Epistolae (fol. 11v-13r [**Ed.** Mansi 26.1013-14], fol. 27r [**Ed.** Martène et Durand, *Veterum scriptorum ...* VII 754-55], fol. 87r-88r [Lucca, 16 mai.], fol. 92r-v [Lucca, 16 mai.], fol. 121r-124v, 140r-146v [19 ian.; **Ed.** Mansi 27.7-73]), Appellatio (fol. 92v-93v [Lucca, 1408]), Mandatum (fol. 83r), Responsio oratoribus Benedicti XIII (fol. 79r-80v); Henricus IV rex Angliae, Epistola (fol. 134v-136v [Westminster, 12 nov. **Ed.** Mansi 27.108-10]); Hermanus comes Ciliciae, Epistola (fol. 92r [vi iun.]); Ianuensis communis, Instrumenta diplomatica de concordato Massiliae (fol. 13r-24v [**Ed.** Baronius, *Annales an.* 1407 § 4 (ed. Theiner 27.164-66), partial edition]); Johannes de Soleria, abbas s. Justinae, Epistola (fol. 136r-137v [Marano, 5 feb. 1409]); Johannes Dominici O.P., Epistola (fol. 147r-v [Siena, 10 oct.]); Ludovicus de Barro, Epistola (fol. 168r-v); Oratores Benedicti XIII, Oblatio (fol. 77r-v [**Ed.** Vincke, *Schriftstücke* 70-72 no. 10, not using this MS]), Responsio ad oblationem Venetorum (fol. 78r-79r); Oratores Caroli VI, Oblatio (fol. 158r-v) cum responsione cardinalium (fol. 158v); Oratores Gregorii XII, Oblatio (fol. 158v (Portovenere)); Oratores Sigismundi regis Hungariae atque Venetorum, Oblatio cum responsionibus cardinalium (fol. 162r-166v [**Ed.** Vincke, *Schriftstücke* 155-61 no. 27, using this MS]); Oratores Venetorum, Oblatio (fol. 78r), Rupertus rex Romanorum, Constitutio procuratorum (fol. 137v-238v [**Ed.** *Deutsche Reichstagsakten unter König Ruprecht III.*, ed. J. Weizsäcker (Deutsche Reichstagsakten VI; Gotha 1888) 489, 491]); Wenceslaus rex Bohemiae, Epistola (fol. 157v-158r [Prague, 19 iul.]); Incerti auctores, Deliberationes pro regimine ecclesiae tempore subtractionis obedientiae Parisiis factae (fol. 95v-96r), Requisitio facta Antonio de Calvis (fol. 167r-168r).

fol. 179r-185v <**Pseudo-Isidorus, Decretales**, excerpta> (See Vat. lat. 3477 fol. 237r-244vb for further information.) *Variants:*
(Rubrica) Anthonii *pro* Antimi

fol. 186r-187r **Concilium Pisanum** (1135) (See Vat. lat. 3477 fol. 245r-246v for further information.) *Variants:*

<Rubrica deest.> (**Bibl.** D. Girgensohn, 'Das Pisaner Konzil von 1135 in der Überlieferung des Pisaner Konzils von 1409', *Festschrift für Hermann Heimpel* (Göttingen 1972) 1063-110 at 1067-68, referring to this MS as siglum R' but not using it for the edition.)

fol. 239r-253r <Incertus auctor, **Nomina participantium in concilio Pisano**> (1409)
(**Ed.** G. di S. Teresa, 'Un nuovo elenco dei partecipanti al concilio di Pisa del 1409', *Ephemerides carmelitanae* 16 (1965) 384-411 at 391-411.)

fol. 258v-263r **Alexander V, Const.** *Rerum omnium summi*
(**Ed.** Mansi 27.83-90.)

fol. 263r-v **Alexander V, Const.** *Hodie sententiam* (See Vat. lat. 3477 fol. 317r-v for further information.)

fol. 263v-265r **Concilium Pisanum (1409), Constitutiones** (See Vat. lat. 3477 fol. 318r-320r for further information.) *Variants:*
(Rubrica) consilio *pro* concilio Pisano.

fol. 265r-268v **Alexander V, <Constitutiones>** (See Vat. lat. 3477 fol. 320r-324r for further information.)

fol. 268v-271r **Rupertus rex Romanorum, Const.** *Super lamentabile*
[(**Ed.** *Deutsche Reichstagsakten unter König Ruprecht III.* ed. J. Weizsäcker) (Deutsche Reichstagsakten VI; Gotha 1888) 479-85.]

fol. 272r-278v, 402r-410v, 441r-444r, 445r, 460r-482r, 511r-530r <**Auctores varii, Acta de**

schismate>: Antonius de Cajetanis, Epistola ad Carolum de Malatestis (fol. 481r-482r [Pisa, 26 nov. 1408: **Ed.** D. Girgensohn, 'Kardinal Antonio Caetani und Gregor XII. in den Jahren 1406-1408: vom Papstmacher zum Papstgegner', QF 64 (1984) 116-226 at 211-26, using this MS (siglum Ua)]); Benedictus XIII, Epistola ad cardinales qui ei se substraxerunt (fol. 441r-443v [**Ed.** Mansi 26.1180-84; cf. fol. 127v-130r]); Collegium Avinionense cardinalium, Epistola ad cardinales qui Benedicti XIII se substraxerunt (fol. 444r); Concilium Constantiense, Articuli contra Petrum de Luna (Benedictum XIII), fragmenta (fol. 511r-530r [**Ed.** *Magnum oecumenicum Constantiense concilium* ed. H. von der Hardt, 6 vols. in 4 (Francofurti et Lipsiae 1697-1700) IV 1231-71]), Elenchus imperfectus eorum qui interfuerunt concilio Perpignani Benedicti XIII (fol. 445r [**Bibl.** F. Ehrle, 'Aus den Akten des Afterconcils von Perpignan 1408', *Archiv für Literatur- und Kirchengeschichte des Mittelalters* 7 (1900; anast. repr. 1956) 576-694 at 654, 669-86]); Guido de Malosicco, Sermo factus in synodo Cameracensi (1383) (fol. 402r-410v [**Ed.** C.J. Hefele et H. Leclercq, *Histoire des conciles*, 11 vols. in 22 (Paris 1907-1952) 6.2 pp. 1490-1509]); Johannes I, rex Aragonum, Declaratio (fol. 276v-277v [24 feb. 1387, **Ed.** E. Baluze, *Vitae paparum Avinionensium*, ed. G. Mollat. 4 vols. (Paris 1914-1927) IV 302-04]); Johannes I, rex Castellae,

- Declaratio (fol. 272r-276r [19 mai 1381, **Ed.** Baluze, *Vitae* IV 250-56]); Parisiensis Universitas, Declaratio (fol. 278r-v (3 feb. 1383; **Ed.** Baluze, *Vitae* IV 268-69)); Petrus de Ancharano, Responsio ad dubia proposita contra Concilium Pisanum per episcopum Verdensem (fol. 462r-480r [**Ed.** *Deutsche Reichstagsakten unter König Ruprecht III.*, ed. J. Weizsäcker (Deutsche Reichstagsakten VI; Gotha 1888) 521-57]); Ulricus de Albeck, ep. Verdensis, Dubia allegata contra Concilium Pisanum (fol. 460r-462r [**Ed.** *Deutsche Reichstagsakten unter König Ruprecht III.*, ed. J. Weizsäcker (Deutsche Reichstagsakten VI. Gotha 1888) 496-503]).
- fol. 278b^r-332v, 390r-399v, 412r-439v, 447r-456r, 482v-504v, 506r-510v <**Auctores varii, Opera polemica**>: Baldus de Ubaldis, Consilium super electione Urbani VI, imperfectum (fol. 390r-397r (**Ed.** Baldus, *Opera* VII fol. 118ra-119va, then Baronius, *Annales* an. 1378 §§ 36-37 (ed. Theiner 26.304a-305b); **Bibl.** M. Seidlmayer, *Die Anfänge des grossen abendländischen Schismas* (Münster in W. 1940) 128-31; W. Ullmann, *The Origins of the Great Schism* (London 1948) 143-60]); Cataldinus de Boncompagnis, Tractatus de potestate Concilii Pisani, imperfectum in prin. (fol. 412r-439v (**Ed.** Mansi 27.450-88)); Johannes Dominici, O.P., Consilia pro Gregorio XII cum responsibus Jordani Ursini (fol. 447r-456r, 482v-504v [**Ed.** Vincke, *Schriftstücke* 40-55, 75-88, nos. 6, 7, 13, and 14, using this MS]); Petrus de Ancharano, Tractatus super schismate, fragmentum (fol. 506r-510v (**Bibl.** Souchon, *Papstwahlen* II 242-46)); Petrus de Barreria, Tractatus factus in favorem electionis Clementis VII (fol. 313v-332v [**Ed.** C.E. Du Boulay, *Historia universitatis Parisiensis*, 4 vols. (Paris 1665-1673) IV 529-55, **Bibl.** Seidlmayer, *Die Anfänge ...* 145-47]); Petrus Flandrinus, Tractatus de schismate, imperfectus in prin. (fol. 278b^r-313v [**Ed.** F. Bliemetzrieder, *Literarische Polemik zu Beginn des grossen Abendländischen Schismas* (Wien 1910) 3-71, 37*-58*]); Petrus de Luna (Benedictus XIII) (fol- 336r kein Anfang), Tractatus de principali schismate, fragmentum (fol. 397r-399v [**Bibl.** F. Ehrle, 'Aus den Akten des Afterconcils ...' at 654 and 669-86; Seidlmayer, *Die Anfänge ...* 150-55]).
- ZZ fol. 333r-387v, 399v-401v <**Auctores varii, Quaestiones disputatae super schismate coram concilio regis Castellae**>: ZZ Bonifacius de Amanatis (fol. 345v-365r); Egidius Sancii Muniones (fol. 336r-345v); Everadus de Tremaugon (fol. 365r-373r); Johannes de Aramone (Johannes Rolandi, ep. Ambianensis?) (fol. 378r-383v); Petrus custos Lugdunensis (de Tureyo?) (fol. 373v-378r); Petrus de Luna (fol. 334v-336r); Incertus auctor (fol. 399v-401v). (**Bibl.** Seidlmayer, *Die Anfänge ...* 52 ff. on the disputations held at Medina del Campo in 1381. The text of the *quaestiones* is preceded by a list of the topics on fol. 333r-334r.)

Cat. Kristeller, *Iter* II 334. **Bibl.** Miethke, 'Schriften des Juan González' 284 n. 28.

The MS is composite in nature, written in multiple hands (mostly Italic cursive) in brown ink. Initials are in ink, occasionally decorated; they are sometimes missing. e.g. on fol. 412-439. Rubrics and paragraph signs are in ink except on fol. 506-510, where they are red.

Fol. 1-271 are similar in contents and order to Vat. lat. 3477 fol. 1-327 (q.v.) they would appear to derive

from a common source. Vat. lat. 5595 lacks the satirical pieces of Vat. lat. 3477 fol. 142r-146r and 149r. It has only the beginning of the *consilium* by Franciscus Zabarella (fol. 103v) which is complete in Vat. lat. 3477; a scribal note explains, 'Dimisi quia dominus meus reuerendissimus habet ista consillia in libro rubeo'. A *consilium* of Antonius de Butrio which is defective in Vat. lat. 3477 is complete in this MS (fol. 38r-42v). A note at the top of fol. 179r indicates that the exemplar of the Pseudo-Isidore text was defective, 'deficit principium in originale'. The notations at the beginning of the quires in this section of the MS match those in Vat. lat. 3477 although the quires themselves do not correspond as textual units.

Fol. 272-530 contain a second collection of materials related to the Schism. Fol. 333-387 were apparently once a separate unit, the list of *quaestiones* on fol. 333r-334r is keyed to an older foliation system peculiar to this section. Fol. 278 is badly mutilated, retaining only its inner corners with fragments of text (the two fragments are labelled 278a and 278b). Fol. 511-530 are also severely damaged, with only triangles of text in the upper inside corners remaining. The last readable words are on fol. 529v, fol. 530r contains only a tiny scrap pasted to a larger sheet. The quires of this section have markings similar in type to those of the first part of the MS.

In the upper right corner of fol. 1r is the note 'de Castello', suggesting that the MS may have come from Castel Sant' Angelo. At the bottom of fol. 1r are the shelfmark and two scraps of paper pasted into the lower margin containing the notes 'Concilium Pisanum' and condiciones perplex latis nam stipulationes collate in arbitrium abitas(?). Fol. 139r is blank except for the words 'dominus Alfonsus'. Catchwords are centered or at the lower right. Marginal notes appear in several hands. The quire structure is very irregular; quaternions, quinions, and senions are the major types of gatherings. For the watermarks, cf. Briquet nos. 4778, 13874, 2469, 771, 1388, 13883, 7918, and 6443. The MS has a 19th-century parchment binding. Fol. 59r-60v, 98v, 107v-108v, 138v, 139v, 177r-178v, 187v-188v, 253v-255v, 271v, 388r-389v, 411r-v, 440r-v, 444v, 445v-446v, 456v-459v, 480v, 505r-v. and 530v are blank.

Vat. lat. 5597

saec. XV.2

Prov. Rome, Castel Sant' Angelo; Bulgarinus sacrista.

VII + 162 fols. + <I> chart. (memb.: fol. 163) 326 (223) x 220 (146) mm, Quiniones, saec. XV.2.

IIIr-VIIr <Tabula actorum concilii Constantiensis>

fol. 1r-160v **Concilium Constantiense (1414-1418), Acta** (Sessiones I-XXI), imperfecta (See Vat. lat. 4174 fol. 1r-166r for further information.) *Variants:*
(Finis) quo ad regna Iherusalem et Sicilie cum idem dominus /// (**Ed.** Mansi 27.531-929. The MS contains the text found in Vat. lat. 4174 plus half a page of the general session on September 16, 1416, which follows in Mansi 27 at 929.)

Cat. Kristeller, *Iter* II 334. **Bibl.** Finke, *Acta concilii Constantiensis* IV xxiii.

The MS is in two humanistic cursive bookhands in black ink: fol. 1r-157r; fol. 157v-160v. In some places blank spaces have been left for capitals. The ex-libris 'Di Castello' appears on 1r, that of 'Bulgarinus sachresto' at 11r. Fol. 162r-v is a parchment insert with drafts of documents by Pedro Luis de Santangel. 1r and fol. 163v have illegible notes; the latter also has the title 'Acta Concilii Constancien.' Yellow protective paper has been placed over most of the rubrics. I-VII were originally designated A-G. Catchwords are vertical at the lower right. For the watermarks, cf. Briquet no. 13873. The MS has a 19th-century parchment binding. Fol. 161v is blank except for the words 'nescio qua natales'. Iv, Iiv, VIIv, fol. 161r and fol. 163r are blank.

Prov. Rome, Castel Sant' Angelo; Macario di Monte Franco.

<II> + 263 fols. + 224a-d + <II> chart. 240 (174) x 250 (180) mm, origin Italy (Rome?).
Quaterniones, saec. XVI.

fol. 1r <**Nomina pontificum**> (Innocentius I - Vigilus)

fol. 2v-r **Nicolaus III, Epistola ad <Philippum> regem Franciae** (Po. 21400)

(Rubrica) Epistola Nicolai tertii papae. (Rubrica secunda *marginis*.) [De contumelia regis] De falso crimine regi temere obiecto a capellano papae. (Inscriptio) Nicolaus episcopus etc. Carissimo in Christo filio regi Franciae illustri salutem et apostolicam benedictionem. (Textus) Amaritudinem grauem quam sicut dilecti filii magistri (magistro^{ac}) St[h]ephanus decanus ... (Finis) et integritati famae tuae plenius consulatur. Dat. Viterbii xi. kl. septembris (pontificatus nostri anno primo add.cod.). (**Ed.** Martène et Durand, *Veterum scriptorum ... collectio* II 1276-78. The edition differs substantially in the inscription. The marginal rubric is by the annotator of the volume.)

fol. 3r <**Notae de patriarchis Constantinopolitanis et Alexandrinis**>

(Irregularly written on the page by the main annotator of the volume.)

fol. 4r <Tabula quarundam epistolarum>

(The entries chosen for the table often have a folio number appended.)

fol. 5r-10r, 11r-224v, 225r-256v <**Collectio Avellana**> (See Vat. lat. 3787 for further information.) *Variants:*

(Inscriptio) Dilectissimo filio Hieronymo presbytero Innocencius. (Textus) Nunquam boni aliquid contentionem fecisse in ecclesia (*ed.* p. 96) ... (Finis) cum iste talem non admittit, nec postulat curam. Et alia manu. Deus uos incolumes custodiat fratres karissimi. Dat. kl. feb. post cons. Theodosii Aug. et Iunii Quarti Palladii u.c. (post ... u.c. om. cod.; *ed.* p. 9b). (**Ed.** *Avellana*, ed. Günther, using this MS (siglum p). The order of letters here is rearranged from the usual. The MS starts with letters 42-44, followed by letters 41 (incomplete), 45-50, 51-72, 94-243, the beginning of 244, 84-93, 1-2, and 30-41 (the last complete). **Bibl.** Günther, *Avellana-Studien* 83.)

fol. 257r-258v **Gregorius diaconus** (postea Gregorius I, s.), <**Donatio**> **ad monasterium St. Andreae Clivi Scauri**

(Invocatio) In nomine Domini Dei saluatoris nostri Iesu Christi. (Inscriptio) Imperante domno Mauritio Tyberio perpetuo augusto anno sexto et post consulatum eiusdem domni nostri anno quarto, indictione sexta, uicesima octaua die mensis decembris . . . Sancto et uenerabili monasterio Sancti Andreae Apostoli, nostro loco constituto, quod appellatur Cluius Cauri (*sic*), in quo est Maximianus reuerendissimus abbas ... Gregorius indignus diaconus apostolicae sedis perpetuam salutem. (Textus) Quotiens laudis uestrae usibus licet parua

quaedam conferimus ... (fol. 258r) (Finis) ex more concedi licentiam sub stipulatione, exsponsione solennitate interposita. (Datum) Imperante domno nostro Mauritio Tyberio ... et consolatu (*sic*) suprascripto. <Subscriptions> ... (fol. 258v) (Epilogus scriptoris) Falconius scriniarius sanctae Romanae ecclesiae haec quae superius leguntur ex antiquiori tomo quae Deusdedit sanctae Romanae ecclesiae scriniarius descripserat ... descripsi et in hanc paginam transferre curavi. (Ed. MGH Epp. 2. ed. P. Ewald and L.M. Hartmann, App. I, p. 437-39, using this MS (siglum Vat.), including the scribe's epilogue. The first ellipsis in the inscription is the scribe's.)

fol. 259r **Gregorius <I (s.), Epistola> ad Maximum abbatem monasterii Sancti Andreae Clivis Scauri** (JE 1082) cum confirmatione Gregorii IX (Po. 10963) (Inscriptio) Gregorius episcopus seruus seruorum Dei dilectissimo filio Maximo (Massimo *cod.*), abbati monasterii sancti Andreae Apostoli, qui appellatur Clivus Scauri, cunctaque eius congregationi Deo ibidem seruientibus in perpetuum. (Textus) Conuersionis meae primordia reducens ad animum ... (Finis) de cuius molitur liminaribus haec quae a nobis sunt ordinata destruere. Deus te custodiat incolumem dilectissime fili. (Confirmatio Gregorii IX) Nulli ergo omnino hominum liceat hanc paginam nostre annotationis infringere ... ac beatorum Petri et Pauli apostolorum eius se nouerit incursum. Datum Later. xvii kal. septembris. Pontificatus nostri anno quartodecimo. (Ed. MGH Epp. 1, ed. P. Ewald and L.M. Hartmann, p. 14-15, in which Gregory IX's confirmation is analyzed (note to I, 14a), but not printed.)

fol. 260r **Clemens IV, Epistola ad Petrum Grossum de sancto Aegidio** (Po. 19051) (Rubrica) Breue Clementis iiii. ad nepotem scriptum post assumptionem suam. (Inscriptio) Clemens episcopus seruus seruorum Dei dilecto filio Petro Grosso de Sancto Egidio salutem, etc. (Textus) Multis de nostra promotione gaudentibus ... (Finis) sed sub piscatoris sigillo, quo Romani pontifices in suis secretis utuntur. Datum Perusii in festo sanctarum (*om. cod.*) Perpetuae et Felicitatis. (Ed. Mansi 23.1124.)

fol. 260r-v <Incertus auctor, **Nota de vita Clementis IV**>
(Textus) Hanc epistolam sanctissimus papa Clemens iiii, natione Narbonensis ante Guido Falcodii uocatus ... (Finis) Obiit hic papa Clemens anno Domini M.CC.LXV.

fol. 261r <**Testimonia prolata ex scripturis sanctis**>
(This is a short list of scriptural passages cited in the *Collectio Avellana*, with folio references, written by the annotator of the manuscript.)

fol. 261v-262r **Martinus <Polonus, O.P., Chronicon Pontificum et Imperatorum, seu Martiniana, excerpta>**
(Rubrica) Ex chronicis fratris Martini, de pontificibus Romanis qui liber uulgo Martiniana dicitur. (Textus) Cardinales ecclesiae Romanae in tres ordines diuisi, episcopos, presbyteros, et diaconos ... (Finis) Cletus papa ascripsit litteris suis

sal<utem> et apostolicam benedictionem. (Ed. Cf. MGH Scriptores 22, ed. L. Weiland, pp. 397-475 at 407, 408-09, 410. The excerpts are actually synopses of the passages cited.)

fol. 262v-263r <Incertus auctor, **Nota architectonica cum schemate**>, Italice (Rubrica) Architettura de i palazzi antiqui in Roma secundo m(agistr)o Pirrho. (Textus) II vestibolo era fuori della casa con alcuni balaustri ... (Finis) nella camera detta cubicullum che era sopra il portico. (The notes are annotations of a ground plan of an ideal Roman house which covers the facing leaves, the front of the house being at the right margin of fol. 263r.)

fol. 263v,. <Index collectionis Avellanae, in parte>
(Written over a period of time, these notes form a partial index by the main annotator of the volume.)

Bibl. *Avellana*, ed. Günther I xxx-xxxii; the description is incomplete for the non-Avellana sections.

The *Collectio Avellana* was written in varying shades of brown ink by two scribes, the first in a late cursive bookhand (fol. 5r-10r, 11r-14v, 208r-256v), the second in a quicker secretarial hand (fol. 15r-208r). The second scribe may also have added the Gregorian letter on fol. 257r-258v; however a different scribe, though contemporary, added the letters on fol. 2r-v and 260r-v. Fol. 259, written in a earlier cursive bookhand, is slightly smaller and was tipped in. All the other pieces were written by an annotator who added extensive marginalia throughout the volume, including notations in space originally left blank on fol. 10v und 14v. The note on fol. 10v identifies itself correctly as a repetition from 'fol. xix', that is the last six lines of fol. 33 of the new enumeration. There is no decoration. The former foliation shows that originally fol. 15 was fol. 1 and that this version of the *Avellana* originally began with Ep. 50. At the top of fol. 1r is the ex libris 'Di Castello' and, in a different hand, the note, 'Dil. filio Macario de Monte Franco scholari Spoletanae dioc. familiari nostro', above which the initial 'M' heads the page. When the volume was rebound, the notations on the former pastedowns were glued to the new guard folios, both in front and at back. Those on <II>r are: 1) a reference to 'folio 80.b.'; 2) a note on Martinus Polonus's *Chronicon*; and 3) a series of Greek words with their Latin equivalents; most of them are medical terms. The notes on <+I>v seem to be a continuation of the informal index on fol. 263v, which they originally faced. For watermarks, cf. Briquet 7629, 6098, and 59. The binding is 19th-century parchment on boards. Fol. 224a-d are blank except for their former folio numbers (211-214); <I>r-v, <II>v, fol. 1v, 3v, 4v, 259v, <+I>r and <+II>r-v are blank.

Vat. lat. 5637

saec. XVI

708 fols. + 119a + 121bis-122 chart. 330 (252) x 228 (148) mm, origin Italy. Quiniones, saec. XVI.

fol. 1r-3r <Tabula extravagantium>

fol. 5r-708v **Egidius de Bellamera, Commentaria in extravagantes**
(Rubrica) Extrauagantes Bonifatii VIII. Capitulum piae sollicitudinis.
Commentum extrauagantium sub titulo de prebendis domini Egidii episcopi Auinionensis. (Inscriptio) Bonifatius episcopus seruus seruorum Dei ad

perpetuam rei memoriam. (Lemma primum) *Pie sollicitudinis studio etc.*: Casus breuis. Beneficia ecclesiastica que tempore date huius constitutionis per unum mensem ... (Finis) si in suis excesserint officiis pro suo libero arbitrio puniendi. (Colophon) Scriptor qui scribat cum Christo uiuere possit. Amen. Deo gratias. Explicit commentum domini Egidii de Bellamera episcopi Auinionensis super extrauagantibus domini Bonifacii pape octauo et aliorum pontificum usque ad Urbanum quintum.

Bibl. Gilles, 'Gilles Bellemère' 402, *Extravagantes Iohannis XXII*, ed. Tarrant, 2(-3) n. 3. Sella, 'Nuove sigle' 12.

Despite mention in the table, the *Tractatus de indulgentiis* was not copied at fol. 48r, where it should occur. The MS is written in a cursive hand in black ink. For the watermarks, cf. Briquet nos. 47, 3338, 6291, and 4835. The parchment binding of indeterminate age has been restored. Fol. 3v-4r are blank.

Vat. lat. 5638

saec. XVI

<II> + 386 fols. chart. 286 (245) x 210 (153) mm, Quaterniones, saec. XVI.

fol. 1r-28v **Leo IX, Epistolae quinque**

(Epistola prima) (Rubrica) Incipit libellus domni et reuerentissimi papae Leonis noni aduersus inauditas praesumptiones ... (Inscriptio) Leo episcopus seruus seruorum Dei Michaeli Constantinopolitano et Leoni Acridano (*add. al. man.*) episcopis. (Textus) Capitulum I. In terra pax hominibus bonae uoluntatis (Luke 2.14). Huiusmodi exordium docuit nos illud ... (fol. 26v-28v) (Epistola ultima) (Rubrica) Eiusdem ad imperatorem Constantinopolitanum. (Inscriptio) Leo episcopus seruus seruorum Dei glorioso et religioso imperatori nouae Romae Constantino Monomacho dilecto filio sal<utem>. (Textus) Quantas gratias referre iugiter debeamus creatrici et gubernatrici ... (Finis) honorabilis et desiderabilis nobis in Christo fili et gloriose Auguste. Amen. (**Bibl.** The letters are: JL 4302 (fol. 1r-18r); JL 4295 (fol. 18v-19r [**Ed.** *Bullarium Romanum* I 626f.]); JL 4297 (fol. 21r-23v); JL 4332 (fol. 23v-26v); JL 4333 (fol. 26v-28v).)

fol. 29r-263v **Gregorius VII, Epistolae** (See Vat. lat. 4907 fol. 1r-225r for further information.) *Variants*:

(Rubrica) Gregorii papae vii *pro* septimi Gregorii pape (Epistola prima) (Inscriptio) vii *add. post* Gregorius; (fol. 256r-v) (Epistola ultima) (Inscriptio) episcopus seruus seruorum Dei *om.*: Gilielmo *pro* W. (Textus) Petrum *pro* P. (Finis) principum *pro* principiam.

fol. 265r-358v **Gregorius VII, Epistolae** (See Vat. lat. 4907 fol. 1r-225r for further information.) *Variants*:

<Inuocatio, rubrica, praefatio et epistola prima desunt.> (Epistola secunda) (Rubrica) Ex primo libro. (Inscriptio) Gregorius in Rom<anum> pont<ificem> electus Gisulpho Salernitano principi salutem in Christo Iesu. (Textus) Dominus

noster Alexander papa mortuus est cuius mors super me cecidit ... (Finis) (lib. IX ep. 13) nullam exinde lesionem faciatis uel fieri permittatis.

fol. 359r-382r <**Auctores varii, Epistolae ad sedem archiepiscopalem Salernitanam**>, nominantur: Johannes XV* JL 3833 (fol. 359r-v), JL 3852 (fol. 359v-360v [**Ed. Bullarium Romanum** I 462]); Sergius IV, JL 3988 (fol. 360v-361v [**Ed. Bullarium Romanum** I 493]); Benedictus VIII, JL 4011 (fol. 361v-362v [**Ed. Pflugk-Harttung, Iter** II 62]), JL 4012 (fol. 362v-364r [**Ed. Pflugk-Harttung, Iter** II 61-62]), JL 4027 (fol. 364r-365r [**Ed. Pflugk-Harttung, Iter** II 63]), JL 4032 (fol. 365r-366r [**Ed. Pflugk-Harttung, Iter** II 64f.]); Clemens II, JL 4143 (fol. 366r-368r [**Ed. Bullarium Romanum** I 576f.]); Leo IX, JL 4259 (fol. 368r-369v [**Ed. Bullarium Romanum** I 608-10]); Stephanus IX, JL 4386 (fol. 369v-372r [**Ed. Pflugk-Harttung, Iter** II 82-84]); Alexander II, JL 4636 (fol. 372r-374r [**Ed. Bullarium Romanum** II 50f.]), JL 4635 (fol. 374r-375v); Gregorius VII, JL 5287 (fol. 375v-376r [**Ed. Pflugk-Harttung, Iter** II 139]); Urbanus II, JL 5707 (fol. 376r-378v [**Ed. Bullarium Romanum** II 190-92]), JL post 5466 (fol. 378v-379v [**Ed. Pflugk-Harttung, Iter** II 149-50]), JL 5739 (fol. 379v), JL post 5707 (fol. 379v-380r [**Ed. Pflugk-Harttung, Iter** II 164-65]); Paschalis II, JL 6583 (fol. 381v [**Ed. Pflugk-Harttung, Iter** II 172-73]), JL 5931 (fol. 381v-382r [**Ed. Pflugk-Harttung, Iter** II 178f.]) Otto II imperator (fol. 380r-381v).

fol. 382r-<+I>r <Index materiae>

(<+I> is the inside of the back cover; its contents were most likely for the personal use of the owner. The material includes references to folios and letter numbers in this MS.)

Bibl. J. von Pflugk-Harttung, *Iter Italicum* (Stuttgart 1883) ZZ 128. Peitz, *Originalregister* 114-15, listing fol. 29r-264r (*sic*) as a copy of his Excerpt A and fol. 265r-358v as a copy of Excerpt B; see also MGH Epp. Sel. 2.1. ed. E. Caspar, pp. vii-viii.

The letters of Gregory VII are in a different numeration from that of the edition. The following letters, cited by the number in the edition, are missing from the MS: Liber I 4, 31; Liber II 16; Liber IV 5; Liber IX 12, 22.

The MS was written in black ink by several 16th-century scribes, all in secretarial cursive, except fol. 359r-382r which are in a formal cursive bookhand. The MS has no decoration. <I>-<II>, written in an informal hand, contain patristic and biblical references on the primacy of Peter. There are further notes on the inside front cover. On fol. 29r-261r, the quires are marked 'A' through 'G.g.' on the last recto. For the watermarks, cf. Briquet nos. 12235 and 7100. The MS is in a soft parchment binding, perhaps original. Fol. 342r is blank except for one line repeated at the beginning of fol. 343r. Fol. 29v, 264v, and 342v are blank.

Vat. lat. 5709

saec. XIV

120 fols. memb. 189 (140) x 134 (96) mm, origin Germany. Seniones, saec. XIV.

fol. 1r--v, 120ra-vb <Incertus auctor, **Commentaria in Apocalypsim**>, fragmenta (Apoc. 2.13)

(These leaves are Italian from the 13th-century.)

- fol. 2ra-89va <**Nicolaus de Anesiaco O.P., Tabula Decretalium et Libri Sexti**> (See Vat. lat. 2685 fol. 6rb-17va, etc. for further information.) *Variants:*
(Praefatio) Sicut spiritualia et temporalia differunt, extra de renunciatione (*leg. translatione*) Inter corporalia (X 1.7.2). (fol. 2rb-21va) <Tabula titulorum et capitulorum>. (Colophon) Explicit tabula super decretales. (**Bibl.** Kaeppli, *Scriptores* III 142 no. 3031 II.)
- fol. 89va-93vb **Nicolaus de Anesiaco O.P., Tabula <Constitutionum Clementinarum>** (See Vat. lat. 2685 fol. 31rb-32vb for further information.)
Variants:
(Textus) a *add. post annum* (Colophon) Explicit tabula super 7^m f<ratris> N<icolai> de Anesiaco ordinis fratrum predicatorum. (**Bibl.** Kaeppli, *Scriptores* III 142 no. 3031 III.)
- fol. 94ra-107ra <**Nicolaus de Anesiaco O.P., Tabula Decreti**> (See Vat. lat. 2685 fol. 32vb-36vb for further information.) *Variants:*
(Textus) suo *om.* (Colophon) Explicit explicat ludere scriptor eat. Scribere qui nescit nullum putat esse laborem. Tres digiti scribunt corpus tamen omne laborat. (**Bibl.** Kaeppli, *Scriptores* III 142 no. 3031 I.)
- fol. 107rb-110rb **Ludovicus IV, <Const. Fidem catholicam> (1338)**
(**Ed.** H.-J. Becker, 'Das Mandat "Fidem catholicam" Ludwigs des Bayern von 1338', DA 26 (1970) 494-512 at 496-512, using this MS (siglum V). **Bibl.** R. Scholz, *Unbekannte kirchenpolitische Streitschriften aus der Zeit Ludwigs des Bayern (1327-1354)* (Rome 1911-1914. anast. repr. Torino 1971) I 7.)
- fol. 110va-119rb **Sybertus <de Beka O.Carm.ZZ , Reprobatio sex errorum>**
(Rubrica) Errores quos asserunt quidam magistri sunt isti. (Praefatio) Primo dicunt quod omnia temporalia ecclesie subsunt imperatori ... (fol. 110vb) (Rubrica textus) Responsio fratris Siberti magistri de Carmelo. (Inscriptio) Pater sanctissime. (Textus) Ad VI articulos mihi fratri Sybertio priori prouinciali fratrum de Carmelo per prouinciam Alemannie inferioris ex parte uestre sanctitatis mihi destinatos ... (fol. 119ra) (Finis) et precipue in fine tercii articuli dicebatur. (Colophon) Explicit liber scriptor sit crimine liber. Omnibus est notum quod multum di(fol. 119rb)ligo potum. (**Ed.** and **Bibl.** Scholz, *Streitschriften* I 7 and II 3-15, from this MS: B.M. Xiberta, *De scriptoribus scholasticis saeculi XIV ex ordine Carmelitarum* (Bibliothèque de la Revue d'histoire ecclésiastique 6: Louvain 1931) 146-47 and 164-66, printing parts of the text.)

Bibl. F. Sinatti d'Amico, 'Gli Indici titulorum et legum del Corpus iuris civilis', *Atti del Convegno internazionale di Studi Accursiani (Bologna, 21-26 Ottobre, 1963)*, ed. G. Rossi. 3 vols. (Milano 1968) II 521-76 at 535 and n. 24.

The MS is in a gothic bookhand in brown ink. Capitals and paragraph signs are red or blue. Catchwords are framed at lower right. The modern shelfmark and a note on the contents in the same hand appear on fol. 1r.

The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. Fol. 119v is blank.

Vat. lat. 5711

saec. XIV (ca. 1334-1342)

Prov. Avignon. Papal library (?).

<I> + 65 fols. - 1 - 13 - 48 - 49 memb. 280 (188) x 204 (136) mm, origin Avignon (?).

Quaterniones, saec. XIV (ca. 1334-1342).

Ira-rb (*recte* i^{va}-vb, ra-rb) <Incertus auctor, **Commentaria in Apocalypsim**>, fragmentum (Apoc. 9.16-17)
(<I>va) (Textus) /// demones non permetterentur omnino facere ... (Lemma primum) *Et numerus equestris Exercitus* idest numerus equorum ... (<I>rb) (Lemma ultimum) *et capita: ...* (Finis) capite ipsorum <que> sunt /// (The text is trimmed at the bottom of the folio.)

fol. 2r-9v **Provinciale Romanum cum diversis appendicibus**

(Inc. imperf.) [Archiepiscopus Regin. habet hos] suffraganeos: § Cassanen. ... (fol. 8r) (Finis) § Archiepiscopus Cambaliensis in dominio Tartarorum creatus de nouo per dominum Clementem papam V. (Appendix) Ex parte uero Egipti detinet Soldanus super Maritimam Scalonam ... (fol. 9v) (ultima) Imperator Adrianus fecit Secundo philosopho istas V questiones de homine ... (Finis) fames sitis calor frigus infirmitas et mors.

Bibl. H. Börsting, *Das Provinciale romanum mit besonderer Berücksichtigung seiner handschriftlichen Überlieferung* (Lengerich i. W. 1937) 7, 33, 61, citing this MS. (siglum D8.); Herde I 109 giving incipits for most of the appendices, and I 112 discussing an addition (fol. 8r, after the end as quoted above) concerning the metropolitan see of Matrek established in 1349; R.Elze, 'La corona imperiale di paglia', *Cultura e società nell' Italia medievale. Studi per Paolo Brezzi* (Roma 1988) 342 with note 23, discussing appendices to the Provinciale in general and indicating old editions for some of them, but not considering this MS.

fol. 9vb-vc <**Tabula pro computatione Paschae**>

(In the lower margin, a later hand has added some notes.)

fol. 10r-15v **Kalendarium**

July and August are missing due to the loss of fol. 13. Use in the Avignonese curia is evident from annotations recording elections, coronations and death dates of various 14th-century popes; see the examples printed by Herde I 110s. This interesting calendar needs a profound analysis, in which the relation to Lyon and the dating to the year 1343 mentioned by Salmon, *Manuscripts liturgiques IV* 365 (after Bannister) should be checked. (**Bibl.** *Manuscripts* ed. Salmon IV 365. July and August are missing; the calendar is annotated with notices of events during the pontificates of Clement VI and the anti-pope Clement VII, some of which are printed in Herde, *Audientia* I 110-11.)

fol. 16r Tabula de diebus Paschae, 1344-1399

(An additional entry intended to give the date of Easter in 1400 (not 1308, as in Herde, *Audientia* I 109) was added in a slightly later hand. The text reads 'm ccc viii^a die aprilis', the correct date for 1400? is 18 April.)

fol. 16v <**Preces duae**>

(Rubrica) Precus agnus Dei. (Textus) Agnus Dei miserere nobis ... Balsamus et cuiusdam cera ... (Finis) ab hoste triumphum (The prayes are in two 15th-century cursive hands.)

fol. 17r-68v <**Formularium audientiae litterarum contradictarum**>, recensio vulgata (Textus) Et notandum est quod litterarum domini pape alie bullantur cum serico alie cum filo canapis ... (Textus ultimus) (Rubrica) Quod abbas possit dispensare cum monachis monasterii sui. Dilecto filio ... abbati Premonstraten. Constitutus in presentia nostra ... (Finis) dispenses, prout secundum Deum etc. (**Ed.** Herde, *Audientia* II passim, using this MS (siglum A); cf. the analysis of contens I 109-10. The last item is at II 567. Fol. 21r-23r: **Ed.** G. Barraclough, 'The chancery ordinance of Nicholas III', QF 25 (1933-34) 192-250 at 236-50, using this MS: siglum B5.)

fol. 63v-65v <**Marinus de Ebolo**>, **Tractatus super revocatoriis**; imperfectus (See Vat. lat. 3976 fol. 150v-153r for further information.) *Variants*: (Rubrica) Incipit Tractatus de reuocatoriis. (Finis) non admisit alia erit conclusio ut infra dicitur. (**Ed.** Herde, 'Marinus von Eboli' 196-229, using this MS (siglum A); the MS ends on p. 214 of the edition.)

fol. <+I>r <Incertus auctor, **Commentaria in Apocalypsim**>, fragmentum (Apoc. 10.9-11.1)

(Textus) <Colli>gite fragmenta ne pereant sicut dicitur Jo. vi. (Jo. 6.12) (Lemma primum) *et faciet amaricari uentrem tuam (sic)*, id est mentem tuam ... (Finis) ad penitentiam /// dictum est. (Rubrica) Capitulum xi. (Lemma ultimum) *Et datus est mihi cala<mus> ///* (This piece is from the same text as the leaf at the front of the MS. The folio is glued in on inside front cover in upside down.)

Bibl. Herde, *Audientia* I 108-13. describing this MS (siglum A).

The main texts of the MS as describing above were written in the first half of the 14th-century in one even southern French cursive hand with red rubrics and initials; fol. 17r (beginning of the Formulary) opens with a blue initial. The same hand filled the free space fol. 9v (after the last appendix to the Provinciale) with a table of the golden number for the easter date. Later hands supplied lists of explicit easter dates for the period 1344-1399 on fol. 16r and for 1436-1530 on fol. 56v-57v. Further additions, annotations and pen proofs from many different hands attest continous use of the MS until the beginning of the 16th-century; see the discussion in Herde I 112f. Folios have been counted in Roman numerals I-LXVI at a very early date, perhaps by the scribe himself; since there is no other foliation at all, this one is followed here using the arabic equivalents. Fol 1, 13, 48, 49 and 66 are cut away. For the irregular quire composition see Herde I 110. There is an unnumbered guard folio in front and a folio glued in on the inside back cover, both of them cut out from a late 13th-century MS containing an Apocalypse commentary (covering Apoc. 1.16-17 and 10.9-11.1); these fragments are from the same MS as those conserved in Vat. lat. 5715. On the upper margin of the front guard folio a 16th-century hand wrote as title of the MS: Memorialia /// pro curia

Romana, which was transformed by a 17th-century hand into: Formularium pro procuratoribus seu sollicitatoribus cancellariae curiae Romanae, adding the actual shelfmark. The MS has a 16th-century (Gregory XV / Cobeluzzi) binding in red leather with gold impression on wood covers, which may be medieval. A number of folios are partly blank (to allow for additions): fol.30r and 63r are blank.

Vat. lat. 5715

saec. XII.2

<I> +136 fols. + <I> memb. 255 (202) x 185 (133) mm, origin South France (?).
Quaterniones, saec. XII.2.

<I>r-v, <+I>r-v (*recte* <+I>v, <I>r, <+I>r, <I>v) <Incertus auctor, **Commentaria in Apocalypsim**>, fragmentum (10.5-8)
/// abscondere bonum est. Opera autem Dei reuelari et confiteri honorificum est. (Lemma primum) *Et angelus*: hic incipit .ii. pars huius capituli ... (Finis) quia liber exemplaris in iudicio apertus omnibus appare /// (The fragment is composed of a single large leaf, cut in half and used as front and back guard folios. The top of the leaf is at the back. It is written in fine *littera quadrata* with the lemmata underlined by a later hand. The running titles (Apoca - lypsis) are in alternating blue and red letters. Some lines are lost along the cut, but the text can be followed from the bottom of the 'a' columns to the top of the 'b' columns.)

fol. 1ra-126ra <**Collectio Caesaraugustana**, recensio 3> (*olim* recensio 2)
(Rubrica) De ratione et auctoritate et que cui preponenda sit pro emenda sint?. Augustinus in libro ii. de ordine. (Textus) Ad discendum dupliciter ducimur, auctoritate atque ratione ... (Excerptum ultimum) (Rubrica) Ex con. Magociensi. (Textus) Qui Ierosolimam Romam Turonumue et alia sanctorum loca sub orationis pretextu ... (Finis) horum est deuotio modis omnibus collaudanda. (The collection is unedited. The MS lacks the last, incomplete, canon of its exemplar, Paris, BN 3876 fol. 136v. **Bibl.** *Pelagii I epistulae*, edd. Gassó et Batlle xxxv-xxxix, reexamining the MS tradition of the *Caesaraugustana* and replacing Fournier's two recensions with three, wherein this form becomes *recensio 3*, with a short description of this MS at xxxviii-xxxix, and collating this MS for the Pelagian letters (siglum C₄.) (see also Barb. lat. 897 for recension 2 (*olim 1*); S. Kuttner and W. Hartmann, 'A new version of Pope John VIII's decree on sacrilege (Council of Troyes, 878)', *BMCL* 17 (1987) 1-32 at 26-27 and nn. 14-15, clarifying the new Gassó-Batlle division of the recensions (note that all previous scholarship, including the remaining bibliography included here will list this MS as belonging to *recensio 2*, except as noted); P. Fournier, 'La collection canonique dite "Caesaraugustana", ' *Nouvelle revue d'histoire de droit français et étranger* 45 (1921) 52-79, repr. in Fournier, *Mélanges* II 815-41, mentioning this MS at 54 (816), 59 (821), and 71 (833) and n. 1; Fournier-LeBras, *Histoire* II 269-84 at 270 and 281-83 (this is basically a light reworking of the previous piece); ZZ Ballerini. *De antiq. coll.* PL 56.352; R. Somerville, 'The French councils of Pope Urban II: Some basic considerations', *AHC* 2 (1970) 56-65 at 64 n. 40, citing from fol. 84v; G. Giordanengo, 'Epistola Philiberti. Note sur l'influence du droit féodal savant dans la pratique du Dauphiné médiéval', *MEFR* 82 (1970) 809-53

at 817 n. 1. on the presence of Fulbert's letter to William V of Poitou, under the title *de forma fidelitatis*, at fol. 37r; U.-R. Blumenthal, *The early councils of Paschal II. 1100-1110* (Toronto 1978) 103-06 and nn. 9 and 13, editing the anti-investiture canon of 1108 (fol. 48r); Brommer, 'Rezeption' 135, on the live excerpts from Theodulph, but reversing the recensions and calling this recension 1; Gilchrist, 'Reception' part 2 pp. 207-09, listing 15 excerpts from Gregory VII in this collection by folio number, and 221-22; idem, 'The Gregorian Reform Tradition and pope Alexander III', *Miscellanea Bandinelli* 61-87 at 279, 281-283, using this MS (siglum Caes.) is his discussion of the transmission in this collection of the Autumn synod of 1078. Mordek, *Kirchenrecht* at 139 n. 188, noting three Pseudo-Siricius texts in this collection (fol. 76vb) drawn from the *Herovalliana*; Gossman, *Urban II* 62-67, listing the excerpts from Urban II by folio number; L. Fowler-Magerl, 'Vier französische und spanische vorgratianische Kanonensammlungen'. *Aspekte europäischer Rechtsgeschichte. Festgabe für Helmut Coing zum 70. Geburtstag*, ed. C. Bergfeld et al. (Ius Commune, Sonderheft 17; Frankfurt a.M. 1982) 123-46 at 144-46 (using the new recension structure); F. Patetta, 'Per la storia del diritto romano nel medio evo', *Studi sulle fonti giuridiche medievali* (Torino 1967) 161-85 at 172-76 on the presence of the *Exceptiones Petri* in recensio 2 (at fol. 61, 66, and 87-88) with an excursus at 173 on the presence of the *exceptio ex decretis Gratiani* (fol. 54r-v); P. Weimar, 'Zur Entstehung des sogenannten Tübinger Rechtsbuchs und der *Exceptiones legum Romanorum des Petrus*', *Studien zur europäischen Rechtsgeschichte*, ed. W. Wilhelm (Frankfurt a.M. 1972) 1-24, at 3-6 redating this recension based on his discovery of an excerpt from a decretal of Hadrian IV fol. 54va, but only noting at 'Die legistische Literatur der Glossatorenzeit', in Coing, *Handbuch* I 256, that the decretal is a marginal addition in a different hand; S. Kuttner, 'Research on Gratian: Acta and agenda', *Proceedings Cambridge* 3-26 at 19 n. 46, correcting the common assumption that the *exceptio ex decretis Gratiani* is an excerpt from the *Abbreviatio 'Quoniam egestas'* and noting instead that a) it is not a later addition; b) it is taken directly from C.16 q.1 p.c.41 §1 - p.c.45, including Gratian's dicta; and c) this is the earliest reference to the *decreta Gratiani* - spelling from this MS.) Brett, Mir Proc. 161.

fol. 126rb-128va <**Catalogus pontificum**> (Petrus - Innocentius II)

fol. 128va-vb <**Catalogus regum Francorum**> (Pepin - Ludovicus VII)

fol. 128v <**Schema affinitatis**>

(Ed. Cf. PL 161.671-72 for a similar schema in Ivo's *Decretum*. **Bibl.** Cf. Schadt, *Arbores* 62-63 for this type of schema.)

fol. 129ra <**Expositio schematis**>

(Rubrica) De primi gradu (*sic*) natura. (Textus) Auctor generis mihi pater est.
 (Rubrica) De secundo gradus (*sic*) affinitate. (Textus) Secundus gradus filius ac filia.
 (Rubrica) De .iii. parentele gradu. (Textus) Tercius gradus ex duobus fratribus germanis nati, fratruales uocantur ... (Finis) Septimus gradus exebrini

exebri. Finit. (This is a short explanation of the schema, which, in the exemplar, appears immediately below the illustration.)

fol. 129ra-rb <**De consanguinitate**>

(Textus) Pater matris mee auus meus est. Frater matris mee de eodem patre natus ... (Finis) nec uita succedentibus propagari potest. (Ed. Cf. PL 81.357-60. Like the preceding piece, this is obviously drawn from Isidore's *Etymologiae*, but it differs from other similar texts.)

fol. 129v <**Arbor consanguinitatis**>

fol. 129va-vb <**Tractatus de consanguinitate**>

(Textus) Scemata (Stemmata *ed.*) dicuntur ramusculi quos uocati (*aduocati ed.*) ... ille auus, ille agnatus. Hec consanguinitas dum se paulatim propaginum ... gradibus terminatur (*terminaretur ed.*). Vir sexum signum (*significat ed.*) non coniugium nisi adicias (*adieceris ed.*) eius. ... (Finis) Suizugia quid est sui conzugia iunctio. Inde suizugia unctio pedum. (Ed. Cf. PL 82.360-66. These texts are worked around the top of the tree, Isidore's *Etymologiae* 9.6.28 running along the top as a title and then stopping short at the tree on the second line. Continuing down the left side is *Etymologiae* 9.6.29. The text on the right side starts as *Etymologiae* 9.7.1. but rapidly diverges. It is faithful to its exemplar. The ending has been trimmed off in the exemplar and is caught in the binding here.)

fol. 130ra-131rb <Incertus auctor, **Expositio missae**>

(Textus) Gratia sancti Spiritus infundente dicendum est quid rationis obtineat in se diuersitas illa qui agitur in officii (*sic*) missae ... (Finis) Sed ante sacrificium clericis non nisi renatis licet interesse. Finit.

fol. 131rb-132rb <Incertus auctor, **Expositio horarum liturgicae**>

(Textus) Diabolus in .xl. acrius humanum genus impugnat ... (Finis) ad uespertinum .v. psalmos antiphonatim canimus.

fol. 132va-136vb **Bruno Segniensis (s.), <Tractatus de sacramentis ecclesiae, mysteriis atque ecclesiasticis ritibus>**, imperfectus

(Rubrica) Epistola episcopo Magalonensi transmissa a Bruno composita.

(Inscriptio) Dilectissimo fratri G<alterio> imagonalensi (*sic*) episcopo B<runo> Signensis episcopus salutem. (Textus) Dum (Cum *ed.*) Rome quondam in Insula in domo episcopi Portuensis simul essemus ... (Finis) Unguantur igitur manus episcopi ZZ pietatis et oleo misericordie, nemini (Ed. PL 165.1089-1110. The MS is missing the last 6 lines of the edition's text, breaking off at the end of the folio and quire.)

Bibl. F. Patetta, 'Per la storia ...', describing the MS at 172(-73) n. 1.

The MS is written in a late Carolingian minuscule in dark brown ink by a single scribe. It appears to be a clean copy of Paris, BN lat. 3876, in which one of the hands is remarkably similar to this MS. The MS is now mutilated and, given the text of its exemplar, it may be assumed that an entire final quire is now

missing. Fol. 1ra opens with a roughly done multicolored initial. The books of the *Caesaraugustana* are only set off by enlarged, lightly decorated red capitals. Similar capitals open the other tracts and appear irregularly (matching their exemplar) on fol. 132-136. Chapter capitals and rubrics are red throughout. <I>r has a note scratched out and the old title 'Collectio canonum'. The MS has a 17th-century binding of red leather over wood boards.

Vat. lat. 5737

saec. XV.2

148 fols. memb. (chart.: fol. 96a, 116a) 375 (247) x 265 (150) mm, origin Italy (?).
Quiniones, saec. XV.2.

fol. 1r-11v **Provinciale**, imperfectum

fol. 12r-17r **Benedictus XII, Const.** *In agro dominico* (See Vat. lat. 2663 fol. 7r-11v for further information.)

(A 16th-century note in the margin indicates that the text was corrected from that in Vat. lat. 5744.)

fol. 17r-22v <**Taxationes litterarum poenitentiariae**> (See Vat. lat. 3994 fol. 9v-18v for further information.) *Variants:*

<Rubrica deest.> (Inscriptio) Gancellmus *pro* Gaucelmus.

fol. 22va-29va <**Provinciale**>

(The list is constructed alphabetically, rather than by provinces.)

fol. 29va-33r **Constitutiones et statuta officii <scriptorum poenitentiariae>** (See Vat. lat. 2663 fol. 16r-20v for further information.) *Variants:*

<Rubrica deest.> (Textus) Item servanda sunt ea, que continent duo iuramenta quorum et unum in manibus maioris penitentiarii (Ed. Göller, *Die päpstliche Pönitentie* 1.2 pp. 59-70, using this MS (siglum B). The MS lacks the first few lines of the edition.)

fol. 33r-v <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)

fol. 34r-36r <**Regulae et bona notabilia pro commissariis poenitentiariae**> (See Vat. lat. 2663 fol. 21rb-23v for further information.) *Variants:*

<Rubricae desunt.> (Textus) solum *add. post* aliquo (Finis) nota *pro* uero.

fol. 36r-38v <**Exempla de modo intitulandi commissarios poenitentiariae**> (See Vat. lat. 2663 fol. 23v-26r for further information.) *Variants:*

<Rubrica deest.> (Textus) Vicariis ... scribitur *om.*

fol. 38v-42r <**De modo scribendi litteras poenitentiariae**> (See Vat. lat. 2663 fol. 26r-30r for further information.)

fol. 42r-v <Tabula ordinum monasticorum>

fol. 42v-44r **Notabilia de potestate maioris et minoris poenitentiariorum et de modo signandi supplicationes** (See Vat. lat. 2663 fol. 30v-32r for further information.)

Variants:

<Rubrica deest.>

fol. 44r-46v **Regulae novae et antiquae <de poenitentiario>** (See Vat. lat. 2663 fol. 32r-34r for further information.) *Variants:*

(Textus) de Portugalia *om.* (Finis) domini *om.*

fol. 46v-50r <**Summa de absolutionibus et dispensationibus**, sive Summa Nicolai IV cum additionibus> (See Vat. lat. 2663 fol. 34r-38v for further information.)

Variants:

<Rubricae desunt.> (Praefatio) ccxc^o *pro* nonagesimo (Textus) ignorante beneficiato *om.* (Finis) et iuris dictamine castigandi ut ceteris transeat in exemplum *add.*

fol. 50r-51r <**Gaucelmus Johannis Deuza, Supplicatio ad Clementem VI, cum rescripto papae**> (See Vat. lat. 2663 fol. 38v-39v for further information.)

Variants:

<Rubrica deest.> (Finis) licentia *pro* etc.

fol. 51r-61v <**Innocentius VI, Urbanus V, Gregorius XI, Urbanus V, Concessioniones potestatis poenitentiariorum**> (See Vat. lat. 2663 fol. 39v-47v, 50r-52r for further information.) *Variants:*

(Finis) pater dominus cardinalis Nucerinus maior penitentiarius et die lune. (The text ends on p. 32 of the edition in Göller, *Die päpstliche Pönitentiarie*, cf. n. i.)

fol. 61v-62r **Johannes XXII, Const. Cum Matheus** (Extrav. comm. 5.3.3).

fol. 62r-v **Clemens <VI, Const.> Dudum felicitis recordationis** (See Vat. lat. ZZ 2663 fol. 48r for further information.) *Variants:*

(Praefatio) Cum Matheus dictam extrauagantem seu constitutionem perpetuam fecit ... predictos conseruatores uel alios.

fol. 62v: quauis auctoritate scienter uel ignoranter contingerit attemptari ... Nulli etc. Datum etc.

fol. 62v-63r **Innocentius <VI, Const.> Apostolicae sedis** (See Vat. lat. 2663 fol. 48v for further information.)

fol. 63r-146v <**Formularium poenitentiariae**>, imperfectum

(Rubrica) Notabilia bona pro formulario subscripto. (Praefatio) In primis ne aliquis abutatur formis subscriptis ... et sicut mutatur etiam potestas, ita etiam mutande sunt forme. (Rubrica textus) Incipiunt forme, de quibus supra dictum est in prologo. Primo de symonia: ... die xxre celebrari. xxx Maria.) (Formula prima)

(Inscriptio) (V)enerabili in Christo patri Dei gratia episcopo Constantiensi uel eius uicario in spiritualibus Philippus ... (Textus) Cum monasterii sancti Galli ... (Finis) super sic susceptorum ordinum execution (*sic*) dispensetis misericorditer cum eodem. Datum etc. (This formulary seems to be a revision and abbreviation of that of Walter of Strassburg (cf. Vat. lat. 2663 fol. 53r-330r), lacking Walter's dedicatory letter and preface entirely. The Philippus of the inscriptions is Filippo Calandrini, cardinal penitentiary c. 1458-76. There are breaks in the text at fol. 96v-97r and 116v-117r. **Bibl.** F. Tamburini, 'Note diplomatiche intorno a suppliche e lettere di Penitenzieria (sec. xiv-xv)', AHP 11 (1973) 149-208 at 175 n. 2 and 205 n. 16, mentioning this MS.)

Bibl. Göller, *Die päpstliche Pönitentiaria* I.1 pp. 69-70, describing this MS (siglum B); Haskins, 'Papal penitentiary', *passim*.

The MS was written in black ink with chancery flourishes, in three handsome late 15th-century humanistic hands (fol. 1r-96v, fol. 97r-116v, fol. 117r-146v). Opening capitals are frequently missing; when present they are red, sometimes decorated in ink, on fol. 97-98 red and green. Rubrics are lacking on fol. 1r-50v, red on fol. 51v-116v, then in ink. Paragraph signs are red, on fol. 97-98 alternately red and green. (There is no color on fol. 117r-146v.) Catchwords are at the lower right, sometimes vertical along the inner margin line. The MS has an old parchment binding. Fol. 96a^{r-v} and 116a^{r-v} are blank.

Vat. lat. 5744

saec. XVmed. (1449)

Prov. Johannes Nicolaus Hanheymer(?).

106 fols. chart. (memb.: fol. 1 et 106) 215 (175) x 160 (113) mm, origin Rome.

Quaterniones, saec. XVmed. (1449).

fol. 3r-11v **Benedictus XII, Const.** *In agro dominico* (See Vat. lat. 2663 fol. 7r-11v for further information.)

fol. 11v-18v **Taxationes litterarum poenitentiariae** (See Vat. lat. 3994 fol. 9v-18v for further information.) *Variants:*
(Epilogus) nisi *pro* ultra quam.

fol. 19r **Benedictus XII, Privilegia et stipendia poenitentiariorum** (See Vat. lat. 3994 fol. 18v-19r for further information.)

ZZ fol. 19r-23v <**De observantiis poenitentiariorum**> (See Vat. lat. 3994 fol. ZZ 19r-23v for further information.) *Variants:*
(Rubrica) Capitulum *om.* (Finis) in recipiendo *pro* incipiendo.

fol. 23v-24v <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)

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

<Rubricae desunt.> (Praefatio) ccc° xx *pro* CC nonagesimo <Rubrica textus deest.>

- fol. 31v-32v <**Gaucelmus Johannis Deuza, Supplicatio ad Clementem VI, cum rescripto papae**> (See Vat. lat. 2663 fol. 38v-39v for further information.)
Variants:
(Rubrica) Nota quod dominus Clemens papa vi concessit casus infrascriptos domino Gaucelino episcopo Albanensi maiori penitentiario. (Rubrica rescripti) Sequuntur *om.*; Et sunt ista *om.* (Rescriptum) nostrum *add. post officium*; diem *pro die*.
- fol. 33r-34v **Forma ad reconciliandum apostatam a fide** (See Vat. lat. 3994 fol. 32v-34r for further information.) *Variants:*
(Finis) Respondit *add. ante* Amen.
- fol. 34v-35r <**Innocentius IV, Const. Perlectis litteris**> (See Vat. lat. 3994 fol. 34r-v for further information.) *Variants:*
(Textus) Per litteras nostras *pro* Perlectis litteris uestris.
- fol. 35r-41r <**Casus pertinentes ad officium poenitentiariae**> (See Vat. lat. 3994 fol. 34v-40r for further information.)
- fol. 41v-42r <Incertus auctor, **De poenitentibus mittendis ad curiam Romanam**> (See Vat. lat. 3994 fol. 40r-v for further information.) *Variants:*
(Rubrica) In sequenti comprehenduntur *pro* Sequitur de hiis; metra siue uersus *pro* Versus siue casus.
- fol. 42r-45v <**Declaratio predictorum versuum**> (See Vat. lat. 3994 fol. 40v-43r for further information.) *Variants:*
(Rubrica) Sequitur declaratio. (Finis) id in ipsis factor eorum *add. post* conseruet.
- fol. 45v-53r <**Bonaguida de Aretio, Tractatus de dispensationibus**, forma brevior (See Vat. lat. 3994 fol. 43r-49r for further information.) *Variants:*
(Rubrica) Sequitur potestas abbatum. (**Bibl.** Izbicki, 'Problems in TUI' 485, listing this MS.)
- fol. 53r-71r **Berengarius Fredoli, <Liber de excommunicatione et interdicto>**, imperfectus (See Vat. lat. 3994 fol. 49r-64v for further information.) *Variants:*
(Rubrica) subsecuntur quidam *pro* sequuntur (Inscriptio) Biteriensis *pro* Biturensis (Finis) cui *pro* qui; qui *pro* cui (**Bibl.** E. Vernay, *Le 'Liber de excommunicatione' du Cardinal Bérengar Frédol* [Paris 1912] lxxviii, mentions but does not use this MS.)
- fol. 71r-74r <**Berengarius Fredoli, De exceptionibus duarum regularum circa iniunctionem manuum in clericum**> (See Vat. lat. 3994 fol. 64v-67r for further information.) *Variants:*

(Rubrica) subsequentiū *pro* sequentiū (Finis) e *pro* eodem; sed *pro* si; uerbo *pro* uersibus.

- fol. 74v-79r <**Casus in quibus fertur sententia excommunicationis, interdicti vel aliarum censurarum secundum Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 67r-70v for further information.)
- fol. 79r <**De potestate iniungendi poenitentias ab episcopo commissa**> (See Vat. lat. 3994 fol. 70v for further information.) *Variants:*
(Rubrica) uicet *pro* uices (Textus) ray *pro* R.
- fol. 79r-86r <**Casus in quibus sententia vel poena incurritur ipso facto secundum Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 70v-76v for further information.) *Variants:*
(Rubrica) domini *add. post* constitutionibus.
- ZZ fol. 86r-89r <**Summaria casuum in Constitutionibus Clementinis**> (See Vat. lat. 3994 fol. 76v-78v for further information.)
- fol. 89r-90r <Incertus auctor, **De exceptionibus duarum regularum**> (See Vat. lat. 3994 fol. 78v-79r for further information.)
- fol. 90r-92r **Regulae poenitentiariae**, imperfectae (See Vat. lat. 3994 fol. 79r-81r for further information.) *Variants:*
(Colophon) Deo gratias *add.*
- fol. 92r-93r <**Memoriale de privilegiis poenitentiariorum minorum, saec. xiv**> (See Vat. lat. 3994 fol. 81r-v for further information.) *Variants:*
(Finis) continuet *pro* continet.
- fol. 93r-94r <**Excommunicationes papae reservatae**> (See Vat. lat. 3994 fol. 81v-82v for further information.)
- fol. 94r-95v **Clemens <V>**, **Const. Ne Romani** (Clem. 1.2.3)
(See Vat. lat. 3994 fol. 82v-83v for the introductory rubric.)
- fol. 95v-97v **Eugenius IV, Const. Ad sacram Petri sedem** (16 oct. 1435) (See Vat. lat. 3994 fol. 83v-85r for further information.)
- fol. 97v-100r <**Jordanus de Ursinis, Ordinationes super receptione poenitentiariorum**> (See Vat. lat. 3994 fol. 85r-87r for further information.) *Variants:*
(Rubrica) Sequitur statutum et ordinatio R pro reuerendi domini, domini Iordani de Ursinis miseracione diuina episcopi Sabinensis, cardinalis et maioris penitentiarii domini pape Eugenii iiii^{ti} super receptione et examinatione minorum poenitentiariorum. (Finis) undecim *om.* Deo gratias.

fol. 100r-101r **Eugenius IV, Const.** *Devotionis vestrae sinceritas* (16 oct. 1435) (See Vat. lat. 3994 fol. 87r-v for further information.)

fol. 101r-102v **Eugenius IV, Const.** *Prudens pater familias* (14 iun. 1438) (See Vat. lat. 3994 fol. 87v-88v for further information.)

fol. 102v-104r <**Forma bullarum receptionis poenitentiariorum**> (See Vat. lat. 3994 fol. 89r-90r for further information.)

fol. 104r-v **Forma litterae quae conceditur poenitentiario minori** (See Vat. lat. 3994 fol. 90r-v for further information.) *Variants:*
(Colophon codicis) Explicit formulare totum Deo gratias. Fuit completum die ii augusti anno domini m^o cccc^o xlix Rome. Deo gratias.

Bibl. Göller, *Die päpstliche Pönitentiarie* ZZ I.I 72, describing this MS; Haskins, 'Papal penitentiary', *passim*.

In contents and arrangement, this MS mirrors Vat. lat. 3994, of which it is a near contemporary, and possibly a direct copy. The MS was written in black ink in several 15th-century cursive hands. Rubrics and paragraph signs are red from fol. 25r; initials are red from fol. 31v. There are marginal notes in several hands. Fol. 1r contains a fragment of a document, only partly legible: ZZ et eius territorii, apostolica nobis in hac capitulari canonicis et personis eiusdem, sex dierum duos, pro primo duos, pro secundo parochialibus sub XXX vel quibus, fol. 1v and 105v have scribal notes, among them a formula for absolution and the ex libris of Johann Nicolaus Hanheymer (fol. 105v). On fol. 2r are the title 'Formularium Penitent. Benedicti PP. xii', the shelfmark '5744 Vat.', and various notes. On fol. 106r are various notes, including 'Yo. Nicolai Hanheymer decretorum licentiatu, possessor huius libri' (Cf. Göller I.I p. 72) and 'Guilielmus sancti ZZ Dionisii portavit libros Parisum ///ianuari 1451'. and fol. 106v, ZZ 'nostro papa specialiter dep/// nos igitur ///' 'vigore presentium fueritis requisiti seu'. Catchwords are at the lower right, often cut away. The edges of the folios show signs of waterstain. The parchment binding of the MS dates from the mid-19th century. Fol. 2v and 105r are blank.

Vat. lat. 5748

saec .IXex. (887-c. 896)

antea 43. Prov. Congregation of Santa Giustina, O.S.B.: Bobbio, Monastery of San Columbano, O.S.B.

<I> +131 fols. + 112a + <I> memb. 283 (192) x 208 (108) mm, origin Italy (Bobbio).
Quaterniones, saec. IXex. (887-c. 896)

fol. 1r-7v, 8v <**Canones varii**>

(Rubrica *al. man. recent.*) Incipiunt canones sancti Silvestri episcopi (Rubrica altera) Vt sequentes se gradus clericorum inuicem non accusent. (*margin.*) CXIII. (Textus) Postea autem fecit hos gradus in gremio ... (Canon ultimus) Consecratio autem episcopi fiat ... (Finis) consecratur episcopus nisi disceptatio de contradictione. (The canons do not form part of any recognized collection. The first is canon 3 of the so-called canons of Sylvester, the last (in a slightly later hand) is unidentified. The youngest identified item is from the Roman synod of 826. The canons on fol. 1r-6r deal primarily with episcopal administration and

seem to come largely from Iberian councils. Those on fol. 7r-v and 8v come mostly from the *Collectio Hibernensis*. Fol. 8r has been thoroughly erased. **Bibl.** Mordek, *Kirchenrecht* 258.)

- fol. 9r-11r <**De modo celebrandi concilium**> (See Vat. lat. 4983 fol. 1r-2v for further information.) *Variants:*
(Rubrica *al. man. recent.*) De modo celebrandi concilium. (Finis) ex *om.* (**Ed.** and **Bibl.** G.P. Pozzi, *Il 'De modo celebrandi Concilium' nel manoscritto Vat. lat. 5748* (Città del Vaticano 1965), with the edition at 29-52. The manuscript lacks internal rubrics, and Pozzi included in his edition several extraneous pieces [see fol. 11r-15v below]; E. Seckel, *Die erste Zeile Pseudoisidors, die Hadriana-Rezension ...*, ed. H. Fuhrmann [Sb. Akad. Berlin 4; 1959] 14-6; Mordek, *Kirchenrecht* 77 n. 64; Fuhrmann, *Einfluss und Verbreitung* 459 n. 93; F. Lotter, *Der Brief des Priesters Gerhard an den Erzbischof Friedrich von Mainz* [Konstanzer Arbeitskreis für mittelalterliche Geschichte 17; Sigmaringen 1975] 129-33, using this MS in an analysis of variations in the *Ordo*.)
- fol. 11r-v <**Definitio de tumultu concilii patrum**> (See Vat. lat. 4983 fol. 2v-3r for further information.) *Variants:*
(Rubrica) Rubrica *om.* (**Ed.** and **Bibl.** Pozzi, *Il 'De modo celebrandi'* 51-54 and see above fol. 9r-11v.)
- fol. 11v-12v <**Collectio Dionysio-Hadriana, praefationis excerptum**> (See Vat. lat. 1337 fol. 1ra-vb for further information.) *Variants:*
(Finis) sic *pro uel* (**Bibl.** See above, fol. 9r-11v.)
- fol. 12v-15v <**Collectio Dionysio-Hadriana, praefationis Adnotationes I-III**> (See Vat. lat. 4983 fol. 4r-7r for further information.) *Variants:*
(Rubrica) Rubrica *om.* (**Ed.** and **Bibl.** Pozzi, *Il 'De modo celebrandi'* 60-74 and see above, fol. 9r-11 v. For *Adnotatio* II, see also Vat. lat. 1341 fol. 1vb-2rb.)
- fol. 16r <**Tabula conciliorum**>
(Textus) Beatorum apostolorum per clementem prolate. Regule numero .L. ... (Finis) conciliorum africanorum diuersorum. Regule numero c.xxx.viii. sub uno redactae. (The list of thirteen entries gives the name of each council and the number of its canons. **Ed.** and **Bibl.** Pozzi, *Il 'De modo celebrandi'* 74-76, with the edition at 74-75.)
- fol. 16r-17r <**Dionysius exiguus, Praefatio collectionis ad Stephanum episcopum**>, recensio B
(Inscriptio) Domino uenerando mihi patri Stephano archiepiscopo Dionisius exiguus in Domino salutem. (Textus) Quamuis karissimus frater noster Laurentius assidua ... (Finis) compendium aliquod attulisse uideamur. (**Ed.** CCL 85, ed. F. Glorie, pp. 39-42. **Bibl.** Pozzi, *Il 'De modo celebrandi'* 76-78. Maassen; *Geschichte* 960-61.)

fol. 17v-121v <**Cresconius, Concordia canonum**>, <cum glossis>

(Inscriptio) Domitio uere sancto semperque beato pontifici Liberio Cresconius Christi famulorum exiguus aeternam in Domino nostro salutem. (Praefatio) Vestri sacerdotii incomparabile decus quo fidei ... (fol. 18v) <Tabula titulorum> ... (fol. 27r) (Rubrica) Incipiunt capitula siue concordiae canonum secundum Cresconium. De ordinatione episcopi. In canonibus apostolorum. Titulo I. (Textus) Episcopus a duobus aut tribus episcopis ordinetur ... (Finis) in domu (*sic*) eorum Christianos catholicosque fecerint. (Ed. PL 88.829-942 for the text; F. Maassen, 'Glossen des canonischen Rechts aus dem karolingischen Zeitalter', Sb. Akad. Wien 84 [1876] 235-98 for the glosses, which match those of Ambrosiana MS S.33 sup., also once owned by Bobbio. **Bibl.** Ballerini, *De antiq.coll.*, PL 56.284, Maassen, *Geschichte* 806-13; F. Patetta, *Studi sulle fonti giuridiche medievali* (Torino 1967) 753-61, on the glosses: *ZZ Wurm, Dionysius Exiguus* xi. 37-39 and n. 39, using this MS [siglum Gb]; R. Kottje, 'Einheit und Vielfalt des kirchlichen Lebens in der Karolingerzeit', *ZKG* 76 [1965] 323-42 at 339 n. 6; see also Vat. lat. 1347 fol. 1r-72v. The text of the *Concordia* is divided into 300 chapters. Canon 275 was added on a small slip of parchment put in between fol. 112 and 113. On the glosses, see A. Gaudenzi, 'Il monastero di Nonantola. Appendice seconda. Sulla scrittura longobarda e la scrittura minuscola e sulla scuola romana dei cantori', *Bullettino dell'Istituto Storico Italiano ed Archivio Muratoriano* 37 (1916) 410-512 at 442-44. The glosses come from three separate traditions. Of the two sets written by the principal scribe, one matches those found by Maassen in several Dionysio-Hadriana MSS; the second set is unidentified. The third group is in a second contemporary hand, while a third, slightly later hand added some shorter notes.)

fol. 122r-v <**De testibus**>

(Textus) Dominus noster Ihesus Christus loquens in euangelio dicens: In ore duorum uel trium testium (II Cor. 13.1, *ex* Matt. 18.16) ... (Finis) auditui haec puterauerit supprimenda. (Colophon) Data v. idus martii uu. ss. (This collection of excerpts on witnesses was drawn from biblical and conciliar sources. The last item is from Gelasius I. Ep. 9. c. 28 [JK 363, Mansi 8.37]. It is followed by a rubric for which the canon was never supplied: 'Vt prime sedis episcopus non appellatur princeps (*sic*) sacerdotum Cap. XXXVIII Affric'.)

fol. 123r-131v <**Concilium Moguntinum I**> (847)

(Inscriptio) Domino serenissimo et Christianissimo regi Hludouuico uere religionis ... una cum uxore ... benedictio cum uictoria sine fine mansura. (Praefatio) Dignissimae reuerentiae uestrae patefecimus nos humillimi ... (fol. 125r) (Rubrica) Incipiunt capituli Rabani Magonensis archiepiscopi. <Tabula titulorum> ... (fol. 125v) (Rubrica textus) De fide cattiolica. Cap. I (Textus) Initium actionis nostrae de fide esse ... (Finis) incontaminata temporibus regni uestri usque in finem seruetur. (Ed. MGH Capit. 2, ed. A. Boretius et V. Krause, pp. 173-84, using this MS: siglum 5.)

Bibl. Pozzi, *Il 'De modo celebrandi'* 10-13, with plates of fol. 9r-17r between pp. 28 and

29; A.L. Gabriel, 'The Decorated Initials of the IXth Century Manuscripts of Bobbio in the Ambrosiana Library, Milano', *Paläographie* 1981, ed. G. Silagi (Münchner Beiträge zur Mediävistik und Renaissance-Forschung 1982) 159-83 at 162 n. 17; P. Collura, *Studi Paleografici. La precarolina e la carolina a Bobbio* (Fontes ambrosiani 22, Milano 1943) 130-32 with a reproduction of part of fol. 27v at table 55, discussing the script and identifying this MS as no. 4.3 of the 1461 catalogue.

The MS is written in several fine Carolingian hands in brown ink. Interlace initials open *De modo celebrandi concilium*, the preface of Dionysius exiguus, and the *Concordia* of Cresconius. A large decorated initial 'D' appears on fol. 121v, at the end of the *Concordia*, but the rest of the page is blank. Capitals are in ink or red; rubrics are red. Space remains for rubrics on fol. 9r-15v. There are marginal notes in various hands, including extensive glosses for the *Concordia* (q.v.) and a single long note on fol. 129v. On fol. 130v a portion of text was erased and replaced. The ex libris 'Liber sancti Columbani de Bobbio' appears on fol. 1r and 27r; a third on fol. 17r was written after Bobbio had joined the Congregation of Santa Giustina in 1449 and refers to an inventory of the congregation's books, c. 1453. The MS was given to Pope Paul V in 1618 (cf. Pozzi, p. 13). Quires are marked with roman numerals at the lower edge, sometimes cut away. <I>v contains a list of contents. The MS has a 17th-century binding, red leather over wood, with clasps. <I>r, fol. 8r, and <+I>r-v are blank palimpsests.

Vat. lat. 5749

saec. IXex. (871-880)

antea 137. **Prov.** Congregation of Santa Giustina, O.S.B., Bobbio, Monastery of San Columbano, O.S.B.

I + 128 fols. memb. 284 (205) x 212 (152) mm, origin Italy (Rome). Quaterniones, saec. IX (871-880).

Ir <Incertus auctor, **Tractatus de musica cum neumis**>, fragmentum

(**Bibl.** *Manuscripts liturgiques*, ed. Salmon II.587. The leaf is taken from a 12th-century MS.)

fol. 1r-127r <**Concilium Constantinopolitanum IV**> (869) (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants*:

(Rubrica) Causa pro Cause <Rubrica textus deest.> (Invocatio) consolatus pro consulatus. (Colophon) Finit. Deo gratias. (**Ed.** Anastasius Bibliothecarius, *Praefatio* 5, MGH Epp. 7. ed. E. Casper *et al.*, pp. 403-15, using this MS (siglum V 1); MGH Epp. 6, *Karolini aevi*, ed. E. Perels, collates the letters of Nicolaus I from this MS (siglum E) at 263, 433 et passim. The penultimate and antepenultimate letters are reversed from the edition cited for the text of the acts. See also Vat. 1at. 4965 fol. 1a^{va}-153vb.)

fol. 10v-126v <**Anastasius Bibliothecarius, Glossae ad Concilium Constantinopolitanum IV**> (869)

(**Ed.** C. Leonardi, 'Anastasio Bibliotecario e l'ottavo concilio ecumenico', *Studi medievali* ser. 3 vol. 8.1 (1967) 163-82, using this MS.)

fol. 127v <Incertus auctor, **Memoratio Agilulfi**>

(**Textus**) Obtulit, ut maneat sacrum per tempora munus ... (Finis) pauendis

flammis eripiat famulum. (**Ed.** MGH Poetae latini aevi Carolini, ed. K. Strecker, p. 1056, using this MS: siglum V₂.)

fol. 128v <**Breviarium**>, fragmentum (Lect. ex 3 Reg. 3,16-3, 24)

(**Bibl.** *Manuscripts liturgiques*; ed. Salmon II.588. The leaf is taken from an 11th-century MS.)

Bibl. ZZ Leonardi, 'Anastasio' 104-10 and 148 for a description of this MS (siglum B); D. Lohrmann, 'Eine Arbeitshandschrift des Anastasius Bibliothecarius und die Überlieferung der Akten des 8. ökumenischen Konzils', QF 50 (1970) 420-31 at 428-29; A.L. Gabriel, 'The Decorated Initials of the IXth-Xth Century Manuscripts from Bobbio in the Ambrosiana Library, Milano'. *Paläographie 1981*, ed. G. Silagi (Münchener Beiträge zur Mediävistik und Renaissance-Forschung 32, München 1982) 159-83 at 162 n. 17; P. Engelbert, 'Zur Frühgeschichte des Bobbieser Skriptoriums', RB 78 (1968) 220-60 at 255-56.

The text was written in Carolingian minuscule by a single scribe using brown ink. Corrections are by the scribe and a contemporary. Major textual divisions are set off by simple capitals, in red or ink-colored, and several lines of display script, also in red or ink, often in lines of alternating color. The glosses are keyed to the text by symbols. On fol. 127v below the dedicatory verses to Agilulfo, abbot of Bobbio (888-96), is a 15th-century ex libris: 'Iste liber est monachorum congregationis sancte Iustine de obseruantia ordinis sancti Benedicti residentium in monasterio sancti Columbani de Bobio, scriptus sub numero 137'. The number 137 also appears at the top of fol. 1r, along with the ex libris 'Liber sancti Columbani de Bobio'. The MS is 137 in Bobbio's 1461 catalogue. Iv has a 15th-century table of contents. In the margin is a reference to the Hardouin signed by A. Mai. A similar reference on fol. 127r is also signed by Mai. Some quires are marked by roman numerals centered on the last verso. I and fol. 128 were originally pastedowns, with Iv and fol. 128r erased and Ir and fol. 128v gluestained. The MS has an early 17th-century binding of wood and leather with traces of clasps. Fol. 128r is blank except for the palimpsest.

Vat. lat. 5750

saec. VII

antea 135. **Prov.** Congregation of Santa Giustina, O.S.B., Bobbio, Monastery of San Columbano, O.S.B.

286 pages memb. 284 (219) x 237 (190) mm, origin Italy (Bobbio?). Quaterniones (olim), saec. VII.

fol. 1-11 **Celestinus <I (s.)>, Epistola ad Nestorium**

(Rubrica) Incipit epistula papae Caelestini ad Nestorium directa. Calcedonensis synodus. (Textus) <Aliquantis ... nefan>dum et saepe damnatum (damnandum cod.) dogma Pelagi<i> atque Caelestii (Caelesti cod.) catholicam ... (Finis) omnes debent nosse quod agitur, quotiens omnium causa tractatur. (Colophon) Explicit epistola Caelestini papae urbis Romae ad Nestorium directa. (**Ed.** *Acta conc. oecum.*, ed. Schwartz. 1.2, pp. 7-12. The salutation and first five words of the text are lacking.)

fol. 12-286 <**Concilium**> **Chalcedonense**, imperfectum (See Vat. lat. 1319 fol. 99ra-240vb for further information.) *Variants*:

(Epistolae praeliminares) (Rubrica) Principium. Rescibitum (*sic*) de fide factum

manu propria Flauiani Constantinopolis archiepiscopi hinc incipit actio prima synodi Calcedonensis (*sic*). (Inscriptio) Constantinopolis *pro* Constantinopolitanus; Theodosio *pro* Theodosio (Acta) (Rubrica) Actio prima synodi Calchedonensis. (Textus) ... nontiatu (*sic*) sub die octabu (*sic*) ... (Finis) Praeces quae a uiro religioso Eutyche presbytero inuictissimis principibus (*sic*) porrectae sunt /// (Ed. *Acta conc. oecum.*, ed. Schwartz, 2.3.1, pp. 5-23; 2.3.2, pp. 553-61; 2.2.2, pp. 113-14; 2.3.1, pp. 27-166.27, using this MS (siglum P). The text is in a convoluted order. The customary preceding letters are followed by the address of the council to Marcian and the *Florilegium* which usually close the accounts of the council. Next comes Marcian's edict 'Tandem aliquando ...' and then the beginning of the first session, which breaks off with the end of the codex.)

Bibl. *Acta conc. oecum.*, ed. Schwartz, 2.3.1, pp. viii-x for a description of the MS; ZZ Lowe, CLA I, nos. 26-31, with plates of pages 46, 202, 5, 94, 12, 78, and 210; P. Engelbert, 'Zur Frühgeschichte des Bobbieser Skriptoriums', RB 78 (1968) 220-60 at 238, 240-42, and 260; C. Leonardi, 'Il testo dell'Ascensio Isaiae" nel Vat. lat. 5750', *Christianesimo nella storia* 1 (1980) 59-74; K. Silva-Tarouca, 'Die Quellen der Briefsammlungen Papst Leos des Grossen', *Papstum und Kaisertum. Forschungen ...* Paul Kehr (München 1926) 23-47 at 45; see also M. Buonocore, *Bibliografia dei fondi manoscritti della Biblioteca Vaticana*, 2 vols. (Studi e testi 318-319, Città del Vaticano 1986) nos. 25412-25 for works on the palimpsest texts.

The MS was written in three different 7th-century half-uncial hands, all in black ink. The whole MS is a palimpsest of 5th- and 6th-century primary scripts (Cicero De republica); cf. Lowe. The codex is the first volume of two surviving from a multi-volume set, the second of which is Milan, Ambrosiana E 147 sup. Many of the leaves are in bad condition, worsened by the application of chemicals to clarify the primary script. Some leaves are now illegible. On page 95 the beginning of the first session is set off by an orange rubric and a large capital with a geometric design. On page 1 a later hand added at the top the title 'Incipit epistola Celestini papae urbis Rome ad Nestorium directa, Calcedonensis synodus' and, at the bottom, 'Liber sancti Columbani de Bobio'. The number '135' on the folio corresponds to the entry for this MS in Bobbio's 1461 inventory. Some of the leaves are marked with 'Q' plus a Roman numeral, but they do not appear in order. The MS has been taken from its binding; the separate leaves are paginated and kept between cardboards. Page 164 shows only the primary script.

Vat. lat. 5751

saec. IXex.

antea 57. Prov. Congregation of Santa Giustina, O.S.B.; Bobbio, Monastery of San Colombano, O.S.B.

78 fols. memb. 230 (193) x 140 (125) mm, origin North Italy (Verona or Bobbio?).
Quaterniones, saec. IXex.

fol. 1r-3v **Concilium Agathense** (506)

(Rubrica) /// Agathensi sub die /// Regis. (Textus) Cum in Dei nomine ex permissu <domini nostri glorio>ssissimi magnificentis<simique> ... (Finis) constituta patrum, annis singulis placuit congregari. (Subscriptiones) ... septembris anno xxii regni domini nostri Alarici regis. Finit. (Ed. CCL 148, ed. C. Munier, pp. 192-213, not using this MS, which varies somewhat from the edition.

The letter which should appear between c. 9 and c. 10 is lacking.)

fol. 3v-8r <**Halitgarus episcopus Cameracensis, Poenitentiale, liber VI**>

(Rubrica) <Incipit qualiter> suscipere debeant penitentem episcopi uel presbyteri. (Prologus) <Q>uotienscumque Christiani ad penitentiam accedunt ieiunia ... (fol. 4v) (Rubrica textus) Incipit ratio ad dandam penitentiam. (Textus) <I>n primis dicit psalmum xxxvii totum: Domine ... (Finis) si iam egit penitentiam potestatem habet. (Ed. *Commentarius historicus de disciplina in administratione sacramenti poenitentiae*, ed. J. Morin (Paris 1651) app. 6-10, and F.W.H. Wasserschleben, *Die Bussordnungen der abendländischen Kirche* (Graz 1851; repr. 1958) 360-76. **Bibl.** Maassen, *Geschichte* 863-69; R. Kottje, *Die Bussbücher Halitgars von Cambrai und des Hrabanus Maurus* (Beiträge zur Geschichte und Quellenkunde des Mittelalters 8; Berlin 1980) 106 n. 76; H.J. Schmitz, *Die Bussbücher und das kanonische Bussverfahren* (Düsseldorf 1883; repr. Graz 1958) II 290-300. [=Die Bussbücher II]).

fol. 8r-v <**Canones conciliorum Francorum, s. vi**>

(Rubrica) Incipit sinodus Aralatensis qui (*sic*) ad didicationem (*sic*) basilicae sanctae Mariae conuenerunt. (Textus) Hoc inter se obseruandum esse diffiniunt ... (Finis) ut nullus uiuenti episcopo alius ... quem culpa capitalis deiecerit. Explicit. (Ed. MGH Conc. I, ed. F. Maassen, pp. 36-37, 56-57, 76-77, 95, 104. Presented by the scribe as an entity, the canons are actually from several councils, being 1) Arelatense III (524), the second half of c. 1 and c. 2; 2) Vasense II (529) cc. 3-5; 3) Aurelianense III (538) c. 9(8) and c. 11(10) (second half only); 4) Aurelianense IV (541) c. 36; and 5) Aurelianense V (549) c. 12.)

fol. 9r-11v <**Collectio Dacheriana, praefatio**>

(Rubrica) Incipit de utilitate poenitentiae et quomodo credendum sit de remissione peccatorum per poenitentiam. (Textus) Exepto (*sic*) baptismatis munere quod contra peccatum ... (Finis) modos uindictam et censuram canonum aestimare. (Ed. *Spicilegium sive collectio* ed. D'Achery 510-12. **Bibl.** Mordek, *Kirchenrecht* 260; idem, 'Zur handschriftlichen Überlieferung der Dacheriana', QF 47 (1967) 574-95 at 574 n. 2; Kottje, *Die Bussbücher Halitgars* ... 167 n. 73; see also Vat. lat. 1347 fol. 80r-143v.)

fol. 11v-14v <**Pseudo->Johannes Chrysostomus, De poenitentia**>

(Rubrica) In Christi nomine incipit de poenitentia Iohannis Ovis Aurei. (Textus) Prouida mente et profundo cogitatu cognoscere debent ... (Finis) misericordiam Dei. Et inuenies requiem in vitam aeternam. Amen. (Ed. *Iohannes Chrysostomus opera omnia*, ed. F. Ducaeus, 6 vols. (Antwerp 1614) V 361-2, but the text here is much longer than that of the edition, which ends with the words 'atque perfectam promerebitur indulgentiam' (*sic*) on fol. 13r. **Bibl.** Mordek, *Kirchenrecht* 236-7; A. Siegmund, *Die Überlieferung der griechischen christlichen Literatur in der lateinischen Kirche bis zum zwölften Jahrhundert ZZ* (Abhandlungen der Bayerischen Benediktiner-Akademie 5; München 1948) 98 n.3.)

fol. 14v-15r <**Poenitentiale Merseburgense a, praefatio**>

(Rubrica) Incipit de octo uitia principalia (*sic*). (Textus) Octo sunt uitia principalia quae humanum genus infestant ... (Finis) legis anima aduersione (*sic*) plectantur sentiendum est. (Ed. Wasserscheben, *Die Bussordnungen* 387-88; **Bibl.** G. Hägele, *Das Poenitentiale Vallicellianum I* (Quellen und Forschungen zum Recht im Mittelalter 3; Sigmaringen 1984) 36 and n. 72, 83. The original source of this material is Johannes Cassianus, *Collationes* V 2 and 16.)

fol. 15r-16r <Incertus auctor, **Ad dandam poenitentiam**>

(Rubrica) Quomodo debent consilium Christiani dare propter qualitate (*sic*) animarum. (Textus) Insinuamus caritati uestre quoniam multi antiquorum beatissimorum ... (Finis) nisi per lacrimas et orationem dominum deprecantes. (**Bibl.** Hägele, *Das Poenitentiale Vallicellianum I* 83-84. This unidentified piece frequently appears with the Merseburg and Vallicelliana penitentials. It seems to be part of a pastoral letter, perhaps of papal origin.)

fol. 16r-17v Incertus auctor, <**De remissionibus peccatorum**>

(Rubrica) Incipit de sacrificiis et remissione fra//rum. (Textus) Sed fortasse dicant auditores aecclēsiāe: Melius fere ... (Finis) reddere altissimo uota sua, per Ihesum Christum dominum nostrum. (Part of a tract, relying heavily upon Scripture, which includes Origen's list of the seven ways to gain remission of sins.)

fol. 17v-18r <**Poenitentiale Cummeani, praefatio**>

(Rubrica) Item de remissionibus peccatorum. (Textus) De remediis uulnerum secundum priorum patrum ... (Finis) commisit a licitis cohercere se debet. (Ed. *The Irish penitentials*, ed. L. Bieler (Scriptores latini Hiberniae 5; Dublin 1963) 108-10. **Bibl.** J. Zetinger, 'Das Paenitentiale Cummeani', AKKR 82 (1902) 501-40; Kottje, *Die Bussbücher Halitgars ...* 114 and n. 105.)

fol. 18r-29r **Halitgarius episcopus Cameracensis, Poenitentiale**, excerptum (praefatio, lib. I-II)

(Rubrica) De poenitentis (*sic*) utilitate excerptio Alitgarii episcopi. (Praefatio) Quamuis originalia in baptismatis munere gratia mediatoris ... (fol. 19v) (Textus) A paradysi gaudiis postquam expulsum est ... (Finis) breuiter in sequentis operis libello inserendum. Explicit li<ber secundus>. (Ed. PL 105.653-78. **Bibl.** Kottje, *Die Bussbücher Halitgars ...* 106 n. 76, 154 n. 5, 161.)

fol. 29r-30r **Gregorius I (s.), Epistola Secundino seruo Dei inclauso**, <excerptum> (JE 1673)

(Rubrica) Hoc capitulum est de epistola Sancti Gregorii pape ad Secund<inum> inclausum. (Inscriptio) Dilectissimo filio Secundino seruo Dei inclauso Gregorius seruus seruorum Dei. (Textus) Dilectionis tuae litteras suscepi quae in meo sensu ... (Finis) peccatores per sanguinem suum redimere uenit. (Ed. MGH Epp. 1, ed. P. Ewald and L.M. Hartmann, 142 lin. 23-28, 146 lin. 12-147 lin. 36 (related to the text of Pa2 of the edition), and now Kottje, *Die Bussbücher Halitgars ...* 239

and 280-82, using this MS.)

- fol. 30r-v **Isidorus Hispalensis (s.), Epistola ad Massonem episcopum** (dubia vel spuria see Vat. lat. 1344 fol. 113rb and 46ra for further information.) *Variants:* (Rubrica) Incipit epistola Hysidori ad Masonem episcopum. (Inscriptio) Masoni pro Masonio; (Textus) Nicetio pro Niceto; (Finis) potior pro potius. Explicit epistola. <Datum deest.> (**Ed.** PL 83.899-902.)
- fol. 31r-41v <**Epitome hispanica**>
(Rubrica) In nomine Domini nostri Ihesu Christi incipit excerptum de canonibus sententie tractum ex libro Bracarensi Martini episcopi Gallitiae de diuersis conciliis. (Textus) Vt populus non eligat episcopum nisi sacerdotes qui eum ... (Finis) si delectus fuerit et abstinerit de malo stet in ordine suo. (**Ed.** G. Martínez Diez, 'El Epitome hispánico. Una colección canonica española del siglo VII', *Miscelanea Comillas* 36 (1961) 5-90 and 37 (1962) 321-466 (text), using this MS (siglum R). The text ends with an excerpt from the thirty-first letter, p. 455 of the edition. **Bibl.** *Martini episcopi Bracarensis opera omnia*, ed. C.W. Barlow (Papers and monographs of the American Academy in Rome 12; 1950) 88; M. Coquin, 'Le sort des *Statuta ecclesiae antiqua* dans les collections canoniques jusqu'à la *Concordia* de Gratien', *Recherches de théologie ancienne et médiévale* 28 (1961) 193-224 at 199 n. 16; *Les statuta ecclesiae antiqua*, ed. C. Munier (Bibliothèque de l'Institut de droit canonique de l'université de Strasbourg 5; Paris 1960) 52 and 68.)
- fol. 41 v-42r **Theodorus <episcopus Cantuariensis (s.)>, Canones**, excerpta
(Rubrica) Excerpta Theodori de canonibus. (Textus) In ordinatione episcopi ipse debet missam cantare ... (Finis) constituatur nisi cum satisfactione emendauerit. (**Ed.** and **Bibl.** P.W. Finsterwalder, *Die Canones Theodori Cantuariensis und ihre Überlieferungsformen* (Weimar 1929) 253-55 or Wasserschleben, *Die Bussordnungen* 160-63. The excerpts consist of cc. 1-8, 12-16, 21-25, und 29-31, in a version similar to Finsterwalder's version E.)
- fol. 42r-49r <**Poenitentiale "capitula iudiciorum aucta"**>
(Rubrica) I. De Homicidio II. De sanguinis ... barbaris. ZZ Iudicium canonicum. (Textus) Si quis homicidium fecerit episcopus XV ... (fol. 48v) (Finis) confessionis unius momenti meruit esse in paradyso. (Additiones) Pro defuncto manacho (*sic*) missas (sic) agantur ... (Finis additionum) sed euangelium legens super humeros ponat. (**Ed.** Wasserschleben, *Die Bussordnungen* 505-26 or Schmitz, *Die Bussbücher* II 217-51, and 641-42 for the *additiones* which are taken from the *Excarpsus Cummeani* cc. 7-15, 20. **Bibl.** L. Mahadevan, 'Überlieferung und Verbreitung des Bussbuchs "Capitula Iudiciorum"', *ZRG Kan. Abt. 72* (1986) 17-75; P.B. Asbach, *Das Poenitentiale Remense und der sogen. Excarpsus Cummeani* (Inaugural Dissertation: Regensburg 1975) 187-99; Wasserschleben, *Die Bussordnungen* 492-93; Schmitz, *Die Bussbücher* II 204-17.)

- fol. 49r-v <**Pseudo->Clemens I, Epistola ad Jacobum** (JK † 11)
 (Rubrica) Incipit epistola sancti Clementis pape urbis Romae de sacramentis dominici corporis. (Textus) Quoniam sicut a Petro accepimus omnium apostolorum patrem (*sic*) qui claves ... (Finis) audierit. Immo domino loquente pro te ipse damnationem accipiet. (Ed. Similar to PL 56.893-96. **Bibl.** Hägele, *Das Paenitentiale Vallicellianum I* 87 and n. 16.)
- fol. 49v-50r **Ordo ad dandam poenitentiam <cum orationes duae>**
 (Rubrica) In Christi nomine incipit ordo ad dandam poenitentiam. (fol. 50r) (Ordo) Primum interrogas eum facinora sua et post confessionem ... (Oratio) (Rubrica) Praefatio. (Textus) Deus qui propter iustum iudicium diuina clementia sua ... (Oratio) (Rubrica) Ad reconciliandum poenitentem. (Textus) Sacre beniuolentie Domini (*sic*) et bonitatis ingenite Deus qui inclinatos erigit lapsos ... (Finis) et sacro altario (*sic*) suo communicationem restituat per Dominum.
- fol. 50r-52v <**Poenitentiale Merseburgense a**, forma altera cum praefatione poenitentialis B. sancti Columbani>
 (Rubrica) Incipit iudicium patrum quod instituerunt sancti patres ad poenitentes. (Praefatio) Diuersitas culparum diuersitatem facit poenitentiarum ... (Textus) Si quis clericus homicidium fecerit et proximum suum occiderit ... (fol. 52r) (Finis) et dum poenitentiam non agit, non communicet. (Epilogus) Poenitentia uera est preterita mala commissa deflere et genere ... illico fugit a te. Dominus tecum est. Ne timeas demonem. Explicit iudicium patrum. (Ed. Schmitz, *Die Bussbücher I* 596 for the preface, and II 351-56 and 359-68 for the penitential, differing slightly from both. **Bibl.** L. Mahadevan, ZZ (Anführungsstriche) 'Überlieferung und Verbreitung des Bussbuchs 'Capitula Iudicorum'', ZRG Kan. Abt. 72 (1986) 17-75 at 41 und n. 111; J.T. McNeil and H.M. Gamer, *Medieval handbooks of penance* (New York 1965) 66, 449; Hägele, *Das Paenitentiale Vallicellianum I* 43-48, 54, 64-68. explaining the relationship between the true Merseburgense a, this copy, and the 'Vindobonensis'. The epilogue remains unidentified.)
- fol. 52v-54v <**Carolus magnus, Admonitio generalis a. 789**>, imperfecta
 (Textus) Sunt enim aliqui qui culpis exigentibus ab episcopo ... (Finis) de benignitate et misericordia, de aelemosinis et confessione peccatorum suorum /// (Ed. MGH Capit. I, ed. A. Boretius, pp. 54 lin. 12-62 lin. 5. The text lacks the preface and the addresses of the individual canons and breaks off at the bottom of the page. The MS seems to be of the same family as MS 12 of the edition. Canons 64, 73, and 81 are incomplete; canons 67, 68, and 72 are missing. Canon 82 has a variant incipit.)
- fol. 55t-62r, 63r-71v, 72r-75r <**Collectio Thessalonicensis**>
ZZ Christe faue votis Synodus Romana Bonifatii pape II Sessio prima. Post consulatum Lampadii et Orestis uu. cc. sub die vii iduum Decembrium (Finis) auctoritas et dileccionis tuae honorificencia seruaretur. (Colophon) Data xiiii kl. octub. Monaxio u.c. cons. Item recitata est. (Ed. *Epistolarum romanorum pontificum ad vicarios per Illyricum aliosque episcopos collectio*

Thessalonicensis, ed. C. Silva-Tarouca (Textus et documenta, ser. theol. 23: Roma 1937), from this MS, and discussing the MS at viii-xv. The text is complete, although there are two breaks, at fol. 62r and 71v; modern notes direct the reader to the continuations at 63r und 72r. **Bibl.** Maassen, *Geschichte* 766-67; H. Fuhrmann, 'Ein Bruchstück der Collectio Ecclesiae Thessalonicensis'. *Traditio* 14 (1958) 371-77 at 375 n. 24 and 376 nn. 25-26; E. Schwartz, 'Die sogenannte Sammlung der Kirche von Thessalonich', *Festschrift für Richard Reitzenstein*, ed. E. Frankel (Leipzig 1931) 137-59, especially 144-57, using this MS and printing excerpts at 147-49 and 152-54; ZZ Wurm, *Dionysius Exiguus 103; Acta conc. oecum.* 4.2.4, ed. E. Schwartz, p. x; F. Streichhan, *Der Anfang des Vikariates von Thessalonich*. ZRG Kan. Abt. 12 (1922) 330-84 at 333.)

fol. 62v <Incertus auctor, **Carmen Adelhardo episcopo Veronensi**>

ZZ Sid<erum> factor dominusque celi 1 ... (Rubrica) /// carmen Addardo episcopo (Finis) spiritus compar sociatus eque 1 Glorificetur. Amen. (Ed. and **Bibl.** M. Carrara, 'Per un vescovo veronese del secolo X: il *Carmen Adalhardo episcopo*', *Scriptorium* 9 (1955) 271-73; also, MGH Poetarum latinorum medii aevi III, ed. L. Traube, pp. 693-95, both from this MS.)

fol. 71v <Incertus auctor, **Lamentum refugae cuiusdam**>

(Rubrica) Lamentum R<efugae> cuiusdam. (Textus) <A.> Nocte dieque gemo, quia sum peregrinus ... (Finis) <uiuere sic poteris> (Ed. and **Bibl.** MGH Poetarum latinorum medii aevi III, ed. L. Traube, pp. 688-89, from this MS.)

fol. 75v **Gregorius I (s.)**, <**Homelia in Evangeliam VIII**>

(Rubrica) Gregorii papae die natalis Domini. (Textus) <Quia lar>giente domino missarum sollempnia ter hodie celebraturi ... (Finis) quia propter te factus est Deus homo. Finit. (Ed. PL 76.1103-05. The text lacks the closing formula of the edition.)

fol. 76r-v <**Augustinus episcopus Hipponensis (s.)**>, **Sermo in nativitate Domini**

(Rubrica) Sermo de natiuitate Domini. (Textus) Praeclara hodie saluatoris et Domini nostri gloriosa natiuitas ... (Finis) celebrantes conlaudemus ingenitum patrem per Christum eius et nunc et in eterna secula seculorum. Amen. (Ed. *Noua patrum bibliotheca*, ed. A. Mai, 8 vols. (Roma 1851-57) I 461-62, from this MS.)

fol. 76v-77r <**Pseudo-Augustinus, Sermo in nativitate Domini VII**>

(Textus) <Natiui>tas Domini nostri Ihesu Christi totum mundum noua aduentus ... (Finis) cum patre et spiritu sancto uiuat et regnat in secula seculorum. (Ed. PL 39.1990-91 [appendix].)

Bibl. F. Maassen, 'Bibliotheca latina iuris canonici manuscripta', Sb. Akad. Vienna 53 (1866) 373-427 at 399-400; Arévalo, *Isidoriana* PL 81.811-13; Ballerini, *De antiq. coll.* PL 56.190-92; P. Collura, *Studi Paleografici. La precarolina e la carolina a Bobbio* (Fontes ambrosiani 22, Milano 1943) 133-34 (plates 63-67 = parts of fol. 24v, 35r, 62v, 71v, and 74v), identifying this MS as no. 57 of the 1461 Bobbio inventory and discussing

the place of origin; *Les statuta ecclesiae antiqua*, ed. C. Munier (Bibliothèque de l'Institut de droit canonique de l'université de Strasbourg 5; Paris 1960) 52; R. Kottje, *Die Bussbücher Halitgars von Cambrai und des Hrabanus Maurus* (Beiträge zur Geschichte und Quellenkunde des Mittelalters 8, Berlin 1980) 73-74 (describing the MS) and 221-22; G. Hägele, *Das Paenitentiale Vallicellianum I* (Quellen und Forschungen zum Recht im Mittelalter 3, Sigmaringen 1984) 36-37, describing the MS (siglum V₂₃), et passim; L. Mahadevan, 'Überlieferung und Verbreitung des Bussbuchs "Capitula Iudiciorum"', ZRG Kan. Abt. 72 (1986) 17-75, describing the MS (siglum V₂₃) at 37-41; P.B. Asbach, *Das Poenitentiale Remense und der sogen. Excarpsus Cummeani* (Inaugural Dissertation; Regensburg 1975) 369-71 nn. 33-36.

The MS is written in Carolingian minuscule by several hands in brown ink. Initials are in red or ink, usually undecorated. Rubrics are in orange display script. Beginning at fol. 55 there is no color except for occasional phrases washed in yellow on fol. 55r-71r. Fol. 1-8 appear to be misbound; fol. 8v is marked 'iiii' in the lower margin, while fol. 38v is marked with 'v'. Many of the leaves are badly worn and difficult to read. The outside edges of the first quire are heavily repaired, with some attempt to save the occasional marginal notes. Fol. 2r has the ex libris 'Liber sancti Colombani de Bobio' and the old shelf mark '57.' In the lower margin of fol. 54v is a modern note 'Hic desiderantur folia licet numerus sequatur'. At the beginning of the *Collectio Thessalonicensis* (fol. 55r), L. Holste has written 'Synodus Romana Bonifatii P.P.II.' and, in the margin, 'sess. p^a. One of the notes to guide the reader of the *Collectio Thessalonicensis* (on fol. 67r) is signed by Annibale Albani (cardinal 1711-51). Other notes are by Angelo Mai (e.g. on fol. 62v and 73v). The MS is ruled in dry point; prickings are sometimes visible. The MS has a 19th-century parchment binding. Fol. 78r is blank except for a *probatio pennae*; fol. 77v and 78v are blank.

Vat. lat. 5766

saec. V-VIII

antea 44. Prov. Congregation of Santa Giustina, O.S.B.; Bobbio, Monastery of San Columbano, O.S.B.

100 fols. memb. 283 (168) x 230 (156) mm, origin Italy (Bobbio?). Quaterniones (*olim*), saec. V-VIII.

fol. 1r-100r <**Johannes Cassianus, Collationes**>, imperfectae (Coll. 4.12-10.14)
 (Textus) ///tias anime uoluntas in meditulleo quodam uituperabili consistens ...
 (Finis) Si modo sanam et integram mentis intentionem iugi ad Deum uersiculi huius meditatione seruauerint (seruauerant cod.). (**Ed.** PL 49.597-844.)

fol. 17-24, 58-63, 82-100, passim <Incertus auctor, **Fragmenta vaticana iuris anteiustiniani**>, in palimpsesto
 (fol. 60v) (Rubrica) <Ex empto> et vendito. (Textus) <Qui a muliere> sine tutoris auctoritate sciens rem mancipi emit (fol. 59r) (Finis) ///care autem cognitorem /// ZZ (**Ed.** *Codicis Vaticani n. 5766 in quo insunt iuris anteiustiniani fragmenta quae dicuntur vaticana exemplum addita transcriptione notisque criticis*, ed. T. Mommsen (Berolini 1860).)

fol. 25-43, 46-48, passim <**Theodosius II, Codex theodosianus**>, fragmenta in palimpsesto (Cod. 14.4.3-16.6.7)
 (**Bibl.** *Theodosiani libri xvi cum constitutionibus sirmondianis*, ed. T. Mommsen,

I. 1 (Berolini, 1905) lviii (siglum W), giving the Bobbio shelfmark. **Bibl.** F. Patetta, *Studi sulle fonti giuridiche medievali ZZ* (Torino 1967) 665-67, 669-88.)

fol. 44-45 <**Lex Romana Burgundiorum**> idest Papianus, fragmentum in palimpsesto (tit. 28-36)
(**Bibl.** MGH LL in 4°, ed. L.R. de Salis, pp. 65-69, [siglum A 1], or, earlier, MGH LL III, ed. F. Bluhme, pp. 582-84 [siglum A], reproducing the exact copy of the folios at 582-83. **Bibl.** G. Chevrier et G. Pieri, *La loi romaine des Burgondes* (Ius romanum medii aevi I, 2 b aa δ; Mediolani 1969), esp. 11(-12) n. 29.)

Cat. Lowe, CLA I pp. 14-16, nos. 44-49 and plates; P. Engelbert, 'Zur Frühgeschichte des Bobbieser Skriptoriums', RB 78 (1968) 210-60 at 222.

The over-text is an uncial of the eighth century with red rubrics and colophons. According to Lowe this text was copied at Bobbio. There are some running titles, and a modern hand has collated the Cassianus text with another copy. According to Lowe there are three uncial undertexts: (a) fol. 17-24, 58-63, 82-100 (saec. V); (b) fol. 25-43, 46-48 (saec. VII); (c) fol. 44-45 (saec. VII-VIII). Extensive discoloration has resulted from the use of reagents in the 19th-century; see Patetta's discussion at 671-72. Fol. 100v has no overtext. The MS is no longer bound, but is kept loose between cardboards. Fernando Betancourt, El libro anonimo "De interdictis" Cod. Vat. lat. 5766.

Vat. lat. 5773

saec. XIV/XV (1395, ca. 1411)

Scr. Johannes de Bellebonis de Angleria.

<II> + VII + <VIIa-b> + 178 fols. + <II> chart. 409 (352) x 290 (243) mm, origin Italy (Savonna). Quiniones et Seniones, saec. XV (1395, ca. 1411).

Ira-VIIvb, fol. 11vb, 38v-40vb, 46ra-47rb, 50vb, 75vb-76ra, 84ra-rb, 84vb, 174ra-175rb <**Auctores varii, Consilia**>, nominantur: Angelus de Ubaldis (Vrb-va); Baldus de Ubaldis (Ira, Ivb-IIrb [**Ed.** Baldus, *Consilia* 3 no. 449], IIvb-IIIvb [**Ed.** Baldus, *Consilia* 5 no. 447], IIIvb-IVra, IVra, IVrb, IVva-vb [**Ed.** Baldus, *Consilia* 5 no. 465], IVvb-Vra [**Ed.** Baldus, *Consilia* 3 no. 452], Vva-vb, fol. 11vb [**Ed.** Baldus, *Consilia* 4 no. 491]); Bartolus de Saxoferrato (Ira-rb [**Ed.** Bartolus, *Opera* 10 fol. 27rb-va], Irb [**Ed.** Bartolus, *Opera* 10 fol. 28ra-rb], IVrb, fol. 47ra, 47rb [**Ed.** Bartolus, *Opera* 10 fol. 42ra-rb], 84ra-rb); Cato de Sacchis (VIIvb); Collegium Florentinum (Irb); Collegium Papiense (VIvb-VIIra); Franciscus Zabarella (IIvb); Franciscus Tigrini (Irb); Fredericus de Petrucciis de Senis (fol. 40vb), Gilius de Guidobonis (VIIvb); Honofrius de Bartolinis (IVra), Jacobus de Isolani (Ira); Johannes de Lucino (fol. 40ra); Lapus (fol. 47ra-rb); Luchinus de Curte (VIra-rb); Marcus de Angelellis (IVra-rb); Martinus Garatus Laudensis (VIra-rb, VIrb-vb, VIvb-VIIra, VIIra-vb); Petrus de Ancharano (IIva-vb); Petrus de Forno (fol. 40ra); Petrus de Ubaldis (IVra, fol. 38v-39r); Segura de Nigro (fol. 37r); Signorinus de Homodeis (Iva-vb); Signorolus de Homodeis (IVrb-va, fol. 174ra); Simon de Hencia (fol. 40rb-va) (**Bibl.** Maffei, *La Donazione* 277 n. 2); Tubertus de Tortis (VIra-rb); Incerti auctores (Vra-rb, fol. 39r-v, 46ra-va, 46va-vb, 50vb, 75vb-76ra, 84vb).

Vvb, fol. 1ra-11va, 12ra-vb, 38r-v, 47rb, 156ra-171va <**Auctores varii, Repetitiones**>, nominantur: Angelus de Ubaldis, Repetitio 1. *Si vacantia* (Cod. 10.10.5) (fol. 156ra-165ra); Baldus de Ubaldis, Repetitiones 1. *Confesso* (Cod. 7.59.1) (fol. 1ra-11va) (**Ed.** Baldus, *Opera* 8 fol. 85va-90va), 1. *Rem maioris pretii* (Cod. 4.44.2) (fol. 165ra-171va); Bartolus de Saxoferrato, Repetitio 1. *Creditores* (Cod. 8.13.3) (fol. 12ra-vb; 172ra-173vb) (**Ed.** Bartolus, *Opera* 8 fol. 96vb-98vb); Johannes de Castellione, Repetitio c. *Intellecto* (X 2.24.33) (fol. 38r-v); Incertus auctor, Repetitio 1. *Si certis annis* (Cod. 2.3.28) (Vvb).
ZZ fol. 11va: Explicit lex *confessos* ... per ... Baldum de Perusio 1395 die XVIII augusti (alia manu) in triumphanti studio Papiensi me audiente.

fol. 11va, 36vb-38r, 39r-v, 39va-40ra, 40va, 47rb, 84va-vb, 171va, 172ra-173vb <**Auctores varii, Lecturae**, excerpta>, nominantur: Angelus de Ubaldis, Lecturae 1. *Iudicio* (Cod. 3.1.1) (fol. 37r-v), 1. *Argentarium* 24 (Dig. 5.1.45) (fol. 37v); Baldus de Ubaldis, Lecturae 1. *Tale pactum* (Dig. 2.14.40) (fol. 37r) (**Ed.** Baldus, *Opera* 1 fol. 155rb), 1. *Omni* (Cod. 1.2.6) (fol. 37v) (**Ed.** Baldus, *Opera* 5 fol. 18va), tit. De fide instrumentorum (Cod. 4.21) (fol. 47rb) (**Ed.** Baldus, *Opera* 6 fol. 57vb-58ra); Cinus de Pistorio, Lectura 1. *Data* (Cod. 9.1.11) (fol. 11va) (**Ed.** Cinus, *In Codicem ... Commentaria*, 2 vols. (Francoforti ad Moenum 1578; anast. repr. Torino 1964) II fol. 533vb-534ra); Johannes de Lignano, Lectura c. *Martinus* (X 4.11.4) (fol. 40va); Petrus de Ancharano, Lectura c. *Ea quae* (Sext. 5.13.6) (fol. 36vb, 37v) (**Ed.** Petrus de Ancharano, *Super Sexto Decretalium acutissima commentaria* (Bononiae 1583) 579a, 576a-577a, 570b-571b); Incertus auctor, Lecturae 1. *Si quis pro eo* (Dig. 46.1.56) (fol. 39r-v). 1. *Auctor* (Cod. 4.19.23) (fol. 39va-40ra), 1. *Illud* (Dig. 40.12.13) (fol. 84va-vb), 1. *Qui aliena* (Cod. 4.50.8) (fol. 84vb), § *Denique* (Dig. 39.3.1.23) (fol. 171va), 1. *Si primus* (Dig. 39.3.17) (fol. 171va).

fol. 13ra-36vb <**Bartolus de Saxoferrato, Lectura in primam Codicis partem**>, imperfecta (Cod. 1.1-1.18.10 in med.) (See Vat. lat. 2288 fol. 1ra-152vb for further information.) *Variants*:
(Rubrica) Summa Trinitate et fide catholica (*sic*). <Invocatio et inscriptio desunt.> (Textus) Hic glossa *pro* Glossa prima (Finis) tantum non sic remanet defensata /// (**Ed.** Bartolus, *Opera* 7 fol. 1ra-31ra no. 20 in med.)

fol. 41ra-45ra **Bartolus de Saxoferrato, Tractatus de testibus**>, imperfectus (See Vat. lat. 2289 fol. i^{ra}-xi^{va} for further information.) *Variants*:
(Textus) personas add. *post* circa (Finis) Potest etiam per peritorum examinationem probari. (Colophon) Bartolus legum doctor etc. (**Ed.** Bartolus, *Opera* 10 fol. 158vb-161va no. 65.)

fol. 45ra-46ra **Bartolus de Saxoferrato, Tractatus de alimentis**> (See Vat. lat. 2289 fol. xi^{va}-xiii^{ra} for further information.) *Variants*:
(Textus) Quia in lege precedenti facta est mentio alimentorum ideo hic in primis tractatum de alimentis inserere bonum est ... (Finis) in § *pro* iii; et *om.* (Colophon) Deo gratias Amen. Expleta est materia alimentorum compillata per dominum

Bartolum de Saxoferrato. (This version has the first phrase rewritten for use of the text as a supplement to a lecture.)

fol. 47va-50vb **Nicolaus de Matharellis, Tractatus de instrumentis**

(fol. 47v) (Rubrica) Tractatus super instrumentis per Nicolaum Matharellum. (fol. 47va) (Textus) Circha instrumentorum materiam expediendam potest dubitari primo qualiter instrumentum conficiatur ... (Finis) pro scriptura probatoria siue sit efficit (*sic*) siue inefficax siue facta siue fienda. (Colophon) Deo gratias. Amen. Explicit tractatus scripture probatorie confectus per excellentissimum doctorem dominum Nicolaum de Matharellis de Mutina iuris uteriusque (*sic*) professorem.

fol. 51ra-75va <**Petrus Antibolus, Tractatus de muneribus et honoribus, excerptum**>

(Invocatio) In nomine Domini. Amen. (Rubrica) De muneribus honoribus et plene per /// (fol. 51ra) (Rubrica secunda) Tractatus de muneribus et oneribus. (Textus) Multiplex est diuisio munerum. Prima diuisio hec (est *add.cod.*) Munerum aliud (alia *cod.*) est personale ... (Finis) ut notorie ubique de facto uidemus maxime in castris et uillis (castris uillis et locis *cod.*) baronum etc. (Subscriptio) Antibolus. (Ed. TUI 12 fol. 19rb-51vb from 32vb.)

fol. 76va-83rb **Bartolus <de Saxoferrato>, Tractatus de represaliis** (See Vat. lat. 2244

fol. 106ra-114vb for further information.) *Variants:*
(Rubrica) Tractatus represaliarum per Bartolum. (Praefatio) materia *om.*, statuto *pro* statu (Textus) tractatus *pro* tractaturus; queremus *pro* querimus (Finis) Amen *pro* etc. (Bibl. Quaglioni, *Politica e diritto* 24-29.)

fol. 83rb-vb <**Franciscus Tigrini, Tractatus de instrumentis**>, fragmentum

(Rubrica *marg.*) Tractatus instrumentorum non completus. (Textus) Instrumentorum materia frequens est et probationum species utilis ad quam declarandam infrascripta subitiam ... (Finis) in confessis non in obligatione nam ibi ex precedenti causa /// (Bibl. The incipit matches one from Dillinger XV, 93 in Dolezalek, *Verzeichnis* 4.)

fol. 84rb-va <Incertus auctor, **Quaestiones**>

(Textus) Quere utrum curatori dato pupillo uel adulto ad lites ... (Finis) ponit Baldus in 1. Si patruus C. communia utriusque iudi. (Cod. 3.38.4) in ultima questione. (Colophon) Quem uide in libro signato per A fo. 35.

fol. 85ra-153vb <**Pseudo-> Baldus, Peculium Baldi**

(fol. 85r) (Rubrica) Opus solemnissimum domini Baldi de Perusio quod uocauit peculium domini Baldi. (Invocatio) In nomine sancte et indiuidue Trinitatis et gloriosissime uirginis Marie. (fol. 85ra) (Textus) <A>*bbas*: potest esse qui est irregularis quia hoc est nomen sollicitudinis ... (Lemma ultimum) *Ypoteca* ... quam recipit principalis obligatio textus sui ff. de euc. 1. Rem hereditariam (Dig. 21.2.65). Baldus. Amen et Deo gratias. Amen. (This work appears to be composed of excerpts from Baldus' lectures with additional material from those of Angelus de Ubaldis, e.g. fol. 122va. Extensive additions have been made in the

margins, and fol. 144 was inserted with other additions; cf. B. Paradisi, 'Le glosse di Bartolo da Sassoferrato', *La critica del testo. Atti del secondo Congresso internazionale della Società italiana di storia del Diritto*, 2 vols. (Firenze 1971) 11 577-61 8 at 609-12.)

- fol. 153vb-154ra **Johannes Andreae**, <**Tractatus de clericis habentibus privilegium clericale**> (See Vat. lat. 1387 Iv for further information.) *Variants:*
(Textus) Quoniam sepissime dubitatur de clericis relinquentibus habitum ...
(Finis) Amen etc. *add.* (Versus) Laus honor uirtus quoque ... Sit flamini paraclito.
Amen. (Colophon) Ego Iohannes de Bellebonis de Angleria scripsi hoc opus in ciuitate Saone et compleui ipsum die martis quarto augusti M^o cccc xi^o domino Antonio de Georgiis legum doctori de Bobio uicario tunc ibidem in Saona etc.
- fol. 154ra <**Nota de haereditate**>
(This note was inserted before the verse mentioned above.)
- fol. 154ra <**Nota de privilegio clericali**>
- fol. 154rb-155va **Dinus <de Mugello, Tractatus de successione ab intestato>** (See Vat. lat. 2638 fol. 1ra-3ra for further information.) *Variants:*
(Finis) authenticis *add. post* predictis; continetur *pro* aperte cauetur (Subscriptio) doctor *om.* <Epilogus et Colophon desunt.>
- fol. 155vb <**Notae de iudiciis**>
- fol. 171va <**Notae de seruitiis**>
- fol. 171vb <Incertus auctor, **Quaestio de pretio iusto**>
(Rubrica) Qualiter formatur libellus ad dirrimendum contractum rei uendite circa dimidiam iusti precii. (Textus) Quere in hac actione qualiter formabitur libellus circha hoc ... (Finis) uide supra proxime in repeticione quam fecit de dicta l. Rem maioris (Cod. 4.44.2) etc.
- fol. 175v <Incertus auctor, **Versus de XII effectibus eucharistiae cum expositione**>
(Rubrica) Nota xii effectus heucaristie qui hiis uersibus connumerantur. (Versus) Inflamat memorat substentat liberat auget ... (Expositio) Inflamat caritatem. Memorat Christi passionem ... (Finis) ardorem carnalis concupiscentie. Amen.
- fol. 176r-v <Tabula repetitionum>
- fol. 177v <Recepta>
- fol. 178v <Nota de testibus>
- <+I>r-<+II>v **Signorulus de Homodeis, Repetitiones in Digestum vetus**, fragmenta
(Signorulus's name appears at <+I>va, preceding the incipit: 'Repetiturus l. Ex

hoc iure positam ff. De iusti. et iure (Dig. 1.1.5?). hunc ordinem obseruabo ...' The leaves are a damaged bifolium from a 14th-century copy in an Italian gothic bookhand. <+I>r and <+IIr-v> are covered with 15th-century legal notes; one on <+II>r is signed Antonius de Geor.)

Cat. ZZ Dolezalek, *Verzeichnis 2*. **Bibl.** M. Bevilacqua, 'Una "Quaestio" di Niccolò Matarelli (Vat. lat. 10726)', *Collectanea Vaticana in honorem Anselmi M. card. Albareda* (Studi e Testi 219; Città del Vaticano 1962) 139-57 at 142-47; P. Fiorelli, *La tortura giudiziaria nel diritto commune I* (Ius nostrum 1; Varese 1953) at 141 n. 44; Sella, 'Appunti' 45; ZZ Sella, 'Nove sigle'; Calasso, 'Bartolo' at 659-60.

The MS is a composite collection in several gothic cursive hands, including that of Johannes de Bellebonis; see fol. 154ra. The ink is brown to fol. 50v and gray thereafter. The MS is heavily annotated, most often by a student of Raphael de Fulgosiis, see fol. 37v: 'uy. in libro signato per B. in fi. in quodam consilio domini mei domini Raphaelis Fulgosii doctoris eximii.' The same annotator may have abbreviated the *repetitio* of Johannes de Castillione at fol. 38r-v and added the editorial notes at fol. 37v and 39ra, besides adding the table at fol. 176r-v. The notes on fol. 175v include accounts and a sentence from Jerome's letters. Blank spaces have been left for opening initials. Capitals are red on fol. 1r-18r. Fol. 51r has red rubrics and paragraph signs while the capitals on that page are red with decorations in ink. Catchwords are centered from fol. 22v onward. The *Peculium Baldi* has the initial leaves of each senion marked with a system of letters and numbers. For the watermarks, cf. Briquet nos. 2641, 8788, 2179, 797, 7690, and 12080. The 17-century binding is leather over boards with traces of clasps. <I>r-<II>v are blank except for shelfmarks and a note on <I>r, 'Questo libro è vocato nell' indice sotto il nome di Margarita Baldi.' <VII>a^r-<VII>b^v, fol. 177r, and 178r are blank.

Vat. lat. 5776

saec. XI-XII

antea 133. **Prov.** Bobbio, Congregation of Santa Giustina O.S.B.; Bobbio, Monastery of San Columbano, O.S.B.

<I> +108 fols. + 105a memb. 145 (101) x 100 (65) mm, origin North Italy (Bobbio?). Terniones, Quiniones, saec. XI-XII.

<I>r **Nota de aetate huius manuscripti**

ZZ Hic liber antiquissimus est ante Alexandri III tempora, nam in hymnis atque in rubricis nulla mentio de s. Thoma Cantuariense (*sic*) nec de sancto Francisco.

Supra quingentos an<nos> scriptus esse uidetur, uel circa. (This note is in a humanist cursive script.)

fol. 2r-3v **Fragmenta in palimpsesto** (saec. V-VI)

(**Bibl.** On these fragments, see Lowe, CLA I 15-16. On fol. 2r is the note 'Littera huius liminis paginae antiquissima est supra anno mille centum. Hoc eodem caractere scriptus est liber S. Hilarii de Trinitate in Vatic. Basilica anno Transmundi regis Gothorum.' On fol. 3v is a list of contents: 'In hoc uol<umine> /// Regula canonicorum/ Decretales quaedam contra symoniam/ Hymni tam de tempore quam de sanctis per circulum'.)

fol. 4r-46v, 47r-v <**Chrodegangus Metensis (s.), Regula canonicorum**>, imperfecta

- (Textus) /// et his officiis diligenter erudiantur. Vt scilicet pistoria arte (c. 11 med.) ... (Finis) hoc facere presumpserit sinodali sententia discrete feriatur (c. 78). (Ed. MGH *Scriptores* 2, ed. W. Schmitz, pp. 267-68 and vol. 10, ed. W. Schmitz, pp. 552-72, and PL 89.1057-98. **Bibl.** A. Werminghoff, 'Die Beschlüsse des Aachener Concils im Jahre 816', NA 27 (1902) 605-75, Anhang I, 'Die Recensionen der Regula Chrodegangi', 646-51, discussing this MS (which he terms an example of the fourth, 'interpolated' version, at 646-47. The text has been misbound, apparently during a rebinding in which several folia were lost. The present order is as follows. cc. 11 med.-45 med., cc. 2 med.-4, the rubric only of c. 7, cc. 8 med.-10 med., cc. 46 med.-70 med., cc. 77-78.)
- fol. 46v <**Oratio**>. imperfecta
(Textus) Adorate omnes gentes filium Dei uenientes, uenientes con tremore expetantes ... (Finis) date nobis caritate /// (About six more lines have been erased. This is not the text indicated in Walther, *Initia* no. 41.)
- fol. 47v-48r <**Pseudo->Clemens, Epistola ad Iacobum**, excerpta
(Rubrica) Epistola Clementis ad Iacobum. (Inscriptio) Clemens Iacobo karissimo. (Textus) Quoniam sicut a Petro omnium apostolorum ... (Finis) sacerdotum manibus porrigat hostiam forinsecus claudat minora gerat officia. (Ed. *Decretales Pseudo-Isidorianae*, ed. Hinschius 46-48 passim.)
- fol. 48r-53v, 56r-58r, 59r-63v **Canones varii**, imperfecti
(Rubrica) De eo quod qui sacros ordines mercantur Symoni mago comparentur. (Textus) Fraternalis mortis crimen incurrit quisquis cum potest fratrem ... (Rubrica ultima) Ambrosius super Lucam. (Textus) Cito turpem sequetur lepra ... (Finis) qua Giezi semen usque in eternum pro cupiditate ha<bendi> /// (This collection of canons, dealing largely with simony, is missing at least a final folio since it breaks off in ZZ mid-word. It begins with Guido of Arezzo's letter to the archbishop of Milan, cf. MGH *Libelli de lite* 1, ed. F. Thaner, pp. 5-9, not using this MS. The last piece is from Ambrose, *Expositiones super Lucam*, lib. IV, PL 15.1712. The latest item may be the excerpt from Gregory VII's *regula canonicorum* on fol. 59r-v; cf. G. Morin, 'Réglements inédits du pape saint Grégoire VII pour les chanoines réguliers', RB 18 (1901) 177-83.)
- fol. 53v-55v <**Dicta de virtutibus**>
(Rubrica) Capitula de sapientia et prudentia et temperantia. (Textus) Pax illa Dei amico ... (Finis) quam pro scandalo ueritas relinquatur.
- fol. 58v <**Fulbertus Carnotensis (s.)>, Hymnus paschalis**
(Rubrica) Hymnus de pasca. (Textus) Chorus noue Hierusalem ... (Finis) cum Filio et spiritu paraclito. Amen. (Ed. PL 141.352.)
- fol. 64r-108v <**Hymnarium Bobbiense**>, imperfectum
(Textus) Prima dierum omnium, quo mundus extat conditus, Vel quo resurgens conditor (*ed.* no. 23) ... (Hymnus ultimus) (Rubrica) In natiuitate S. Laurentii.

(Textus) Apostolorum suparem (?) Laurentium archidiaconem pari corona ...
(Finis) sacratos prode responde pie nec annuit addens dolum /// (**Ed.** C. Blume, *Die Hymnen des Thesaurus Hymnologicus H.A. Daniels I. Die Hymnen des 5.-11. Jahrhunderts und die Irisch-Keltische Hymnodie* (Analecta Hymnica Medii Aevi 51; Leipzig 1908, repr. New York 1961), using this MS for many of the hymns under varying sigla. The last (incomplete) hymn is not included; that immediately preceding an fol. 108r-v is no. 188 (this MS = siglum L). **Bibl.** Gamber, *Codices* no. 1676. The hymnal begins with the cycle for Sundays; the temporal cycle begins an fol. 73 and breaks off at the feast of St. Lawrence.)

The MS is written in rough Carolingian minuscule by several hands in brown ink. Initials are red or red with ink; a few of those in the hymnal are formed of elaborate interlace; others are decorated or on fields of color. Capitals are washed in red in the *Regula canonicorum*. Rubrics are red except for those of the canons on fol. 48r-63v passim, which are underlined in ink. The MS, written in long lines on badly-prepared parchment, is badly stained, mutilated, and heavily repaired. Fol. 2, 3, and 105a are scraps mounted on larger sheets. There are occasional corrections; in the hymnal there are a few additions written vertically in the margins, as well as neumes over some texts. The MS is ruled in drypoint, with the pricking sometimes visible. There is an old foliation system in the upper right corner; the modern stamped one in the lower left corner has been followed here. Roman numerals intended as quire markings appear in the lower margins of fol. 16v (ii), 24v (iii), 29v (iiii), 47v (vii), 55v (viii), 87v (xii), 103v (xiii), and 104v (xv); they bear little relation to the present structure of the MS. The ex libris 'Liber sancti Columbani de Bobio' appears on fol. 4r and 64r. Fol. 4r also has the old shelfmark '133', the note 'est edita haec Regula apud Coletum Concil. T. IX', signed by Angelo Mai, and the present shelfmark. The MS has a late 19th-century leather binding. Fol. 1r is blank except for the shelfmark '5776 Vat.' Fol. 1v and 2v are blank.

Vat. lat. 5813

saec. XV (1475)

antea 312. **Prov.** frater Paulinus Mercurius O.S.B.; Bologna, Monastery of S. Proculo O.S.B. **Scr.** Blasius de Leucho O.S.B.
<III> + 267 fols. + <IV> chart. (**memb.:** <I>, <+IV>) 168 (110) x 119 (88) mm, origin Italy (Bologna, Padua). Quiniones, saec. XV (1475).

fol. 1ra-262rb <**Bartholomaeus de Sancto Concordio O.P., Summa de casibus conscientiae**> (See Vat. lat. 2319 for further information.) *Variants:*
(Praefatio) Augustinus *pro* Gregorius; prophetam *add. post* Ezechielem.
(Colophon) Consumatum fuit hoc opus in ciuitate Pisana anno Domini M^o ccc^o xxxviii de mense decembris tempore sanctissimi patris domini Benedicti pape duodecimi. Explicit. Ego dominus Blasius de Leucho monachus sub regula sancti Benedicti in congregatione sancte Iustine de Padua hanc Magistrutiam propria manu scripsi partem Bononie in nostro monasterio partemque in sancta Iustina Patauina. Finemque feci idibus februarii 1475. (**Bibl.** Kaeppli, *Scriptores* I 164 no. 436; add this MS.)

fol. 262va-266rb <Tabula Summae Bartholomaei>

fol. 266va-267va <Incertus auctor>, **Nota de pluralitate beneficiorum**
(Textus) Nota circa pluralitatem beneficiorum quod sicut uni uiro numquam licuit ... (Finis) Hec dicta sunt absque preiudicio melioris sententiae etc.

<+III>ra <Incertus auctor, **Nota de privilegiis Congregationis s. Justinae**>
(Rubrica) Ex priuilegio quarto. (Textus) Preterea cum sepe contingat ob
deuotionem quam ad monachos prefacte congregationis ... (Finis) fauorem
obseruantie regularis licentiam elargimur. (This is a paraphrase of a section of
Eugenius IV, Const. *Etsi ex sollicitudinis*: cf. *Bullarium Romanum* V 25 no. 16.)

The MS was written by Blasius de Leucho in gray ink in an italic cursive. Capitals and paragraph signs are red. These notes on provenance appear on fol. 1r: 'Ad usum fratris Paulini Mercurii et amicorum'; 'Iste liber est <monasterii> sancti Proculi de Bon<onia> numero 312.' This note appears on <+IV>v: 'A di 7 de aprillo a di 8 de dic. Bernardino de /// a Modena Margarita /// de Modena /// /// Camillo da Bologna.' On <I>r is 'Martinus de Sigo et Iohannes Sygus uendiderunt /// in manesillae (?) in ara Sauonarie (?).' The watermarks are illegible. Catchwords are at the lower right. The MS is bound in leather on wood boards with traces of clasps. <I>v-<III>v, <+I>r-<+II>v, and <+III>v-<+IV>r are blank.

Vat. lat. 5830

saec. XVI.1

209 fols. + <I> chart. 294 (210) x 220 (135) mm. Quaterniones, saec. XVI.1.

fol. 2r-177r **Julius Ferrettus Ravennas, Consilium in causa Catherinae reginae Anglorum**

(Invocatio) Sanctissimae et indiuiduae Trinitatis invocato suffragio. (Praefatio) Fuit mihi casus consulendus in facto ... (fol. 7r) (Textus) Consideratis omnibus que in facto proponuntur ... (Finis) cui gratias sumiliter (*sic*) et laudes omnes sibi debitas reffero. (Subscriptio) Et ita iuris et equitatis esse arbitror (dico *sup. lin.*) et consulo ego Iulius Ferrettus Rauennas iuris utriusque doctor minimus comesque et miles indignus Lateranensis palatii apostolicae (sedis *sup. lin.*) auditor et saniori consilio semper saluis et in fidem propria manu (me *sup. lin.*) subscripsi et solito ([meo] *sup. lin.*) sigilo (*sic*) roborari mandauit.

fol. 178r-184v **Julius Ferrettus Ravennas, Tractatus de principibus catholicis**

(Rubrica) Iulii Ferretti Rauennatis iuris utriusque doctoris et equitis etc. Tractatus qualiter catholici principes teneantur inuigilare et operari ne quid fiat contra Deum, ecclesiam et iustitiam suam hic ponendum est summarium praedictum etc. (Textus) Catholici principes inuigilare tenentur et operari exactissima diligentia omnique ingenio ... (Finis) apostolica et synodali imperialique et regia prouisione salubri.

fol. 185r-187v **Julius Ferrettus Ravennas, Tractatus de electione magistratuum**

ZZ (Rubrica) Iulii Ferretti Rauennatis iuris utriusque doctoris apostolicique et imperialis comitis et militis de electione magistratuum iustitiae et de electis magistratibus et populorum regimine tractatus. (Textus) In magistratuum electione optimum est ... (Finis) imponere decreuimus ad laudem, honorem et gloriam omnipotentis Dei. Finis.

fol. 188r-195r **Julius Ferrettus Ravennas, Tractatus de criminibus baronum**

(Rubrica) Iulii Ferretti Rauennatis utriusque iuris doctoris apostolici imperialisque

comitis Lateranensis de criminibus baronum eorumque sceleribus et remediis
(*repet. sup. lin.*) liber subditis et principibus quam maxime utilis. (Textus) Nemini
erranti parcit iustitia quam dominorum Dominus misit in terram ... (Finis) alias
perdent eas et cadent in poenam arbitrii regii [et seu reipublice etc].

fol. 196r-201v <**Julius Ferrettus Ravennas, Tractatus de ieiuniis**>
<Tabula summaria> ... (fol. 196v) (Textus) Mortalium quorundam sapientia fuit
obscura perdere caelestia ... (Finis) ut in glossa capituli De Constantinopolitana 22
distin. (D. 22 c.4) in § Si uero authen. De nuptiis (Auth. 4.1).

fol. 202r-206r **Julius Ferrettus Ravennas, Tractatus de virginitate et continentia**
(Rubrica) Iulii Ferretti Rauennatis iuris utriusque doctoris equitis et comitis
Lateranensis palatii de uirginitate et continentia tractatus. (Textus) Beata uirgo
Maria in utero suae matris sanctificata ... (Finis) saluat Mada et Aue et quod
incontinentia damnauit continentia reparauit. Finis.

fol. 206r-v **Julius Ferrettus Ravennas, <Versus> ad honorem beatae Mariae virginis**
(Rubrica) Eiusdem Iulii Ferretti ad beatam uirginem Mariam salutatio. (Textus)
Aue Virgo gloriosa mater Dei creata rosa ... (Finis) Roga ipsum cleri amoris pro
fidei populo. Amen.

fol. 207r-209r **Julius Ferrettus Ravennas, <Tractatus> de virtute Clementis papae
VII**
(Rubrica) Iulii Ferretti Rauennatis iuris utriusque doctoris equitis et comitis
Lateranensis palatii de uirtute [septimi] Clementis VII (*sup. lin.*) Romani
pontificis. (Textus) Aduersitatum pacientia magis est laudanda quam quies in
religione Dei ... (Finis) Suscipe et grates animi supremas [Repice o Clemens]
Respice Clemens. (The text incorporates a verse of Johannes Petrus Ferrettus.)

These are autograph drafts, written in a rough cursive in ink ranging from gray to black. The folios are filled with corrections and additions. There is no decoration or color. Fol. 1r has the title 'Iulii Ferretti Rauennatis allegationes et seu consilium in causa inclit (*sup. lin.*) reginae Catherinae Anglorum'. <+I>v has a note on a tract not contained in the MS: 'An Romanus pontifex habeat utrumque gladium'. For watermarks, cf. Briquet nos. 50 and 4855. There are also two unidentified watermarks: a siren on a crest; and a lion (?) in a circle with a coat of arms on his back. The 17th-century binding is of leather and parchment incorporating a previous binding. Fol. 1v, 34r-v, 40v, 80r-v, 90v, 92r-v, 118v, 126r-v, 133r, 134v, 136v, 177v, 195v, and 209v-<+I>r are blank. ZZ fol. 184v: Yulii Ferretti Rauennatis etc. De electione magistratum iustitiae et de electis magistratibus et populorum regimine.

Vat. lat. 5843

saec. XVI

Prov. Costantino Gaetano O.S.B. (1560-1650).

76 fols. + 1a + 37a + 38a + <I> chart. (memb.: fol. 1 et <+I>) 342 (237) x 236 (120) mm,
origin Italy (Florence?). Quiniones, saec. XVI.

fol. 1ra-vb <**Hieronymus (s.), Prologus in librum Job**>

(**Ed.** PL 28.1139B-1142B; PL 22.545; and cf. Stegmüller, *Repertorium biblicum*)

nos. 344, 350. This late-12th-century leaf is written in brown ink and is of Italian origin. Rubrics and capitals are red.)

fol. 1^{ar}-76r **Sylvester Aldobrandinus, Tractatus de peste et eius effectibus in iure** (Inscriptio) Ad reuerendissimum dominum Nicolaum Ardinghellum patritium Florentinum prothonotarium apostolicum Sylvester Aldobrandinus iure, consultus conpater. (Praefatio) Vulgo iam in discessu meo ferebatur reuerende domine uir doctissime.... (fol. 1v) (Rubrica textus) Incipit utilis tractatus de peste et eius effectibus in iure editus per eundem dominum Syluestrum Aldobrandinum in felici Pisano gymnasio. (Textus) Tractatutus igitur quid pernitiosissimus hic morbus apud nostros considerationis afferat ... (Finis) ut per Cardinalem ibi et ibi declarat id Dominicus de sancto Geminiano. ZZ (**Bibl.** M. Ascheri, 'Le epidemie di peste e i giuristi; Introduzione alla trattatistica (1522-23)', *Proceedings Cambridge* 283-301; L. Martines, *Lawyers and Statecraft in Renaissance Florence* (Princeton 1968) 490.)

<+I>ra-vb <**Biblia sacra**>, fragmentum (Eccli. 44.5-45.18)

(This leaf is written in brown ink in an Italian hand of the 12th-century. Rubrics and capitals are red.)

Bibl. J. Ruyschaert, 'Costantino Gaetano O.S.B. chasseur de manuscrits'. *Mélanges Eugène Tisserant* 7 (Studi e Testi 237; Città del Vaticano 1964) 266-71 at 267 and 270 n. 33.

The main text and its annotations are in a cursive hand in black ink. At the bottom of fol. 1r is written: 'Sanctissimo domino nostro Paulo V d. Constantinus; abbas Caietanus d<ono> d<edit> anno Domini 1619 mense octobris.' For the watermarks, cf. Briquet no. 760. The MS has a 19th-century parchment binding. Fol. 76v is blank.

Vat. lat. 5845

saec. X(915-34)

Prov. Costantino Gaetano O.S.B. (1560-1650).

<V> + 327 + 296a memb. 294 (222) x 215 (170) mm, origin Italy (Capua). Quaterniones, saec. X (915-34).

fol. 1ra-200vb, 202ra-306va, 313ra-327rb <**Collectio Dionysiana**, recensio 2, imperfecta et cum additionibus>

(fol. 1r) <Tabula rubricarum, mut. in princ.> ... (fol. 7ra) (Rubrica) De ordinatione episcopi. (Textus) Episcopus a duobus aut tribus episcopis ordinetur ... (Finis) captibus (*leg.* captiuus) ex delectatione carnis quam portat inuitus. (**Ed.** for the *Dionysiana* (fol. 1r-135vb), PL 67.141-316, for the *additiones* on fol. 135vb-157vb, PL 67.328-38, 326-28, 315-28, 298-302, und 264; for the table of additions on fol. 158ra-vb, R. Massigli, 'Sur l'origine de la collection canonique dite *Hadriana augmentée*', MEF 32 (1912) 363-83 at 378-83, with variants where appropriate from the rubrics in the text itself; for the first five *additiones* listed in the table, PL 67.337-46. Of the 79 items listed in the table, the first 5 are

also found in the *Dionysio-Hadriana* and nos. 6-76 are also part of Maassen's 'Hadriana aucta' (*recte* 'Dionysiana aucta') as nos. 69-141; cf. Maassen, *Geschichte* 455-61. The last three additions, those not in the *Dionysiana aucta*, are: (1) the council of Rome of 809 (**Ed.** MGH Conc. 2.1. ed. A. Werminghoff, pp. 240-44) with its 'testimonia patrum' (not in the edition) (fol. 298rb-304va), the council breaking off at 'Hinc etenim illuc mos idem can///' (ed. 243 line 28-29) and the 'testimonia' missing its beginning because of two lost folios between 300 und 301; (2) a collection of Augustinian texts on unjust excommunication (fol. 304va-306va), beginning with the letter to Auxilius und its response (**Ed.** S. *Aurelii Augustini Hipponensis episcopi epistulae*, ed. A. Goldbacher, pars IV (CSEL LVII, Lipsiae 1911, repr. New York/London 1961) no. 250-250A) on fol. 304va-305vb; and (3) the 'Regulare definitionum' of Gregory I (fol. 306va-vb, 313ra-327rb), in which the final item is Gregory's responses to Augustine of Canterbury, the source of the explicit above. The *Regulare* is composed of 32 excerpts from Gregory's letters preceded by a table; the latter lacks its last eight entries und the *Regulare* itself begins imperfectly with its third item because of the loss of a folio after 305.

The first quire (originally the third) is missing its outside leaves, so that fol. 1r begins with the 16th rubric of the Canons of the Apostles und the titles to cc. 75-135 of the Council of Carthage have been lost from between fol. 6 und 7; fol. 116-118 is a partial quire, with the text on fol. 118v left incomplete, resulting in the loss of c. 13, the first letter of c. 14, and the first few lines of the second letter of c. 14 (fol. 119ra the text begins with 'connexione multiplices') in the letters of Leo I. An addition to Leo I c. 27 has been written in a 12th-century non-Beneventan hand on a scrap of parchment glued on the outer margin of fol. 121, cf. S. Leo Magnus, *Opera*, ed. Ballerini, PL 54.1208 n. k.)

Ed. using individual items in this MS include: *Acta conc. oecum.*, ed. E. Schwartz, passim (see index, vol. 4.3.1, ed. R. Schieffer); *Epistolae Romanorum pontificum*, ed. A. Thiel, vol. 1 (Braunsberg 1867-68, repr. Hildesheim and New York 1974; no more published), cf. pp. xxii und xxxv (siglum F²); S. Leo Magnus, *Opera*, edd. Ballerini, passim (cf. PL 54.557 on this MS), *Concilia Africae* A.345 - A.515, ed. C. Munier CCL 149 (siglum I); *Concilia Galliae* A.314 - A.506, ed. C. Munier, CCL 128 for the *Statuta ecclesiae antiqua*, fol. 168v ff. (siglum Z); *Avellana*, ed. Guenther, pp. lxi und 83-84, for ep. 37 (siglum d²); Dionisius Exiguus, *Praefationes*, ed. F. Glorie, CCL 85, 44-47, via Thiel's edition (siglum b); *Decretum Gelasianum*, ed. Dobschütz (siglum D1), cf. p. 169 for description; E. Schwartz, *Publizistische Sammlungen*, Sb. Akad. Munich. Phil.-hist. Kl., Abhandlungen, n.f. 10 (1934) (siglum d of class H), cf. pp. 2, 60, und 278 for description; ZZ Stürner, 'Quellen der Fides' at 161-63 und 167-69 (siglum H_{V5}), for variants in 'de fide Nicena' (fol. 168v-169v); MGH Conc. 2.1, ed. A. Werminghoff, pp. 11-29 (siglum V₂) for the 743 synod of Rome (fol. 287v-291r).
Bibl. Maassen, *Geschichte*, as cited above and 427, 431, 435, 449-51, and 464; Ballerini, *De antiq. coll.* PL 56.207-08, 211-18; R. Massigli, 'Sur l'origine de la collection canonique dite *Hadriana augmentée*', MEFR 32 (1912) 363-83; Wurm,

Dionysius Exiguus 31, 35 and passim (siglum Db), discussing the relationship of this MS to the 'Hadriana aucta' which he renames the 'Dionysiana aucta'; Günther, *Avellana-Studien* 91; M. Coquin, 'Le sort des "Statuta Ecclesiae antiqua" dans les Collections canoniques jusqu'à la "Concordia" de Gratien', *Recherches de théologie ancienne et médiévale* 28 [1961] 193-224 at 204); Mordek, *Kirchenrecht* 59 n. 94 and passim; A. Gaudenzi, 'Il monastero di Nonantola, il ducato di Persiceto e la chiesa di Bologna', *Bullettino dell'Istituto Storico Italiano* 36-38 (Roma 1916-18) 336.)

fol. 201ra **Concilium Carthaginense, <(525), Decretum>**

(Rubrica) In concilio sub sancto Bonifacio episcopo apud Cartaginam. (Textus) Erunt igitur omnia omnino monasteria ... (Finis) et Deo placencia. (Ed. H. Mordek, 'Libertas monachorum. Eine kleine Sammlung afrikanischen Konzilstexte des 6. Jahrhunderts', *ZRG Kan. Abt.* 72 (1986) 1-16 at 13 (siglum V); S. Kuttner, 'The Council of Carthage 535: A Supplementary Note', *ZRG Kan. Abt.* 73 (1987) 346-51, on the transmission of the piece and its use in the Pseudo-Gregory I decree *Quam sit necessarium* (JE †1366), and, at 350, giving variants from the second, fragmentary copy in this MS at fol. 327va-vb (siglum V₂; q.v.) and other copies. This folio was bound into the MS at an early date, the text is in a different but contemporary hand. The tag side of the parchment is visible between fol. 203 and 204. At the time it was added, the texts at fol. 200vb and 202ra were altered: the last few words of *Additio* 28 were erased from fol. 202ra and were written in below the text space at fol. 200vb. This and the next text are repeated, in a still different hand, on fol. 327va-vb, though the next text is mutilated at the end in that copy.)

fol. 201ra-vb **Concilium Carthaginense, <535, excerptum>**

(Rubrica) Item ex concilio uniuersali apud Cartaginem. Felicianus episcopus ecclesie Ruspensis dixit ... (Finis) consilio siue iudicio finiatur. (Ed. Mordek, 'Libertas monachorum ...' 13-15 (siglum V). **Bibl.** Kuttner, 'The Council of Carthage ...'.)

fol. 307ra-308va <**Cresconius, Concordia canonum, tituli**>, imperfecti

(Textus) /// tempore synodi detentus fuerit a XII episcopis audiatur ... (Finis) nisi omnes suos fecerint Christianos. Conc. Afric. tit. III. Explicit capitula (*sic*). (Ed. PL 88.924-42, for the full text from which the titles are taken. **Bibl.** Mordek, *Kirchenrecht* 254. The table begins in the middle of c. 245. In the upper margin of fol. 307r a modern hand added the title: 'Breuiarium canonum Cresconii'.)

fol. 308vb-311vb <**Ordo de celebrando concilio**>

(Praefatio) Priusquam concilium incipiatur in nomine metropolitani episcopi ... (Textus) Hora diei prima ante solis ortum eiciuntur omnes ab ecclesia ... (Finis) respondetur ab omnibus, Deo gratias. Et sic conuentus totus concilii absoluetur. (Ed. C. Munier, PL Suppl. 4.1865-76. This is the long-form, i.e., the Visigothic recension (OCV): it has the extra §6 and §11. **Bibl.** W. Hartmann, 'Laien auf Synoden der Karolingerzeit', *AHC* 10 (1978) 249-69 at 253 and n. 17; *Die*

Kanonessammlung des Kardinals Deusdedit, ed. V.W. von Glanvell, vol. 1 [no more published] (Paderborn 1905, repr. Aalen 1967) 618 n., noting that this *ordo* does not resemble the one in Vat. lat. 3833, *contra* H. Steinacker, 'Die Deusdedithandschrift (Cod. Vat. 3833) und die ältesten gallischen libri canonum', *MIÖG*, Ergänzungsband 6 (1901) 113-44 at 144.)

fol. 311vb-312rb <**Ordo in susceptione presbiterorum**>

(Rubrica) Ordo in susceptione presbiterorum. (Textus) Quando ad conuentum laetaniarum occurrunt, hora prima diei ... (Finis) ad cellas suas cum benedictione episcopi remeabunt.

fol. 312rb-vb <**Collectio Dionysio-Hadriana, Praefationis Adnotatio 1**>, imperfecta
(Textus) Apostolorum canones qui per Clementem Romanum pontificem ...
(Finis) Constantini principis Agathonis papae Romani, Georgii (*leg.* Gregorii) Constantino<politani> /// (ed. 624 line 18) 2. (**Ed.** and **Bibl.** See Vat. lat. 1341 fol. 1va-vb.)

fol. 327rb-va <**Notitia de quattuor conciliis**>

(Textus) Preterea qui a corde creditur ad iustitiam ... (Finis) cumsubstantialiter Deus in unita (*sic*) Spiritus sancti per. (This is not the same as the text at Vat. lat. 1341 fol. 1va.)

fol. 327va-vb **Concilium Carthaginense <(525), Decretum>** (See above, fol. 201r, for further information.)

fol. 327vb **Concilium Carthaginense <(535); excerptum>**, imperfectum (See above, fol. 201r, for further information.) *Variants*:
(Finis) qui forte habuerint, habere nec aliquam ordinationem /// ZZ (**Bibl.** S. Kuttner, 'The Council of Carthage 535: A Supplementary Note', *ZRG Kan. Abt.* 73 (1987) 346-51, giving variants from this second, fragmentary copy (siglum V₂).)

Bibl. ZZ Lowe, *Beneventan script* 54, 69 and passim, idem, *Scriptura beneventana*, 2 vols. (Oxford 1929) pl. 40-41; *Decretum Gelasianum*, ed. Günther 169; J. Ruyschaert, 'Costantino Gaetano O.S.B. chasseur de manuscrits', *Mélanges Eugène Tisserant* 7 (Studi e Testi 237; Città del Vaticano 1964) 266-71 at 267, 270 and n. 28.

The codex was written in Capua by the monks of Monte Cassino. The hand often changes with the quire; there are many contemporary interlinear and marginal corrections. Fol. 201 and the three texts added on 327rb-vb are in different but contemporary hands, and an annotator writing in an 11th- or 12th-century minuscule added corrections and additions, apparently from a different version, to the letters of Liberius on fol. 188r-189r. <IV>r has a long note by Lucas Holste (d. 1661), on the contents, lacunae, and errors in the collation of the folios for binding; Holste added similar notes throughout the MS, including a long note at fol. 307 on his conjecture that fol. 307-12 were part of the missing second quire. The Ballerini describe the MS as though the Cresconius fragment were at the beginning of the codex (*De antiq. coll.* 3.3.1, PL 56.212A). But since the binding bears the arms of Alexander VII (1655-57), it may be that they were simply following Holste's instructions. Below Holste's note on <IV>r is a note dated 1682 by the prefect Schelstrate. In the lower margin of fol. 1r is the note 'Sanctissimo Domino nostro Paulo V D. Constantinus

abbas Caietanus d<ono> d<edit> anno Domini 1619 mense Octobris'. Rubrics are orange. Initials vary: some are multicolored (including blue, red, green, yellow, and brown), some have only the outline in ink. Whether the initials are finished or not varies with the changes of hand and the quire structure. Capitals, particularly in the tables, often have a colored wash in the full. Quires are numbered with roman numerals at the end, the first surviving being 'IIII' at fol. 14v. Prickings are visible on the outer edges. The binding is leather. <I>r has only the shelfmark, <I>v-<III>v and <IV>v-<V>v (the latter a paper insert) are blank.

Vat. lat. 5921

saec. XV (1433-1434)

Scr. Amadaeus de Schafalibus de Fulgis.

602 fols. chart. (memb.. 601) 293 (207) x 204 (110) mm, origin Italy (Perugia).

Quiniones, saec. XV (1433-1444).

fol. 4r-129v, 133r-365r **Johannes de Montesperello, Recollectae in Codicem** (Cod. 2.1.1-2.50.1, 6. 1.1-6.62.2)

(Invocatio) In nomine Domini. Amen. (Rubrica) Anno Domini M^o cccc^o xxxiiii indictione xii tempore sanctissimi in Christo patris et domini domini Eugenii diuina prouidentia pape quarti iste sunt recollecte per me Amadeum de Schafalibus de Fulgis sub famosissimo in orbe doctore legum domino Iohanne de Monte Sperello in quarto anno mei studi (*sic*) a (*sic*) laudem Dei. Amen. Sacratissimi Iustiniani codicis liber primus explicit. Incipit secundus. De edendo rubrica. (*marg.*) Rubrica. (Textum) In glossa rubrice ibi preparatorium alias etiam tractatur de edictione ... (fol. 4v) (Lemma primum) 1. *Ipse dispice*: Actor non debet ex domo rei probationes spetare ... (Finis) lex ista non intelligatur ut supra. Non est plus et Deo gratias. (**Bibl.** Sella, 'Nuove sigle' 11; Diplovatatus, *De claris iuris consultiis* 370-72. Lib. II ends at fol. 129v. Lib. VI begins at fol. 133r with a note by the scribe referring to the coronation of Emperor Sigismund in 1433.)

fol. 130r, 366r, 367r <**Auctores varii, Consilia**>, nominatur: Martinus de Fano (fol. 367r [**Bibl.** Kaeppli, *Scriptores* III 112 no. 2966]); <Incerti auctores> (fol. 130r, 366r).

fol. 368r-588v <**Johannes de Montesperello, Recollectae in Digestum vetus**> (Dig. 5.1.1-5.1.79, 5.3.1-5.6.1, 12.1.1-13.7.41)

(Rubrica) Explicit digestorum liber quartus. Incipit quintus. De iudiciis et ubi quis agere uel conueniri debeat. (*marg.*) Rubrica. (Textus) In glossa rubrice bene continuat a remotis ... (fol. 386v) (Lemma primum) 1. *Si se subiciant*: Per partes litigantes iurisdictio prorogatur ... (Finis) quod confirmetur ius sui successoris per superuenientiam iuris in se. (**Colophon**) Deo gratias. (Amadaeus de Schafalibus ended his lecture notes on Lib. V at fol. 420v, and he began Lib. XII at fol. 422r with a note dated 1413 which mentions his master by name.)

fol. 589r-v **Livius**, <**Ab urbe condita**, excerpta> (AUC 30.30.3-30.30.30, 30.31.1-30.31.10)

(Rubrica) Oratio **Anibal**is ad Scipionem ex Liuio sumpta. (Textus primus) Si hoc ita (*om. cod.*) fato datum erat ut qui primum bellum intuli ... (fol. 589v) (Rubrica

- secunda) Responsio Scipionis. ... (Textus secundus) Non me fallebat Hanibal (habere add. cod.) aduentus tui spe (spem cod.) ... (Finis) eam fortunam quam dei (dii cod.) dedissent. ZZ (Ed. Titus Livius, *Ab urbe condita libri*, ed. W. Weissenborn and M. Müller (Lipsiae 1909) 385-88, 388-89.)
- fol. 589va-b, 591ra-vb **Franciscus Petrarca** <**Canzoniere**, excerpta> (nos. 111, 115, 161, 165, 154, 156, 153, 160, 92, 19, 302, 26, 146)
(Textus primus) La donna che'l mio cor (core cod.) nel viso (volto cod.) porta ...
(Textus ultimus) O de ardente vertude ornata e calda ... (Finis) che Appenino parte et mare circunda et Alpi. (*leg.* ch'l Appenin parte e'l mar circonda l'Alpe.) (Ed. Francesco Petrarca, *Canzoniere* (Novara 1962) 179, 183, 249, 253, 242, 244, 241, 248, 157, 51, 407, 64, 234.)
- fol. 589va <Incertus auctor, **Versus**> (Italice)
(Textus) Por che ad cupido sua faccia orata ... (Finis) extincte sonno per la tua dementia.
- fol. 590r <**Pseudo-Sallustius, Invectiva in Ciceronem**>
(Rubrica) Controuersia Salustii cum Accrone (*sic*). (Textus) Grauter et iniquo (inico cod.) animo maledicta tua paterer ... (Finis) in hac neque in illa parte [p] fidem habens. (Ed. *Sallustius in Ciceronem*, ed. A. Kurfess (Lipsiae 1914) 1-8.)
- fol. 590r-591r <**Pseudo-Cicero, Invectiva in Sallustium**>
(Rubrica) Responsio Aceronis (*sic*) ad Salustium. (Textus) Ea demum magna uoluptas est [c//] Salusti ... (Finis) si qua ego honeste (honestu cod.) effari possim. (Ed. *Sallustius*, ed. cit. 9-21.)
- fol. 592ra-rb <**Bartholomaeus de Castello Plebani, Versus**> (Italice)
(Rubrica) La nocte che segui l'orrebil casu. (Textus) Cruda selvaggia fugitiva et fiera ... (Finis) che quasi homo morto piagnendo tadora. (**Bibl.** F. Carboni, *Incipitario della lirica italiana dei secoli XIII e XIV II* (Studi e testi 288; Città del Vaticano 1980) 59-60 no. 621.)
- fol. 593r-599v <Incertus auctor, forsan **Johannes de Montesperello, Recollectae in Digestum vetus**>, fragmenta (Dig. 4.2.9.2 in med.-4.2.9.8, 4.2.12.1, 3.5.14-3.5.18.3, 3.5.47-3.5.48, 3.5.8, 3.6.1-3.6.4 in med.)
(Lemma primum) <*Idem Pomponius scribit*> /// sed hoc non placet Iohanni de Imola ... (Lemma ultimum) *Hec actio heredi:* ... et quod sit caus/// (Fol. 600 is a badly multilated leaf from the same text.)
- fol. 601ra-vb <Incertus auctor, **Commentaria in Digestum vetus**>, fragmentum (ca. Dig. 12.6)
///soluere secuta ergo et con<scr>iptio ... (Finis) /// in persona filii ///
- Cat.** Dolezalek, *Verzeichnis 2*.

The MS is in the the cursive bookhand of Amadaeus de Schafalibus de Fulgis, who wrote in black ink,

except for the 16th-century index to the MS on fol. 2ra-3ra and for the fragment at fol. 601ra-vb. The latter is in an Italian bookhand. There are legal notes at fol. 1r and 592v. A scrap with script has been attached to fol. 132v. The MS has two foliations: the older, written one, that begins on fol. 4r; and the modern stamped numeration that this description follows. Catchwords are framed and centered. For the watermarks, cf. Briquet nos. 7686 and 6640. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. Fol. 1v, 3v, 130v-132v, 365v, 366v, 367v, 410r-v, and 421r-v are blank.

Vat. lat. 5922

saec. XV (1476-1478; 1498-1499)

Scr. Laurentius de Gattis; Johannes Antonius (?).

<I> +298 fols. chart. 327 (215) x 237 (147) mm, origin Italy (Naples, Pisa). Quiniones, saec. XV (1476-1478, 1498-1499).

fol. 1ra-52va **Johannes Antonius**, <**Tractatus de restitutionibus**>

(Textus) Inter peccatorum multitudinem nullum perniciosius inuenitur quam rei aliene detempcio ... (Finis) facit lex Incola ff. ad municipales (Dig. 50.1.29) et in c. finali 17 q. ultima (C.17 q.4 c.43). (Colophon) Finis. Ego Ioannes Antonius.

fol. 53ra-97rb, 129ra-210r, 234r <**Auctores varii, Repetitiones**>, nominantur:

Bartholomaeus Socinus, Repetitiones 1. *Qui Romae* (Dig. 45.1.122) (fol. 155r-202r [1498]), 1. *Mulieri et Titio* (Dig. 35.1.74) (fol. 203r-210r [Pisis]), *Stipulationum* (Dig. 45.1.5) (fol. 147r-154v), *ZZ § Si prius* (Dig. 37.4.12.1) (fol. 234r); Johannes Caraffa, Repetitio c. *Si quis suadente* (C.17 q.4 c.29) (fol. 129ra-146va); Stephanus Gaetanus, Repetitio c. *Quoniam* (Sext. 1.6.47) (fol. 79ra-97rb [1476]); Incertus auctor, Repetitio c. *Veniens* (X 5.1.15) (fol. 53ra-78ra).

fol. 97va-111rb **Franciscus <Gaetanus>**, **Tractatus fidei**

(Rubrica) Tractatus fidei ubi est tota materia heresis ... (Inscriptio) Franciscus Dey et apostolice sedis gracia episcopus Squillacensis ... (Praefatio) Scire uos uolumus quod ZZ nonnulli Cerritani uulgariter nuncupati ... (fol. 98va) (Textus) Quoniam plurimi circa diuinaciones uacant eorum conscientiam deturpantes ... (Finis) iure et modo etc. salua correctione ut supra. (Colophon) Episcopus Squillatensis (*sic*). Finis. Deo gracias. Amen. (Ed. TUI 14 fol. 2ra-7vb. **Bibl.** C. Eubel, *Hierarchia catholica medii aevi* 2 (Monasterii 1914; repr. Patavii 1960) 241.)

fol. 111va-128va **Johannes Caraffa**, **Tractatus de simonia**

(Rubrica) Tractatus de simonia editus per magnificum utriusque iuris doctorem ac uicecancellarium dominum Ioannem Carrafam dignissimum sub cuius doctrina audiui anno Domini M cccc lxxviii. (Textus) Simonia ortum habuit in ueteri testamento ab uno qui uocabatur Gizei (*Iecz cod.*) ... (Finis) et i.q. i Iubemus (C.1 q.1 c.126) usque ad finem questionis. Cetera autem per summistas. (Colophon) Deo gratias. Finitur tractatus de simonia ultimo mensis octobris per me Laurentium de Gattis millesimo et indictione ut supra. (Ed. TUI 15.2 fol. 116vb-123ra. **Bibl.** Schulte, *Geschichte* II 380.)

fol. 211r-232v <Incertus auctor, forsan **Bartholomaeus Socinus**, **Consilium**>

(Invocatio) Ihesus Maria etc. (Rubrica) Primum dubium. (Textus) Supposita communi opynione pro uera quod preteritio filii in potestate ... (Finis) ubi Baldus C. de successorio edicto (Cod. 6.16).

ZZ fol. 233r-256r <Incertus auctor, forsan **Bartholomaeus Socinus, Lectura in tit. De liberis et posthumis**> (Dig. 28.2.1-28.2.7)
(Rubrica) Lex prima de liberis et posthumis. (Lemma primum) <Quid sit>: Primo no. secundum Bartolum et doctores quod quando demonstraccio est certa ... (Lemma ultimum) <Si filius>: ... (Finis) nam si testamentum esset utroque iure nullum. (The date '15^a die aprilis 1499^o' appears at fol. 253v.)

fol. 257r-297v **Petrus Santernus, Tractatus de assecurationibus**
(Rubrica) Tractatus de assecurationibus et fideissionibus (*sic*) mercatorum domini Lusitani. (Textus) <A>ssecurationis clipeo res suas contra seuam fortunam ... (Finis) si habebant merces Iudeorum in nauis a piratis et ab aliis latronibus maritimis. (Colophon) Laus Deo omnipotenti. Explicit non uulgaris sed sollempnis et utilis tractatus de securitatibus et sponsionibus mercatorum pleclarissimi (*sic*) domini Lusitani Pet<ri> Sante tene (*sic*) etc. peritissimi et famosissimi quem composuit anno Domini M^o cccc^o lxxxviii^o etc. **τελωδ** (**Ed.** TUI 6.1 fol. 348rb-357rb. **Bibl.** D. Maffei, 'Il giureconsulto portoghese Pedro de Santarém autore del primo trattato sulle assicurazioni (1488)', *Estudios em Homenagem aos Profs. Manuel Paulo Meréa e Guilherme Braga da Cruz* (Boletim da Faculdade de Direito de Coimbra; Coimbra 1983) 703-28, printing several excerpts on pp. 725-28; Sella, 'Nuove sigle' 12.)

fol. 298r <Incertus auctor, **Versus**>
(Rubrica) An uenalis cardinalis. (Textus) Cesarei qui sancta petis uestigia iuris ... (Finis) accipite et uestra sepe tenete manu. **τελωδ**.

Cat. Dolezalek, *Verzeichnis 2*.

The MS contains two sections: the Neapolitan one (fol. 1ra-146va) and the Pisan (fol. 147r-298r). The heart of the Neapolitan section is the copying work of Laurentius de Gattis (1476-1478); see his notes at fol. 97rb, 111va, and 128va. To this were added the texts at fol. 1ra-78ra, possibly the autograph of Johannes Antonius, and at 129ra-146va. The main hand of the Pisan section is that of a student of Bartholomaeus Socinus; see fol. 192r and 202r. That scribe wrote fol. 147r-210r, 211r-231r, 234r, and 235r-257r. Another hand wrote fol. 257r-298r. The Neapolitan section belonged to the pupil of Socinus; see his note at fol. 111va *margin*. All of these hands are cursives in dark brown ink. There are extensive additions by the scribes in the margins. From fol. 79r onwards, rubrics are red. On fol. 79r to 104va and on 111va capitals and paragraph signs are red. <I>r is a modern table of contents in two hands. Catchwords are set perpendicular to the text at lower right. For the watermarks, cf. Briquet nos. 7698, 11711, 12203, and 12123. The MS has a 19th-century parchment binding incorporating the 17th-century one. <I>v, fol. 78v, 202v, 210v, 213r-v, 216v-217r, 220r, 221v, 224v, 226r-v, 228v, 229v, 231v-232r, 233r-v, 234v, 256v, and 298v are blank.

Vat. lat. 5923

saec. XV (ca. 1471-1474)

Scr. N. R.

350 fols. chart. 402 (167) x 284 (165) mm, origin Italy (Viterbo; Pavia). Quiniones, saec.

XV (ca. 1471-1474).

fol. 1ra-66va **Dominicus de Sancto Geminiano, Repertorium alphabeticum de significationibus verborum**

(Rubrica) Repertorium domini Dominici de Sancto Geminiano excellentissimi decretorum doctoris de significato uerborum et dictionum. (Lemma primum) A. Quandoque sta augmentatiue glo. in c. Vbi periculum in principio de elec. libri vi (Sext. 1.6.3) ... (fol. 66rb) (Lemma ultimum) *Zizania*. (Finis) Quid sit glo. in uerbo 'zizanie' in cle. Dudum de sepul. (Clem. 3.7.2). (Colophon) Explicit repertorium domini Dominici de Sancto Geminiano excellentissimi decretorum doctoris de significato uerborum et dictionum etc.

fol. 66va-67vb <Incertus auctor>, **De nominum interpretationibus**

(Rubrica) De nominum interpretationibus. (Textus) Dubia uerba qualiter interpretantur uide litteram D. ... (Finis) aducit Agu. de pen. d. i Periculose (*De poen.* D.1 c.23) in fine.

fol. 67vb-71va <Incertus auctor>, **De his quae propriis non congruunt titulis**

(Rubrica) De hiis que propriis non congrunt (*sic*) titulis. Rubrica. (Textus) Castrum per se non habet territorium nisi ex priuilegio ... (Finis) Io. An. in regula Qui sentit de regulis iuris in vi (Sext. 5.13.55) super glossam.

fol. 71va-74vb <Incertus auctor>, **De dispensationibus**

(Rubrica) De dispensationibus. Rubrica. (Textus) An papa dispensare possit contra generalem statutum (statum cod.) ecclesie ... (Finis) in c. Si gratiose, de rescriptis in vi (Sext. 1.3.5) extra de electione Dudum ii (X 1.6.54).

fol. 75ra-270va **Dominicus de Sancto Geminiano, Repertorium <iuris secundum titulos Decretalium>**

<Invocatio deest.> (Rubrica) Incipit repertorium domini Dominici de Sancto Geminiano per rubricas et primo. Rubrica. De constitutionibus. (Textus) Si princeps concedit ciuitati ut possit facere statuta ... (Finis) et per doctores de prebendis Pro illorum (X 3.5.22). (Colophon *marg.*) viii maii. Laus Deo. Viterbii. (This is another version of the text found in Vat. lat. 2364 fol. 1r-274v and in Ross. 836 fol. 68rb-290va.)

fol. 271ra-va <**Formae litterarum**>

(Inscriptio) Vniuersis et singulis presentes litteras inspecturis. (Textus) Pateat euidenter quod nos etc. ... (Finis) cuius obsequiis manciantur in quo si ideo etc.

fol. 272ra-308rb **Ludovicus <Pontanus, Singularia secundum ordinem decretalium>**

(Rubrica *marg.*) Singularia Ludouici. (Rubrica) De summa Trinitate. (Textus) <L>icitum est alicere aliquem per pecunias ut ueniat ad fidem ... (Finis) Adde hoc ad 1. Scire leges ff. de legibus (Dig. 1.3.17). (fol. 308r) (Colophon) Finis. Per fin. N. R. che uiuo. (This is not the collection of *singularia* in Vat. lat. 8079 fol. 14r-81r.)

fol. 309ra-318vb **Philippus de Franchis**, <Quaestio de materia petitorii>
(Rubrica) <T>hema cum dubiis publice disputatis per clarissimum utriusque iuris doctorem (clarissimum ... doctorem *om. ed.*) dominum Philippum de Franchis de Perusio ordinarie in iure canonico in studio Papiensi legentem sub annis Dominy (anno *ed.*) M^o cccc lxi die xx may in festo sancti Bernardini feliciter incipit. (Argumentum *pro* feliciter incipit *ed.*). (Praefatio) Ex nobilissima urbe Perusina Cornelio et Pamphilo coram apostolice sedis delegato in petitorio inuicem litigantibus ... (Invocatio) Omnipotentis Dey presidio implorato. (Textus) Pro examinatione primi dubii uidendum est primo si aliquo remedio petitorio potuisset ... (Finis) sed eius generalitas non includit ecclesiam ut supra demonstratur (demonstratur *cod.*). (Colophon) Et sic sit finis presentis disputationis edite per eundem excellentissimum doctorem dominum Philipum de Franchis de Perusio in studio Papiensi siue Ticinensi. Deo gratias. Amen. (Ed. TUI 3.2 fol. 326vb-333va. **Bibl.** Schulte, *Geschichte* II 342.)

fol. 319v <Incertus auctor, **Adnotationes de visitationibus**>

fol. 320ra-350rb <**Auctores varii, Repetitiones**>, nominantur: Franciscus Zabarella, Repetitio c. *Perpendimus* (X 5.39.23) (fol. 320va-330vb) *cum tabula* (fol. 320ra-va); Incerti auctores, Repetitiones c. *Raynaldus* (X 3.26.18) (fol. 331ra-340va), c. *Clericos* (X 3.4.17) (fol. 341ra-350rb). ZZ cfr. Colophon: Finis Repetitio domini Francisci de Zabarelli anno domini M^o CCC LXXXVIII^o de studio paduano. Laus Deo diu??? Hyronimo

The MS is written in brown ink in several cursive bookhands. One scribe signed himself 'N. R.' (fol. 330vb) or 'N. uir spectabilis Senensis Papie studens' (fol. 330vb). The date 1471 appears at fol. 309ra; and 1474 at fol. 330vb. Extensive additions were made to the Geminianus texts. The Zabarella repetitio has red signs and capitals. Catchwords are centered. For the watermarks, cf. Briquet nos. 3387, 11702, 4411, 6312, and 6595. The MS has a 19th-century parchment binding, incorporating the 17th-century one. Fol. 350v is blank except for a note. Fol. 308v and 319r are blank.

Vat. lat. 5924

saec. XV (1428)

<V> + 292 fols. chart. 385 (280) x 279 (185) mm, origin Italy (Rome). Quiniones, saec. XV (1428).

<I>ra-<IV>vb <Tabula titulorum et capitulorum>

<V>ra-rb <Tabula alphabetica titulorum>

fol. 1ra-292vb **Dominicus de Sancto Geminiano**, <Commentaria> in **Decretales** (Lib. I)

(Lemma primum) <G>*regorius*: Hoc prohemium potest diuidi in quatuor partes. In prima salutatio ... (Lemma ultimum) <C>*ompromissum*: ... (Finis) uide in speculo eodem titulo et § Finitur etc. (Colophon) Explicit lectura super primo libro decretalium compilata ab egregio utriusque iuris doctore domino Dominico

de Sancto Geminiano s<cripta> et completa Rome die ueneris decima septima septembris 1428+.

Bibl. Sella, 'Nuove sigle' 8.

At fol. 4rb the text passes over the title *De summa Trinitate* (X 1.1) without a break. The MS is written in two gothic cursive bookhands (fol. 1ra-220vb; fol. 221ra-292vb) in brown ink with the lemmata occasionally shading off towards black. The copious annotations at the beginning include references to Johannes de Imola (e.g. fol. 5rb); a note on the life of Johannes Andreae appears on fol. 218rb. The tables at <I>ra-<V>rb are in a modern hand, as are the rubrics and chapter numbers in the first part of the MS. Spaces reserved for capitals are blank except for occasional instructions in ink for the rubricator, which also appear at the beginnings of titles. For the watermarks, cf. Briquet nos. 11721, 11696, and 15865. Catchwords are centered, and some are framed. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <V>v and fol. 171rb are blank.

Vat. lat. 5925

saec. XV (1444)

Prov. Ludovicus de Ypoc^{ubus}. **Scr.** B. de Vercella.

<I> +96 fols. + 10bis-ter ZZ -66 + 83bis-84 chart. 429 (264) x 300 (160) mm, origin Italy. Quiniones, saec. XV (1444).

fol. 1ra-23vb **Baldus <de Ubaldis, Apostillae ad Novellam in Librum Sextum>**
(fol. 1r) (Rubrica *margin.*) Baldus super sexto. (Textus) Gratia per papam facta nondum scripta in solita litterarum forma ... (Finis) ff. de manumiss. testa. Menia (*sic*) (Dig. 40.4.44) per Dylum. Explicit usque de regulis iuris. (**Bibl.** See Vat. lat. 2233 fol. 1vb-66vb *margin.*)

fol. 23vb-42ra **Baldus <de Ubaldis, Apostillae ad Mercuriales>**
(Invocatio *margin.*) In nomine Dei omnipotentis. (Rubrica *margin.*) Incipit de regulis iuris per Baldum. (Textus) Vicarius Yhesu Christi in totius ecclesie (*sic*) monarcha omnium christianorum ... (Finis) Vltimo disputat questionem an autores librorum debeant apponere suum nomen. (Colophon) Deo gratias. Splicit (*sic*) Baldus super vi decretalium incipitque super clementinis. (**Bibl.** See Vat. lat. 2233 fol. 167ra-256rb *margin.*)

fol. 42ra-49vb **Baldus <de Ubaldis, Apostillae ad Glossam ordinariam in Constitutiones Clementinas>**
(Lemma primum) *Iohannes episcopus*: Constitutiones que occultantur non ligant etiam si conditor uelit ligare ... (Finis) quam glo. tene cordi. (Colophon) Deo gratias. Inceptus ultima die decembris ac finitus xx^a inuarii M^o cccc^o xliiii. (**Bibl.** T.M. Izbicki, 'Notes on Late Medieval Jurists', BMCL 4 (1974) 49-54 at 54.)

fol. 50ra-67ra **Franciscus Zabarella, Repetitio c. Perpendimus** (X 5.39.23)
(Rubrica *al. man.*) Incipit repetitio c. Perpendimus de sen. ex. per dominum Franciscum Zambarellam cardinalem. (Lemma) *Perpendimus*: Difficilis est decretalis in textu et quoad casus ... (fol. 65rb) (Finis) per premissa aperitur uia ad uiam ergo suffitiant etc. (Colophon) Laus et gloria et gratiarum actio sit

indiuide Trinitati. Amen. Explicit repetitio c. Perpendimus de sen. ex. domini Francisci Zabarellae utriusque iuris doctoris confecta in felici studio Paduano etc. scripta per B. de Vercellis ad usum uenerabilis legum scholaris Ludouici de Ypoc^{ubus}. (fol. 65rb-67ra) <Tabula> (**Bibl.** Schulte, *Geschichte* II 285; and see Vat. lat. 2258.)

fol. 68ra-96vb <**Jacobus de Albertonis**>, **Contrarietates inter ius canonicum et civile** (Rubrica *marg.*) Contrarietates et diuersitates inter ius canonicum et ciuile. (Praefatio) Quoniam ut ait Aristoteles 'Opposita iuxta se posita euidenciora ...' ... (Textus) Nunc aggrediamur contrarietates et diuersitates utriusque iuris uidelicet canonici et ciuilis ... (fol. 96rb) (Finis) quia hoc feci et compleui tempore pontificatus Gregorii X. (Epilogus) Gratias ago diuine potentie et summo rerum creatori ... ut xxvi q. v c. Nec mirum (C.26 q.5 c.14) in secunda columpna in fine etc. Explicit. (**Bibl.** J. Portemer, *Recherches sur les 'differentiae iuris civilis et canonici' au temps du droit classique de l'église* (Paris 1946) 62-69; Izbicki, 'Problems in TUI' 492 n. 50.)

Cat. Kristeller, *Iter* II 336.

The MS is written in two gothic bookhands in brown ink; fol. 1ra-49vb; fol. 50ra-96vb (B. de Vercella). The MS has sporadic annotations in more than one late medieval hand. A note on <1>v, otherwise blank, refers to a passage in the *Sextus* commentary of Philippus Francus (d. 1471), in which Philippus cites from Baldus's *apostillae* (fol. 22va-vb) on the same text: Philippus Francus, *In Sextum decretalium librum commentarii* (Basileae 1581), ad Sext. 5.11.15 (p. 912b). See the description of Vat. lat. 2233 for additional evidence of Baldus's authorship. The rubric at the top center of fol. 1r is added in a different hand, and the explicit at fol. 42ra in another. The marginal invocation and rubric on fol. 23vb and the **colophon** following 'Deo gratias' on fol. 49vb are rubricator's instructions (space having been left between the two texts on fol. 23vb). The first part of the codex has red rubrics to fol. 17rb and rubricator's instructions in the margins thereafter. Capitals are red or blue, both with red Italianate decoration. Paragraph signs are red to fol. 17v and red or blue thereafter. Catchwords are framed and centered. For the watermarks, cf. Briquet nos. 2666 and 11172. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <I>r and fol. 67v are blank.

Vat. lat. 5926

saec. XIV

<I> +48 fols. memb. 282 (212) x 195 (120) mm, origin Germany. Quaterniones, saec. XIV

fol. 1r-48r <**Julianus, Epitome Novellarum**>, imperfecta (Rubrica) Si heres legata soluere noluerit (de heredibus et Falcidia *marg. al. man.*). (Textus) Primum (*add. cod.*) et in digestis et constitutionibus didicimus parentibus ... (Finis) uideat in suis pecuniis patientem iacturam. (**Ed.** *Iuliani Epitome* ed. G. Haenel (1873, repr. Osnabrück 1965), 21-178, not using this MS. The text is incomplete, missing over two hundred *novellae*; see Haenel's discussion of Class 3 MSS, pp. xii-xx, and pp. xx-xxii on editions for some similarly incomplete examples. The MS contains items 1-3, 7-10, 12-14, 16, and 18-21 from the appendices Haenel associates with Class 2 MSS, ed. cit. 192-96, and ends with Titulus 58 (*Nulli liceat*) as printed in Pesnot's edition, reprinted by

Haenel at *160. The *Epitome* is divided into two parts, the second beginning on fol. 21v. **Bibl.** Ed. cit., introduction; Corp. iur. civ. ed. stereot. 3 ix-x; P. Noailles, *Les collections de nouvelles de l'empereur Justinien* 2 vols. [Paris 1914] I 147-60; Conrat, *Geschichte* 121-30.)

fol. 48r-v **Justinianus, Novella** (Nov. 150 pr.)

(Textus) Legis interpretationem culmini competere ... (Finis) mancipari obseruarique precipiat. (**Ed.** Corp. iur. civ. ed. stereot. 3.725-26.)

fol. 48v <Incertus auctor, **Commentarium in Epitomen Juliani**, fragmentum>

(Textus) Nouella quare dicitur eo quod nouo tempore ... (Finis) argento auro quas (?) res aut ///

The MS is written in several gothic bookhands, in ink that varies from dark gray to black. Rubrics, capitals, and paragraph signs are in red. Some rubrics were originally lacking and have been added by a modern hand. <I>v has an Italian poem and a series of repetitive *probationes pennae*, among which is the note 'anno domini millesimo trecentesimo quadagesimo quarto.' Catchwords are centered and lightly decorated. Marginal notations (which generally correspond to headings in the edition) appear in at least two later hands. The 17th-century leather binding over wood boards has gold stamping and traces of clasps. <I>r is blank.

Vat. lat. 5927

saec. XIV

Scr. Marsilius de Alamania.

<I> +112 fols. memb. 457 (314) x 297 (190) mm, origin Italy. Quiniones, saec. XIV.

fol. 1ra-112ra **Cinus <de Pistorio, Lectura in Codicem>** (Lib. VI-IX)

(Rubrica) Explicit liber V. Incipit VI. De seruis fugitiuis etc. Rubrica. (Textus) Remota continuatione Placentini continua secundum Azonem ut (*om. cod.*) in glossa ... (Lemma primum) <S>eruum fugituum: In lege ista tria facit imperator ... (Finis) uel cancellacio banni sola equiparatur restitutioni sed indulgentie forte tantum. (Epilogus) <H>ic sit finis non solum huius legis sed et tocius operis ... ubi namque uel bene uel satis inuenietis domino nostro domino Ihesu Christo et eius piissime matri Marie uirgini gloriose mecum gratias agatis. Amen. (Colophon) Finis lecture domini Cyni scribendo complete per Marsilium de Alamania. (**Ed.** Cinus, *In Codicem ... Commentaria* II (Francoforti ad Moenum 1578; anast. repr. Torino 1964) fol. 334va-571vb. See also Vat. lat. 2593.)

fol. 1ra-112ra, passim <**Additiones ad Lecturam Cini**> Bal. (fol. 12rb).

Bibl. Sella, 'Nuove sigle' 10; G. d'Amelio, 'Il *Dictionarium iuris* di Jacques di Revigny', *Tijdschrift voor Rechtsgeschiedenis* 40 (1972) 43-72 at 53 n. 32.

This is the second volume of a set, the first volume of which is not in the Vatican Library. The MS is written in dark brown, almost black, ink in three gothic bookhands: fol. 1ra-46rb; 46rb-88vb; 89ra-112ra (Marsilius of Alamania). The text is corrected by the scribes and 'Corr.' is marked under the catchwords in the ZZ first and third hands, which are more formal than the third. There is a pecia note at fol. 22ra, 'fi. x.

pec. secunde partis'. The MS has been annotated in several hands. Subject headings have been added on some rectos by a later hand. Fol. 1 is stained. Blank spaces have been left for capitals. Rubrics are red. Catchwords are framed and centered. The MS has an early 17th-century leather binding over wood boards with traces of clasps. <I> and fol. 112v are blank.

Vat. lat. 5928

saec. XIV

142 fols. + <I> memb. 465 (370) x 290 (210) mm. Seniones, saec. XIV.

ZZ fol. 1ra-142va <**Guido de Baysio, Rosarium Decretorum**>, imperfectum (C.12 q.1 c.18 *in med.*-Epilogus) (See Vat. lat. 1449 fol. 1ra-338rb for further information.)

Variants:

(Textus) /// maius de primo ibi de secundo hic dicitur ... ??? <Colophon deest.>

(Versus) cordi *pro* cordis.

fol. 142va <Incertus auctor, **Nota de privilegio dato per Innocentium IV fratribus praedicatoribus et minoribus**>

The MS is written in several gothic bookhands in black ink. Picia marks appear irregularly; cf. fol. 3va and 77rb. The MS is sparsely annotated, with the note at fol. 142va added in a later cursive hand. Fol. 1r and 142v are faded. Fol. 1r-4r are ink stained. Major sections of the work begin with illuminated initials, often with zoomorphic or anthropomorphic forms. Chapters begin with red or blue capitals decorated in elaborate penwork in the contrasting color. Running heads are in red. Paragraph signs are red or blue. Catchwords are framed at the lower right. The MS has an early 17th-century leather binding over wood boards with traces of clasps. Fol. 104v is blank except for the running head. <+I>r-v is blank.

Vat. lat. 5929

saec. XIV

Prov. Rome, S. Maria del Popolo O.E.S.A.; Marino Orsini, archbp. of Taranto 1445-1472.

<I> +154 fols. memb. 443 (363) x 268 (228) mm, origin Italy. Quiniones, saec. XIV.

fol. 1ra-98vb **Bonifacius VIII, Liber Sextus** (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*

(Rubrica) Sextus liber decretalium domini Bonifacii pape VIII. (Praefatio) altitudo *pro* altitudo <Colophon deest.>

fol. 1ra-98vb **Johannes Andreae, <Glossa ordinaria in Librum Sextum>** (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*

(Lemma primum) *episcopus* om. (Textus) *motus add. post* ratione, uel *pro* et (Finis) eis *add. post* utiles. (Colophon) Explicit apparatus domini Iohannis Andree super vi libro decretalium.

fol. 1ra-98vb, passim <**Additiones ad Glossam ordinariam**> ar. (fol. 17va); ar' (fol. 31ra); arch' (fol. 3rb, 4va, et passim); archi. (fol. 4va); G. (fol. 2ra); host' (fol. 3rb); hosti. (fol. 77ra, ZZ 88rb); Io. an. (fol. 1rb, 2ra, et passim); Io. mo. (fol. 2rb, 3va, et passim); Lapus abb' (fol. 23vb); Pap' (fol. 5rb); pau. (fol. 17ra); paulus

(fol. 10va).

fol. 99va-vb <Tabula alphabetica titulorum Libri Sexti>

fol. 100ra-153va <**Clemens V, Constitutiones Clementinae**>, imperfectae (See Vat. lat. 1401 fol. 1ra-60rb for further information.) *Variants:*
(Praefatio) /// oportunitate captata illas uobis sub bulla nostra transmittimus ...
(Rubrica textus) Rubrica. *om.* <Inscriptio textus et colophon desunt.>

fol. 100ra-153rb **Johannes <Andreae, Glossa ordinaria in Constitutiones Clementinas>**, imperfecta (See Vat. lat. 1397 fol. 1ra-68rb for further information.) *Variants:*
(Textus) /// in hoc ordinem quem tradit euangelista Iohannes ... (Finis) nos colloquet cum electis per intercessionem uirginis gloriose. (Colophon) Finit apparatus clementinarum. (Subscriptio) Ioannes.

fol. 100ra-153va, passim <**Additiones ad Glossam ordinariam**> abas. (fol. 147ra); B'tran' (fol. 103rb); cy. (fol. 106vb); gen. (fol. 146va); guil' (fol. 106va); Guil' (fol. 147ra, 147va); guill' (fol. 108rb); Guill. de monte (fol. 111ra); Guills. (fol. 146rb); Guills. de monte lauduno (fol. 145rb); Io. an. (fol. 101va, 103vb, et passim); Io. de li. (fol. 101vb, 102rb, et passim); Io. de lig' (fol. 101vb, 107rb); Io. de lig° (fol. 101vb, 103vb, et passim); Io. de ligniano (fol. 102va); Io. de lignano (fol. 123vb); Io. li. (fol. 147ra); lap' (fol. 107ra, 147va); lau. (fol. 108va); math' (fol. 103va, 108va, et passim); pa. (fol. 108va); pau. (fol. 102va, 107va, et passim); paul' de elez. (fol. 112rb); pe. di belaper. (106vb); ZZ ste. (fol. 146va, 147rb, et passim); steph' (fol. 147va, 148ra); sthe. (fol. 102ra, 102rb); zen. (fol. 107ra, 107va, et passim); zencellen' (fol. 122rb).

fol. 153va-154rb **Johannes <XXII, Const.> Execrabilis** (Extrav. Ioan. XXII 3.un.)

Bibl. ZZ Tarrant, 'Clementinae' pt II 122-23, 140; Liotta, 'Appunti' 26 n. 98; Sella, 'Nuove sigle' passim.

The MS is written in a *littera bononiensis* in brown ink. The two works are highly similar but are probably by different scribes; see below. The apparatus of each work is keyed to its text by a system of symbols and *lemmata*. Pécia marks appear in both works: cf. fol. 67va (for the gloss) and 109vb (for the text) and 110ra (for the gloss). The MS was corrected, possibly by the same hand which wrote the table on fol. 99va-vb. Each major work has its own older, written numeration. The modern numeration, followed here, is stamped at the lower right. The old numeration of the Sext skips present fol. 7; that of the Clementines begins '2' at present fol. 100v, indicating the loss of one folio. A miniature on fol. 1r fills most of the text space. Major initials in the first part (fol. 1-98) are painted in a variation of the north Italian style, often with vegetative ornamentation and gold disks. Small portrait miniatures appear irregularly. In the second part (fol. 100-153), a similar style has simple square backgrounds and the portrait miniatures appear more regularly. Capitals are red or blue with elaborate penwork decoration in the contrasting color. The style of this decoration is different in the two sections. Rubrics are red, paragraph signs are red or blue. The Orsini arms have been added in the lower margin of fol. 1v. At fol. 1r is written, 'San<cte Marie de Populo> sacri ordinis fratrum eremitarum sancti Augustini reformatorum ex libris r. d. Marini de Vrsinis archiepiscopi Tarentini'. At fol. 154v the same note appears as '<Sancte Marie> de Populo <sacri ordinis fratrum eremitarum sancti Augustini reformatorum> ex libris Marini de Vrsinis archiepiscopi Tarentini'. At fol. 99r

'Conuentus sancte Marie de Populo Rome' is written over '/// messer Erardo de la Magna /// sol<uit> vi ad x de marzo 1343 soc. ///ena inprestat libri ii a di xv de marzo'. Catchwords are framed and centered. The MS has an early 17th-century leather binding over wood boards with traces of clasps. Fol. 99r and fol. 154v are blank except for the notes mentioned above. <I>r-v is blank.

Vat. lat. 5943

saec. XV(1434)

Scr. Laurentius.

<I> +287 fols. chart. 337 (223) x 232 (118) mm, origin Italy (Pavia). Octiones, saec. XV (1434).

<I>v <Incertus auctor, **De repetitionibus in reollectis Catonis de Sachis**>
(Textus) In istis reollectis sunt pulcherrime repetitiones ... (Finis) quas tu ipse despice. Laus Deo et uirgini etc.

fol. 1r-287v **Cato de Sachis, <Recollectae in Infortiatum>**

(Rubrica) Soluta matrimonio quemadmodum dos (*super lin.*) petatur sub famosissimo iuris ciuilis doctore domino Catone de Sachis in studio famosissimo Papiensi de anno 1434. (Invocatio) In nomine Patris et Filii et Spiritus sancti. Amen. (Textus) Consueuerunt maiores nostri in principiis librorum perquirere causas ... (fol. 2v) (Lemma primum) 1. Dotis causa: Lex ista est difficilis et dicitur materiam notabilem ... (Lemma ultimum) § Sed si non adierit: ... supra soluto matrimonio (Dig. 24.3). Tu uero pondera.

Cat. Kristeller. *Iter* II 336; Dolezalek, *Verzeichnis* II. **Bibl.** Sella, 'Nuove Sigle' 7.

Texts commented on are: Dig. 24.3-25.2; 26.1.1-26.1.6.2; 26.2.11; 28.1.1-28.5.87; 28.6.1-28.6.34.2; 28.6.43-28.6.45; 28.7.1; 29.2.1-29.6.4 in med.

ZZ The MS is written in a cursive hand in brown ink. Laurentius signed his name within two of his many *additiones* at fol. 84r *margin* and fol. 217r *margin*. The capital at fol. 1r is blue and red surrounded by penwork decoration. The capitals at fol. 94v, fol. 255r and fol. 263v are red with decoration in ink. Most of the rubrics are red. For the watermarks, cf. Briquet no. 7876. Catchwords are framed and centered. The MS has a 17th-century leather binding over wood boards with traces of clasps. <I>r is blank except for the Vatican Library stamp. Fol. 87v, 93r-v, 203v, 254r-v, 268r-v, and 271v-272v are blank.

Vat. lat. 5947

saec. XVI

antea 289.

768 fol. chart. 294 (231) x 221 (125) mm, origin Italy. Seniones, saec. XVI.

fol. 1-768 <Incertus auctor>, **<Repertorium alphabeticum Decreti>**, imperfectum
(Rubrica) Decretum abbreviatum per alphabetum A. De abbate. (Textus) Abbas non habens populum non debet cogi uenire ad synodum episcopi. xviii. dist. c. Episcopus (D.18 c.9) ... (Rubrica ultima) De uerbis et uerborum significatione ... (Finis) differentia est inter inuitum et reclamantem. lxxiiii dist. c. primo (D.74

c.1) no. in uerb. aut reclamantem ///

The MS is written in a chancery cursive in darkbrown ink tending toward black in the capitals. Catchwords are perpendicular to the text at the lower right; p. 768: "Dictio". For the watermarks, cf. Briquet no. 47. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one.

Vat. lat. 5948

saec. XVI.1

<I> +194 fols. chart. 287 (232) x 205 (115) mm, origin Italy (Rome?). Octiones, saec. XVI.1.

<I>r <Tabula titulorum>

fol. 1r-194v <Guillelmus Cassador, Decisiones rotae>

(Rubrica) De constitutionibus. Summarium. (Primae decisionis de constitutionibus summarium, *ed.*). (Summarium) Extrauagans Execrabilis § Qui uero (Extrav. Ioan. XXII 3.un. v. Qui uero) in (*om. cod.*) titulo ... (Rubrica epitomes) Aliud. (Epithome. *ed.*) ... (Epitome) Ponit quatuor tempora quibus uaria fuerunt condita ... (Rubrica textus) Decisio prima. (de consti. *add. ed.*) ... (Textus) Ante concilium Lateranense quod fuit celebratum ab Alexandro tertio Senensi anno 1179 ... (Finis) et cedere supposita reformatione (reseruatiōe *ed.*) secundum Fede. de Sen. in tractatu de permutatione beneficiorum questione prima.

Ed. Guillelmus Cassador, *Decisiones seu conclusiones auree* ... (Venetiis 1544) fol. 1r-245v.

Bibl. C. Lefebvre, 'Rote romaine', DDC 7.769; H. Claude, 'Guillaume de Cassadori', DDC 5.1013; Sella, 'Nuove sigle' 5.

The MS is written in a gothic cursive bookhand in black ink. Capitals sometimes are decorated in ink. The table at <I>r was added in a later hand. For the watermarks, cf. Briquet nos. 49 and 50. The leaves have protective paper over them. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <I>v is blank.

Vat. lat. 5955

saec. XVI/XVIIin.

Prov. Lelio Ruini, bp. of Bagnoregio (1612-21).

<XIII> + 334 fols. + <I> chart. 325 (225) x 220 (130) mm. Terniones, saec. XVI/XVIIin.

VIr-VIIv **Gregorius VII, Epistola ad Johannem abbatem sanctae Mariae de Banza ?**

(JL 4929, 1 feb. 1075)

(Inscriptio) Gregorius episcopus seruus seruorum Dei dilecto in Christo filio Iohanni abbati monasterii sancte Marie uirginis constructi in loco qui dicitur Banza ... promouendis in perpetuum (*imperpetuum ed.*) . . (Textus) Superne miserationis respectu ad hoc uniuersalis ecclesie curam suscepimus ... (Finis)

apud districtum iudicem premia eterne pacis inueniant. Actum Rome Kalendis Februarii, Indictione tertiadecima. (Ed. MGH Epp. Sel. 2, ed. E. Caspar 632-35, not using this MS.)

VIIIr-XIIr **Urbanus V**, <Acta in professione fidei **Johannis imperatoris Constantinopolitani**> (See Vat. lat. 3979 fol. 1r-2v for further information.)

Variants:

(Inscriptio) Ostiensi *pro* Hostiensi (Datum) septima, die decima mensis *pro* vii mensis; autorizantibus *pro* authorizantibus; Sumptum de registris *pro* Scriptum de registris.

fol. 1r-334r **Gregorius VII, Epistolae** (See Vat. lat. 4907 fol. 1r-225r for further information.) *Variants:*

(Epistola ultima) (Inscriptio) Guilielmo *pro* W. (Textus) Petrum *pro* P. (Ed. MGH Epp. Sel. 2, ed. E. Caspar, *passim*, not using this MS, which is mentioned at vii.)

fol. 334v-<+I>r <Notae ex regestris Gregorii VII>

(These miscellaneous notes from the Register have references to folios in this MS.)

Bibl. G.H. Pertz, 'Italiänische Reise vom November 1821 bis August 1823', DA 5 (1825) 1-514 at 339.

The MS is written in a single, neat 16th-century cursive, in brown ink. There are minor corrections in a different but contemporary hand, which added the references on fol. 334v- <+I> as well. Because of the letter to the abbot of Banza and the profession of faith of John Paleologus, the MS is classified as part of the same family as R* of Caspar's stemma, random sampling indicates it is similar but not identical to Reg. Vat. 3 (Caspar's R*¹), lacking the 15th-century indices copied into Reg. Vat. 3 from Reg. Vat. 2. On fol. 1r is the note 'Emptus ex libris Ill.mi D. Lelii Ruini episcopi Balneoregiensis anno 1623'. The two watermarks do not appear in Briquet; the first is a fleur de lys on a shield, the second is a unicorn in a circle, slightly similar to Piccard 2244. The binding combines 17th-century green leather covers with a mid-19th-century while parchment spine, Iv-Vv, XIIv, XIIIr-v, and +<I>v are blank.

Vat lat. 5959

saec. XIV

Prov. Lelius Ruini, bp. of Bagnoregio (1612-22).

122 fols. + ZZ 21bis-22 + 90bis memb. 227 (174) x 160 (118) mm. Quiniones, saec. XIV.

fol. 1ra-9rb <Tabula formularii>

fol. 13ra-122vb **Gaucelmus <Johannis Deuza>, Gotius <de Arimino alias de Battaglia>, Jacobus <Atti>, et Gullielmus de <Aura, O.S.B.>, Formularium novum officii poenitentiariae**

(Rubrica) Incipit nouum formularium officii penitentiariae domini pape... De symonia commissa per abbatem et couentum promictentes se missas celebratur...?? pro pecunia (Textus) Abbati Cauensi. Cum monasterii uestri

ueneranda religio uirtutum debeat candore nitere ... (Finis) secundum Deum animarum ipsorum saluti uideris expedire. Datum etc. (Colophon) Explicit nouum formularium officii penitentie domini pape. Correctum et reformatum ... per ... professores iuris canonici et ciuilibus.

Bibl. Göller, *Die päpstliche Pönitentie* I.1 pp. 27-34 and 65, giving a very brief description of the MS (siglum E); Haskins, 'Papal penitentiary' passim.

The MS is written in three late gothic bookhands, in brown ink (the hand changes at fol. 63r and 83r). Fol. 1r opens with a large decorated initial. The opening table has some decorated initials, the items are numbered in roman numerals, continuously to no. 234 (*recte* 224) on fol. 4va and sporadically thereafter. From fol. 13r-82v, rubrics are red; *formulae* begin with decorated initials, blue with red filigree decoration, or red with violet. Thereafter the initials are more lightly decorated, from fol. 117v they are just calligraphically outlined in ink. There are numerous annotations, corrections, and additions in contemporary hands. The formulae are numbered with roman numerals in the margin. At the bottom of fol. 1r is the note 'Emptus ex libris Ill^{mi} Domini Lelli Ruini episcopi Balneoregiensis an. 1623.' and the shelfmark, in a modern hand. Prickings are sometimes visible. Catchwords are at the lower right, framed and decorated from fol. 91v. Fol. 1-12 are of coarse parchment with uneven edges. The MS is bound in leather and parchment from the 17th and 19th-centuries. Fol. 9v-12v are blank.

Vat. lat. 6054

saec. XV (1482-1483)

Prov. Tristan de Salazar, archbp. of Sens 1474-1519. **Scr.** Franciscus Florius O.P.
<I> +306 fols. + <I> memb. 295 (219) x 209 (149) mm, origin France (Paris?).
Quaterniones, saec. XV (1482-1483).

ZZ fol. [i]^{ra}-cccvi^{rb} **Gregorius <IX>, Decretales** (See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:*
(Colophon) Finis. Iam uirginis ora Phebus aureus illustrarat (*sic*)... quando largifluo sumptu diui Tristandi Senonum archipresulis presens decretalium opus manus Francisci Florii die prima septembris M^o cccc^o lxxxiii^o feliciter expleuit ... Non deneget tandem rogo item uitae spatium ad penitentiam ut simul hac et sextum et clementinas Florius ille ... ualeat explere. Amen. Quinta luce posta fata iciuoduL siger murocnarF.

fol. [i]^{ra}-cccvi^{rb} **Bernardus <de Botone Parmensis, Glossa ordinaria in Decretales>**
(See Vat. lat. 1379 fol. 1ra-295ra for further information.) *Variants:*
(Subscriptio) Ber. (Finis) Finis.

fol. cccvi^{va}-<I>ra <Tabula titulorum Decretalium>

Bibl. Cf. *Colophons de manuscrits*, ed. Bénédictins de Bouveret II 93 nos. 4263-64; *Extravagantes Iohannis XXII*, ed. Tarrant 74 and n. 9.

The MS is written in brown ink in the gothic bookhand of Franciscus Florius O.P., who signed himself at the conclusion of Book II at fol. clviii^{rb}, 'In uigilia pasche vi^a aprilis M cccc lxxxii. Florius.' The colophon at fol. cccvi^{rb} is in a Roman round hand. The arms of Tristan de Salazar were painted at fol. . [i]^r, lxxxv^r,

clix^f, and ccxlv^v, each time surmounted by an archiepiscopal hat and cross set in a floral border which extends up between the columns to fill the spaces between text and apparatus. On either side of the arms, the border intertwines the letters, 'I. M.' On fol. ccxxiii^{ra} the arms fill the space at the bottom of the column, but the border and letters are in the usual style. There are miniatures at fol. [i]^{ra}, lxxxv^{ra}, clix^{ra}, ccxxiii^{rb}, and ccxlv^{vb}. Fol. Ira and the beginnings of books II-V of both the text and the apparatus all begin with gold and blue initials. Capitals and the paragraph signs are gold with blue or blue with red decoration, while rubrics are red. The running headers have elaborate penwork decoration. Catchwords are centered, and the edges of the parchment leaves are gilded. The MS is bound in yellow silk over wood boards with traces of clasps. Fol. clviii^v and <+I>^v are blank.

Vat. lat. 6055

saec. XV (ca. 1483)

Prov. Tristan de Salazar, archbp. of Sens 1474-1519. **Scr.** Franciscus Florius O.P.
294 fols. memb. 291 (217) x 193 (148) mm, origin France (Paris?). Quaterniones. saec.
XV (ca. 1483).

fol. 1ra-149va **Bonifacius VIII, Liber Sextus** (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*
(Rubrica) Incipit liber sextus decretalium domini Bonifacii pape viii. <Colophon deest.>

fol. 1ra-149va **Johannes Andreae, <Glossa ordinaria in Librum Sextum>** (See Vat. lat. 1394 fol. 1ra-116vb for further information.) *Variants:*
<Subscriptio deest.> (Colophon) Dominus Iohannes Andree.

fol. 150ra-rb <Tabula titulorum Libri Sexti>

fol. 151ra-223vb <**Clemens V, Constitutiones Clementinae**> (See Vat. lat. 1401 fol. 1ra-60rb for further information.) *Variants:*
(Praefatio) digesta *pro* et digesto <Inscriptio textus deest.> (Colophon) Explicit. Deo gratias.

fol. 151ra-223vb <**Johannes Andreae, Glossa ordinaria in Constitutiones Clementinas**> (See Vat. lat. 1397 fol. 1ra-68rb for further information.) *Variants:*
(Textus) deriuationes *add. post* interpretationes (Colophon) Amen.

fol. 224ra-228rb <**Clemens V, Const.**> *Exivi* (Clem. 5.11.1)

fol. 228rb-229va **Johannes <XXII, Const.>** *Execrabilis* (Extrav. Johan. XXII 3.un.)

fol. 229va-vb <Tabula titulorum Constitutionum Clementinarum>

fol. 231ra-vb **Johannes Franciscus de Pavinis, Praeludium in extravagantes, regulas cancellariae et decisiones rotae**
(Rubrica) Diuini ac humani iurisconsulti et causarum sacri palatii auditoris d. (B. cod.) Iohannis Francisci de Pauinis ad (*om. cod.*) extrauagantium regularum

- cancellarie et decisionum rote noticiam utile preludium. (Praefatio) Quintus Mutius uersus Seruium Sulpitium (Sculptium *cod.*) illo fuit usus sermone ... (Textus) Notandum quod sententia lata contra extrauagantem publicatam et indubitata est ipso iure nulla ... (Finis) quam in peculiari eorum oratione inuocatus xx. di. c. fi. (D.20 c.3) et Math. xviii (xvii *cod. male*) c. (Mt. 18.19). (**Ed.** *Extravagantes XX Iohannis XXII* (Parisiis 1508) fol. i^{va}-ii^{rb}. **Bibl.** Schulte, *Geschichte II* 332-33.)
- fol. 231vb-232rb **Johannes Franciscus de Pavinis, Apostillae <in Extravagantes Iohannis XXII, excerpta>** (Extrav. *Johan.* XXII 1.2 et 4.1)
 (Rubrica) Siuini (*sic*) ac humani iurisconsulti sacri pallacii causarum auditoris d. (B. *cod.*) Iohannis Francisci de Pauinis apostolice (*sic*) ad infrascripta (*sic*) extrauagantes quas idem dominus cum glossa Guillelmi de Monte Lauduno in suo tractatu quem de uisitatione intitulauit inseruit. Hic uero eius industria cum glossa Zenzelini fuere descripte. (Lemma primum) *Suscepti*. Hanc allegat Iohannes Andree in mercurialibus Nemo potest (Sext. 5.13.79) ad finem ... (fol. 232ra) (Lemma secundum) *Sedes apostolica*: Hanc constitutionem allegat decisio in antiquis Io. de Mol. ... (Finis) nos autem transimus cum opinione contraria tanquam communi. (Subscriptio) Io. Fran. (**Ed.** *Extravagantes XX* at fol. lxi^{va-vb} no. ii. fol. lxi^{vb}-lxii^{ra} no. v. The first sentence of the second excerpt was omitted by the scribe. **Bibl.** Schulte, *Geschichte II* 333.)
- fol. 232rb-va **Bonifacius VIII, <Const.> Unam sanctam** (Extrav. *commun.* 1.8.1)
- fol. 233ra-289rb **Johannes XXII, Constitutiones <sive Extravagantes Iohannis XXII>**
 (See Vat. lat. 1397 fol. 133ra-171ra for further information.) *Variants*:
 (Rubrica) Conceditur electis quod ubicumque moram traxerint sede uacante nullum eius preiudicium generetur. (Colophon) Expliciunt constitutiones Iohannis pape xxii. (**Ed.** and **Bibl.** *Extravagantes Iohannis XXII*, ed. Tarrant 134, using this MS, passim: siglum Vd.)
- fol. 233ra-289rb **Jesselinus de Cassanis, <Glossa ordinaria in Extravagantes Iohannis XXII>** (See Vat. lat. 1397 fol. 133ra-171rb for further information.)
Variants:
 (Rubrica) Incipit apparatus domini Iessellini de Cassanis super constitutionibus editis per dominum Iohannem papam uicesimum secundum. (Dedicatio) Arnaldo pro Arnaldo (Finis) erasse pro errare <Colophon deest.> (**Bibl.** J. Tarrant, 'The Life and Works of Jesselin de Cassagnes', *BMCL* 9 (1979) 37-64 at 60.)
- fol. 289va-292vb <**Constitutiones sive Extravagantes**>, nominantur: Benedictus XI, Const. *Ex eo* (Extrav. comm. 5.3.1) (fol. 291rb-va), Clemens V; Const. *Etsi in temporalium* (Extrav. comm. 3.2.2) (fol. 291ra-rb); Johannes XXII, Const. *Nuper certis* (Extrav. comm. 3.2.6) (fol. 289va-vb), *Execrabilis* (Extrav. comm. 3.2.4) (fol. 289vb-290ra), *Cum nonnullae* (Extrav. comm. 3.2.11) (fol. 290a-rb), *Ut quos* (Extrav. comm. 1.7.2) (fol. 290rb-va), *Dignum* (Extrav. comm. 5.2.2) (fol. 290va), *Dispendiis* (Extrav. comm. 1.2.un.) (fol. 290va-vb), *Malitiis* (Extrav. comm.

1.4.un.) (fol. 290vb), *Ut praelatorum* (Extrav. comm. 1.8.2) (fol. 290vb), *Etsi deceat* (Extrav. comm. 1.8.3) (fol. 291ra), *Super gentes* (Extrav. comm. 1.1.un.) (fol. 291rb), *Cum nonnullae* (Extrav. comm. 3.2.12) (fol. 291va), *Vas electionis* (Extrav. comm. 5.3.2) (fol. 291va-vb), *Docta* (Extrav. comm. 3.1.un.) (fol. 291vb-292ra), *Ad nostrum* (Extrav. comm. 3.8.2) (fol. 292ra-rb), *Exhibita* (Extrav. comm. 5.7.4) (fol. 292rb-va), *Cum Matthaesus* (Extrav. comm. 5.3.3) (fol. 292va-vb).

fol. 293ra<Tabula extravagantium>

fol. 293rb-294ra **Sixtus** <IV. Const.> *Ad universalis* (Extrav. comm. 1.9.1)

Bibl. *Extravagantes Iohannis XXII*, ed. Tarrant 73-75, giving an Arabic numeration of the MS; Tarrant, 'Clementinae' pt. II 123 and 140, Kuttner, 'Saepe' at repr. *Retractationes* 18.

This is the second of a two volume set written for Tristan de Salazar by Franciscus Florius O.P.; See Vat. lat. 6054 fol. cccvi^{ra}. The text is in Florius's gothic bookhand in darkbrown ink that shades off to black. The constitutions *Unam sanctam* and *Ad universalis* may have been added in another hand. The MS is divided into three sections, each with its own Roman numeration: fol. 1ra-150rb; 151ra-229vb; 231ra-294ra. This MS shares many decorative features with Vat. lat. 6054, except that it lacks the floral borders. Miniatures, gold and blue initials, and the Salazar arms with archiepiscopal cross and hat are found at the beginning of each section of the Sext and Clementines, except for book I of each. The same features are found at the beginning of the *Extravagantes Iohannis XXII* (fol. 233r). Catchwords and gilding of the edges of leaves are as in Vat. lat. 6054. The MS has a 19th-century leather binding. Fol. 150v, 230r-v, and 294v are blank.

Vat. lat. 6093

saec. XIII.

antea 287. **Prov.** Antonio Agustín, abp. of Tarragona (1577-86); Pedro Galés. **Scr.** Jordanus (annotator).

IV + 179 fols. memb. 282 (193) x 160 (98) mm, origin Southwest France or Northern Spain. Quaterniones, saec. XIII.

Iv-IIv <Tabula titulorum>

(L. Orfila, 'A proposito del manuscrito 6.093 de la Biblioteca Vaticana', *Hispania Christiana. Estudios en honor del Prof. Dr. José Orlandis Rovira en su septuagesimo aniversario*, ed. J.-I. Saranyana and E. Tejero (Pamplona 1988) 279-302, printing this table at 283-285 and suggesting that it is an analytical index to the additions at the beginning of book I of the Tarraconensis, see *infra*.)

IIv-IVv <**Johannes Cassianus, Collationes**, excerpta>

(Textus) Nunc de abrenunciacionibus disserendum est ... (Finis) quam statutis pertinaciter inherendo poenis grauioribus obligari (ed. 470 line 10). (**Ed.** CSEL 13 73-470, passim. The excerpts include 3.6; 9-10; 6.3; 9.11-13; 17.8 in fin.-9. These texts are entered in a very different hand from the table preceding and the text following, which are in similar hands.)

fol. 1r-179r <**Liber Tarraconensis**, recensio 2>

(Rubrica) Liber 1. Ex decreto Leonis pape episcopis per Siciliam constitutis.
(Textus) Hii autem de quibus scripsistis ... (Finis) donatiani Teleptensis prime sedis subscripsi (subscripsit *ed.*) similiter et omnes episcopi subscripserunt.
(Colophon) Expliciunt Affricae concilia. (**Ed.** This work is not edited as a collection; however, L. Orfila, 'A proposito del manuscrito 6.093...', 286-302, prints the incipit, explicit, and identification of the 273 chapters which form the additions at the beginning of book I (it should be noted that he renumbers them to 281 without explanation). For the explicit, see the *Collectio Hispana*, PL 84.236.
Bibl. P. Fournier, 'Le *Liber Tarraconensis*. Etude sur une collection canonique du XIe siècle', *Mélanges Julien Havet* (Paris 1895) 259-81; Fournier-LeBras. *Histoire* II 240-47; L. Fowler-Magerl, 'Vier französische und spanische vorgratianische Kanonensammlungen', in *Aspekte europäischer Rechtsgeschichte. Festgabe für Helmut Coing zum 70. Geburtstag*, ed. C. Bergfeld *et al.* (Ius commune. Sonderhefte; Frankfurt am Main 1982) 142; G. Fransen, 'Autour de la collection en 74 Titres', *RDC* 25 (1975) 61-73 at 62; A. Agustín, *De emendatione Gratiani in Opera* III 1-116, *passim*, referring to this collection as 'Liber Tarraconensis'; Brommer, 'Die Rezeption' at 127, treating two excerpts from the *capitula* of Theodulf of Orléans; J. Petersmann, 'Die kanonistische Überlieferung des Constitutum Constantini bis zum Dekret Gratians', *DA* 30 (1974) 356-449, editing the text at fol. 97v-98v, using this MS (siglum Taur. V) on pp. 416-45.)

fol. 179r **Concilium quidam Narbonense**, canones 3 et 4

(Rubrica) Simili quoddam (*sic*) ex concilio Narbonensi capitulo III. (Textus) Ne aliquis sacerdos missam cantare presumat ... (Rubrica) Capitulo III. (Textus) Ne duellionibus quando preparantur ... (Finis) missa cantetur uel corpus Christi tradatur.

Bibl. S. Kuttner, 'Retractions' to 'Some Roman Manuscripts' 1-3 at 2-3, reassessing the ownership of this volume from his original statements in 'Some Roman Manuscripts' 22-23, and stating that Vat. lat. 6903 is A. Agustín's no. 287, formerly owned by Pedro Galés, and later owned and heavily annotated by Agustín; L. Orfila, 'A proposito del manuscrito 6.093 ...' 280-83, discussing this MS, but unaware of Kuttner's 'Retractions'.

The *Liber Tarraconensis* is written in black ink in a late Carolingian minuscule hand; the Narbonne texts were added in a contemporary and highly similar hand. The table is also in a similar hand. The excerpts from Cassian were written by a different though contemporary hand in brown ink. In or around 1320 a North-Spanish annotator called Jordanus summarized the canons in the margins; he added a note on his son's birth on fol. 179r: 'Era millesima trecentesima sexagesima quarta anno Domini M° CCC° XX° quinto die /// Martis XVIII° ... natus fuit quidam filius mihi domino Jordani (*sic*), ...', mentioning as godparents Johannes Petri de Mur, Stephanus ' ///aria porcionarius ecclesie S. Petri veteris Osce' and Dominicus Petri de Sancta Cruce, vicar of the church of S. Ciprianus. Many chapters have their corresponding chapters in Gratian written in the margins by A. Agustín. Rubrics are red; chapter capitals are alternately red or ink with yellow decoration. It has an erased ex libris and shelfmark but is otherwise blank. Catchwords are slightly right of center; some have been cut away. The codex has a modern leather and parchment binding that incorporates the 17th-century one. Fol. 179v is blank.

Vat. lat. 6167**saec. XV**

144 fols. chart. 312 (278) x 212 (170) mm, origin Spain (?). Bifolia, saec. XV.

fol. i^r-cxliiii^v Concilium Perpinianum (1408), Processus

(Inscriptio) In nomine sancte et indiuidue Trinitatis Patris et Filii et Spiritus sancti. Amen. (Rubrica) Hic est processus eorum que (quod *ed. male*) acta fuerunt in sacrosancto generali concilio Perpiniani celebrato ... (Inscriptio) Ad perpetuam rei memoriam. (Textus) Prouide considerantes antiqui non posse diutius nisi scripto ... (fol. cxliiii^r) (Textus ultimus) Idem. Anno a natiuitate Domini 1416 indictione ix^a die uero xv^a mensis ianuarii ... (Finis) ad primam diem consistorialem post ultimam februarii proxime uenturi. (Colophon) Iuxta formam in primo instrumento superius annotatam.

Ed. and Bibl. F. Ehrle. 'Aus den Acten des Afterconcils von Perpignan 1408'. *Archiv für Literatur- und Kirchengeschichte* 5 (1889; anast. repr. 1956) 387-487 and 7 (1900; anast. repr. 1956) 576-694, editing fol. i^r-xlvi^v at 5 (1889) 394-464. For the council itself, see Mansi 26.1097-1122.

The MS is a copy of the collection prepared by the notary Guigo Flandrin for the followers of the Avignon claimant, Benedict XIII, and it may have been written at Peñiscola or elsewhere in Catalonia. The hand is a notarial cursive in brown, occasionally black, ink. The three major divisions of the MS are indicated by notes at the bottom of fol. i^r, lxi^r, and cxi^r. The only foliation is the original Roman numerals, followed here. For the watermarks, cf. Briquet no. 15900. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one.

? fol. IX-XIX has a smaller size: 278 (237) x 193 (154); fol. XX is missing, fol. XXI twice, fol. XXIV-XLVII is also smaller.

Vat. lat. 6220**saec. XVI^{ex}/XVIIⁱⁿ.; XVI.2**

404 fols. + 125b + 131b, c+ 144b + 172b + 200b + 204b + 207b, c, d chart. 275 (228) x 200 (140) mm, origin Italy, saec. XVI^{ex}/XVIIⁱⁿ.; XVI.2

fol. 1r-9rb <**Provinciale Romanum**, imperfectum, cum diversis appendicibus>

(See Vat. lat. 5711 fol. ii^r-ix^v for further information. The beginning of the text is missing, reflecting the imperfect nature of the exemplar.)

fol. 9v-14v <**Kalendarium**> (See Vat. lat. 5711 fol. x^r-xv^r for further information.)

(This copy does not include the historical notes discussed and partially printed by Herde, *Audientia* 110-11.)

fol. 15r-84v <**Formularium audientiae litterarum contradictarum**>, recensio vulgata

(See Vat. lat. 5711 fol. xvii^r-lxii^v for further information.) *Variants*:
<Rubrica deest.>

fol. 84v-89v <**Marinus de Ebolo**>, **Tractatus super revocatoriiis**, imperfectus (See Vat. lat. 3976 fol. 150v-153r for further information.) *Variants*:
(Rubrica) Incipit Tractatus de reuocatoriis ... (Finis) non admisit alia erit conclusio ut infra dicitur. (The MS ends on p. 214 of the edition, as does Vat. lat. 5711.)

fol. 91r-116v <Incertus auctor, **Responsum ad Alexandrum Rouidium contra executionem extravagantis Pii V**>
(Textus) N. Prouinciae Mediolanensis fisci aduocatus [J.] aduersus apostolicae sedis ius, et decreta scribit ad regis catholici maiestatem ... (Finis) sed hoc humani generis est uitium, recte enim Plinius: Nemo mortalium omnibus horis sapit. (Citations are in the margins, keyed to the text by letters. This *Responsum* lacks both date and signature. It seems to have been written at the end of the century. Fol. 103r-116v contain a first draft of this *responsum*. Alexander Rouidius wrote a letter to the king of Spain against the application of the Bull *Durum nimis* of Pius V (June 1, 1570): cf. fol. 117r-122r below and *Bullarium romanum* 7.827-29.)

fol. 117r-122r **Alexander Rovidius, <Relatio ad Regem Hispaniae>**
(Rubrica) Aduersus attentatam extrauagantis Pii V in hoc statu executionem spoliolorumque et illicitae negotiationis pretensionem informatio tam iuris quam facti ad regis catholici maiestatem Alexandri Rouidii in Mediolanensi prouincia aduocatus fiscalis (*sic*). (Invocatio) Dirige me Domine in uiam ueritatis et iustitiae. (Textus) Noua et insolita commissarii apostolici pretensio ... (Finis) quam Deus optimus maximus diu nobis et christiano orbi incolumem seruet. (Subscriptio) Humilissimus seruus Alexander Rouidius M(aiestatis) V(estrae) in statu Mediolanensi aduocatus fiscalis generalis. Laus Deo ac beatissimae Virgini et beatissimo Ambrosio quibus me semper commendo. (This copy of the letter of Alexander Rouidius has neither the date, nor the name of the king. Like the preceding item, its contents suggest that it was written at the end of the century.)

fol. 123r-216r <**Consilia iurisperitorum in causa de transitu salis inter ducem Ferrariae et Cameram Apostolicam agitata**>
(Inscriptio) Illustrissime et reuerendissime Domine. (Textus) Vt negotium huiusmodi facilius cognosci possit distinguenda sunt tria capita ... (Rubrica) Ferrariensis salis Consilium ultimum (fol. 210r). (Invocatio) Adsit D.O.M. (Textus) Rem toties actam agere uideor dum in hac controuersia salis ... (Finis) et propterea concludo pedagium ipsum hoc omnino ad serenissimum ducem spectare. (There are twenty-one documents or formulae (some with two copies) concerned with the problem of transportation of salt through Ferrara. Addressed to the Duke of Ferrara, most of them are in Latin, some in Italian. Only four texts have signatures. fol. 123r-125v signed by Tiberius Cerasius, aduocatus (approving a decision of the Camera Apostolica of feb. 2 1568); fol. 162r-172v by D. Laderchi; fol. 173r-182r by D. Boschetti; fol. 186r-193v by D. Surdi.)

fol. 217r-404v **Antonius Augustinus, Repertorium decisionum Rotae**
<Index repertorii> ... (fol. 224r) (Rubrica) De regulis cancellariae. (Textus)

Regulae ligant statim ante publicationem ... (Finis) non efficit litigiosum beneficium. Put. 3. ut lite penden. Finis. (**Bibl.** G. Mayáns y Síscar, 'Antonii Augustini vitae historia' in Agustín, *Oper*; II xi-cxxi at civ; Bignami, *Bibliothèque* 69 n. 137a A. Bernal Palacios, 'Alfonso de Soto y Antonio Agustín en el MS Vat. lat. 8158', *BMCL* 17 (1987) 95-103 at 101-03. This work, of which there is no known autograph, was attributed to Antonio Agustín as early as 1560 (cf. MS Vat. lat. 6478 fol. 246v). The work circulated under two titles: *Repertorium decisionum Rotae* and *De regulis cancellariae tractatus*, with the same content arranged in different forms. The first form has been published in Agustín, *Opera* VI 597-680. All the MSS which have the title *Repertorium* have the same arrangement as the edition. All the MSS bearing the title *De regulis cancellariae* start with the second book of the edition. In this form of the work, the books of the edition are in the following order: II-I-III (except in Vat. lat. 8158, where they appear II-III-I). This MS belongs to this second group, in spite of the use of the word *Repertorium* in the rubric of the Index. It starts with *De regulis cancellariae* and continues, without any rubric or title, with books I and III. The contents of the first book are almost identical to the edition. The contents of the other two books vary somewhat; some of the titles of the edited book III are integrated into book II. This MS was not used for the edition, but its contents, in spite of the different distribution, are very much the same.)

Bibl. Bignami, *Bibliothèque* 69 n. 137; Herde, *Audientia* I 111, citing the first part of the MS as a copy of Vat. lat. 5711.

The MS is a composite; fol. 1-90 and fol. 217-404 were originally separate units. Quire composition and text size vary throughout, with the text size given above being most common. Fol. 1-90 are a direct copy of Vat. lat. 5711, including the three tables for computation of Easter dates (cf. Vat. lat. 5711) and the additions to the Formulary listed in Herde's analysis at I 109f. The copyist omitted the marginalia present in 5711. The texts corresponding to the folios cut out of 5711 are also missing here. This section was written at the end of the 16th or beginning of the 17th-century by a professional copyist in a very neat and even script in brown ink without any decoration. On fol. 1r at the top of the folio is a note 'Formularium iusticiae'; on fol. 90v, in the same hand, is a title: 'Formularium iustitiae 1400 ex uetusto codice Auenionensi, qui nunc adseruatur in Bibliotheca Vaticana.'

Fol. 91-216 are written in brown ink in several different and individualistic hands of the second half of the 16th-century; fol. 217-404 are in a single, even cursive in gray-brown ink. There is no color or decoration. Fol. 224-404 were originally foliated as 1-181. Watermarks are illegible, but seem to differ with each section. The MS has a cardboard binding with a parchment spine from the early 20th-century. Fol. 90r, 102v, 102b^{r-v}, 122v, 125b^{r-v}, 131b^{r-v}, 131c^{r-v}, 134^{r-v}, 138v, 144b^{r-v}, 146v, 172b^{r-v}, 182v, 193b^r, 194v, 200b^{r-v}, 204c^{r-v}, 205v, 207b^{r-v}, 209v, and 216v are blank.

Vat. lat. 6230

saec. XVI

<I> + 189 fols. chart. 312 (232) x 197 (145) mm. Quiniones, saec. XVI.

fol. 1r-189v <**Concilium Chalcedonense**>, fragmentum (Actio I in med.-III in med.)

Ed. *Acta conc. oecum.*, ed. E. Schwartz, 2.3.1-2, pp. 28 line 22- p. 295 line 6.

The MS is written in black ink by several different scribes, all writing variations of 16th-century cursive. On some folios the ink has eaten away the paper. There is no decoration, although the scribes use various display scripts for rubrics and opening phrases. The quires have an internal numbering system. <I>r has the contemporary cursive title 'Gesta Synodalia'. The watermark is similar to Briquet no. 15745. The MS has a 19th-century parchment binding. <I>v is blank.

Vat. lat. 6231

saec. XVI

Scr. Antonio Agustín.

158 fols. chart. 290 (220/225) x 200 (110/140) mm. Saec. XVI.

fol. 1r-158r (*recte* 1r-41r, 92r-98v, 75r-86v, 99r-126v, 128r, 127r, 128v-136v, 158r, 137r-145r, 41r-74v, 87r-91v, 145v-157v) **Antonius Augustinus, De legibus et senatusconsultis** (Epistola dedicatoria) (Rubrica) Antonii Augustini iurisconsulti Hispani de legibus et senatusconsultis liber ad Ieronymum fratrem. (Textus) Non sum nescius Hieronyme frater cum hic liber ad tuas manus peruenerit ... (fol. 3r) (Rubrica textus) Antonii Augustini archiepiscopi Tarraconensis de legibus et senatusconsultis. (Textus) Legis nomen late patet ... (Finis) Philippicarum libri multa nobis exempla demonstrant.

Cat. Kristeller, *Iter* II 339. **Ed.** Agustín, *Opera* VII 188-89 (Epistola dedicatoria), I 7-138. **Bibl.** G. Mayáns y Sísicar, 'Antonii Augustini vitae historia', in Agustín, *Opera* II xi-cxxi at lxxxviii-xc.

The work is preceded by the letter of dedication to Antonio Agustín's eldest brother, Jerónimo, of which the autograph is at the Biblioteca Nacional, Madrid, MS 5754 fol. 51v-53v. The text of the work is an autograph from fol. 27r to 157v. Another hand has written fol. 3r-26r and 158r, but in these folios there are quite a few corrections and marginalia from A. Agustín. On fol. 3r a different hand has written on the upper left corner 'Antonii Augustini archiepiscopi Tarraconensis'. This text differs from the edited one in that the *Praetermissa* added by Fulvio Orsini in the first edition (Roma 1583, pp. 321-23) and included without indication in the *Opera omnia* are missing here. Most of the titles and subtitles of the first and second parts of the edited text are also missing. The *De legibus xii tabularum* and the *De senatusconsultis liber* are practically identical to the edited text. There are three former numerations: one for the *epistola dedicatoria*; another for the *Disputatio de legibus*; and a third one for the remainder of the volume. The most recent numeration for the whole MS, written in pencil is followed here. The ink has bled through the page on many folios. Catchwords are at the lower right of the verso of each folio. There is no decoration. The MS was taken apart to reinforce the pages with transparent paper, so neither the watermarks of the paper nor the original quire structure can be determined. The MS is bound in parchment. Fol. 26v, 127v, and 158v are blank.

Vat. lat. 6252

saec. XVI

antea 5777. **Scr.** Antonio Agustín. Prov. Antonio de Aquino.

<II> + 282 fols. + <I> chart. 234 (200) x 170 (140) mm, origin Italy (Rome ?). Saec. XVI.

fol. 1r-7v, 51r-52v (*recte* 51r-52v, 1r-7v) **Antonius Augustinus, <De minoribus synodis**

et pseudosynodis ex temporum ordine>, imperfectus

(Textus) An. 68 Christi Clemens coepit cuius sunt canones dicti Apostolorum ut apparet ex libris Constitutionum ... (Finis) an. 451 quarta synodus Chalcedonensis an. 2. Marciani imperii ind. 5. mensis oct. (This work consists of a list of brief descriptions of approximately 180 synods and pseudosynods in chronological order. Most of the entries are represented in the following work.)

fol. 9r-49v, 53r-232r (*recte* 81r-119r, 121r-232r, 9r-49v, 53r-80r) **Antonius Augustinus**, <**De synodis et pseudosynodis commentaria**>, imperfecta
(Rubrica) De omnibus conciliis ex temporum ordine. Incerti. (Rubrica secunda) De prima uniuersali synodo. Conuenit aduersus Arium Nicaeae synodus generalis anno decimo imperii Constantini Maximi ... (Finis) Monothelitarum dogma mucrone anathematis pertulit, et synodica Sergio CP. et Ioanni Romano papae transmisit (**Ed.** Agustín, *Opera* V vii-lxxx, from this MS. **Bibl.** G. Mayáns y Sísca, 'Antonii Augustini Vitae historia' in Agustín, *Opera* II ix-cxxi at ciii-civ; C. Leonardi, 'Per una storia' 597-600. The work is divided into three parts: general councils (fol. 81r-119r), minor synods in three sections (the original sequence = fol. 121r-190v, a set of numbered *praetermissae* = fol. 191r-215r, and unnumbered *praetermissae* = fol. 217r-232r), and pseudosynods in two sections (the original sequence = fol. 9r-49v, 53r-69v, and numbered *praetermissae* = fol. 71r-80r). The first part coincides completely with the edition except for the passage on fol. 119r: 'Interpretatio canonum (canones tres, *interl. add.*) octauae synodis, quae inscribitur prima et secunda CP. in templo sanctorum Apostolorum. Quidam dubitant, cur haec una synodus prima et secunda dicatur. Temporibus', which was omitted from the edition (p. xxix^b. where it should follow '... ad uerbum habita est'). The second and third parts have been rearranged for the edition, as indicated by the editors' cross-references (e.g. fol. 172v, 184v, 215r) and the rubric 'Synodus CP aduersus Ioannem' on fol. 45v (*ed.* p. lxxii^b). Important differences between the edition and the MS include: 1. The council 'Illyriciana' (*ed.* p. xiv^b) is in the MS under the title 'Gallicana' (fol. 194r); 2. ZZ The council 'Romana' (fol. 204v) has become two different councils of Rome in the edition (xliii^b (1) and xlv^b); 3. The council 'Romana' (La [3]) has been struck out on fol. 215r, since it duplicates the text on fol. 175v, but appears in the edition (*ed.* p. xlix^b [1]); 4. The council 'Romana' on fol. 157v has two texts from Eusebius and Theophanes which are missing in the edition (*ed.* xxxiv^b); 5. The council 'Tiburiensis' on fol. 230r has a second paragraph entitled 'Apud Theodonis Villam' which is missing from the edition; 6. On fol. 154r-v there are two long descriptions of a synod of Rome and of a synod of Carthage, taken from the letters of Cyprian, which are omitted from the edition.)

fol. 233r-282r (*recte* 233r-278r, 281r, 280r, 279r, 282r) **Antonius Augustinus**, <**De quibusdam ueteribus canonum ecclesiasticorum collectoribus iudicium et censura**>, imperfectum

(Rubrica) Matthaeus monachus initio Nomocanonis de conciliis et sacris scriptoribus qui canones ediderunt. (Textus) I. Clemens papa romanus edidit lxxv canones qui Apostolorum dicuntur ... (Finis) Susplicari possumus huius esse

Panormiam, aut Anselmi librum, aut Caesaraugustanum, aut Tarraconensem librum, eisdem temporibus scriptos. (**Ed.** Agustín, *Opera* III 217-244. **Bibl.** C. Leonardi, 'Per una storia' 599 n. 71. The whole work is in Antonio Agustín's handwriting, except the text that starts with 'Capitula, quae domino mediatore' on fol. 271r (*ed.* 235b). This MS was not used to prepare the edition, cf. Vat. lat. 6484. There are important differences with the edited text: 1. The last lines of cap. 10 of the edition (221b) are missing in the MS at fol. 240r; 2. On cap. 28 (fol. 280r, 281r) the 'iudicium' is after the 'censura'; 3. On cap. 29 (fol. 279r) only the 'censura' is in the MS; 4. Cap. 30 is completely missing in the MS; 5. On cap. 31 the MS (fol. 282r) has only a brief reference to the epist. 49 and 81 (*ed.* 242a). **Bibl.** C. Flores Sellés, 'Escritos inéditos de Antonio Agustín', *BMCL* 9 (1979) 84-88 at 87; Kuttner, 'Some Roman manuscripts' 16.)

Bibl. Bignami, *Bibliothèque* 112.

This MS is an autograph formed by three different works related to the history of the synods and councils. None of them is really finished and the quires are very irregular in composition. They were bound together later on, but the binding is incorrect. A general title was added on fol. [IIr]: 'Observationes seu notationes de synodis et collectoribus canonum', followed by the call number and by the note of donation 'Dono datae Bibliothecae Vaticanae a (sic) Illmo. D. Antonio de Aquino episcopo Sarnensi, nunc uero Archiepiscopo Tarentino'. There are two different foliations. The modern stamped one is followed here. For the watermarks, cf. Briquet nos. 6033 and 8047. The MS has an 13th-century parchment over cardboard binding. Fol. [Ir-v], [IIr], 8r-v, 13r-v, 23r-v, ZZ 27r-v, 28r, 31r-v, 32r, 34v, 35r-v, 39v, 40r-v, 44r, 46r, 50r-v, 54v, 55r-v, 64r-v, 68v, 70r-v, 73v, 74r-v, 80v, 92r-v, 101v, 102r-v, 107v, 108r-v, 112r-v, 115v, 116r-v, 119v, 120r-v, 122r-v, 128r-v, 131v, 132r-v, 136r-v, 137v, 138r-v, 139v, 140r-v, 142r-v, 146r, 147r, 160r-v, 162r-v, 168r-v, 169r, 215v, 216r-v, 232v, 233v, 234v, 235v, 236v, 237v, 238v, 239v, 240v, 241v, 242v, 244r-v, 245v, 246r-v, 248v, 250v, 252v, 256v, 259v, 260r-v, 266v, 269v, 270v, 271v, 272r-v, 274r-v, 276v, 278v, 279v, 280v, 281v, 282v, and <+Ir-v> are blank.

Vat. lat. 6290

saec. XV

Prov. magister Jacobus de Zabaliis(?); Genexius de Sp///cis (?).

135 fols.+ 41a-b, 43a-c, 74a, 77a-i, 114a-c, 116a-b, 125a-k, 132a-e chart. 212 (137) x 150 (75) mm, origin Italy. Quiniones, Seniones, saec. XV.

fol. 1r-2v <Tabula alphabetica>

(The table begins 'Incipit formularium domini nostri pape,' but there are no key numbers or clues to indicate the texts to which the table refers.)

fol. 2v-3v **Innocentius IV, Const. Perlectis litteris** (See Vat. lat. 3994 fol. 34r-v for further information.) *Variants*:

(Rubrica) Incipit decretalis domini Innocencii pape iiiitⁱ. (Textus) Perlectis uestris litteris *pro* Perlectis litteris uestris (Finis) in effectu *pro* manifesta.

fol. 3v **Nota de iniuria**

(Rubrica) Nota de enormi iniuria. (Textus) Nota quod enormis iniuria est si perueniat ... (Finis) infra de litteris absoluendis. (This is a rearrangement of the text which appears in Vat. lat. 3994 fol. 39v-40v.)

- fol. 4r-5r <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)
- fol. 5r-11r <**De observantiis poenitentiatorum**> (See Vat. lat. 3994 fol. 19r-23v for further information.) *Variants:*
 <Rubrica deest.> (Praefatio) non *pro* nouam <Rubrica textus deest.> (Textus) in *om.* (Finis) in recipiendis *pro* incipiendo; manibus *pro* manu domini; Et hoc similiter in die cinerum in recipiendo cineres benedictos de manu domini papae *add.*
- fol. 11r-16v <**Casus pertinentes ad officium poenitentiariae**>, versio alia
 (Rubrica) Hic nota capitulum de reconciliatione apostate in fide (*sic*). (Textus) Qui adultus baptizatur non debet promoueri ... (Finis) utitur auctoritate episcopi et etiam substitutus. (This text is in a different arrangement from that at Vat. lat. 3994 fol. 34v-39v, which begins 'Impositio sollempnis'; cf. fol. 16v here.)
- fol. 16v-22v <**Summa de absolutionibus et dispensationibus**, sive Summa Nicolai IV, cum additionibus> (See Vat. lat. 2663 fol. 34r-38v for further information.)
Variants:
 (Rubrica praefationis) Quibus et quibus peccatis penitentiarii possunt absolvere et dispensare. <Rubrica textus deest.> (Textus) ignorante beneficiato *om.* (Finis) absolutionem petierunt per procuratores eorum, qui torneamentis interfuerunt. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 p. 3 for the explicit.)
- fol. 22v <**Collegium cardinalium, Mandatum ad poenitentiarios**>
 (Textus) Item uel episcopus Ostiensis tunc sancti Martini presbyter cardinalis, Iohannes sancte Marie inuiolate (*recte* in Via Lata) diaconus cardinalis, auctoritate sacri collegii committunt fratri Iohanni et fratri B. penitentiariis ut quilibet eorum excommunicatos pro decimis terre sancte ... (Finis) ad unum cardinalem de prelibatis. ZZ (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 p. 98, not using this ms.)
- fol. 23r-24r <**Casus in quibus poenitentiarii minores possunt absolvere et dispensare**>
 (Rubrica) Hic notatur magis auctoritas poenitentiatorum. (Textus) Possunt poenitentiarii minores domini nostri pape absolvere omnes uenientes ad sedem apostolicam ... (Finis) possint haberi iuxta formam eis traditam et consuetam etc. (**Ed.** Göller, *Die päpstliche Pönitentiarie* I.2 pp. 179-80, not using this MS.)
- fol. 24r **Absolutio in articulo mortis**
 (Rubrica) Absolutio in articulo mortis omnium peccatorum quando datur plena indulgentia per dominum nostrum papam. (Textus) Primo dicat infirmus confiteor Deo ... (Finis) plenariam indulgentiam concessam a domino papa pro ultimo articulo mortis tue. + In nomine Patris et Filii et Spiritus Sancti. Amen.

fol. 24r-35r **Benedictus XII, Const.** *In agro dominico* (See Vat. lat. 2663 fol. 7r-11v for further information.)

fol. 35r-37r **Taxationes <litterarum poenitentiariae>**, fragmentum (See Vat. lat. 1663 fol. 11v-16r for further information.) *Variants:*
(Rubrica) Ordinacio siue constitutio facta super taxacionibus faciendis pro litteris penitentie per dominum Petrum cardinalem Penestrinum (*sic*) de mandato prefati domini Benedicti pape XII. (Inscriptio) Penestrinum *pro* Penestrinus: et Gaucelmus *om.* (Finis) qui sponte suspectus ab heresi non ultra quatuor Turonenses. (For the ending, cf. p. 224 of the edition.)

fol. 37r-39v <**Additiones ad formularium poenitentiariae, tempore Johannis XXII**>
(Rubrica) Nullus extra officium potest dispensare super irregularitate nisi maior penitentiarius. (Textus) Anno domini millesimo ccc xii^o dominus Iohannes papa XXII pontificatus sui anno vi^o de mense ianuarii ordinavit et mandavit quod camerarius pape sacri collegii cardinalium ZZ auditor domini pape in nullo casu cum aliquo super irregularitate dispensare presumat ... (fol. 38v) (Rubrica ultima) Ista ponantur de apostatis. (Textus) Anno domini millesimo cccxxvii die sabbati post festum beati Martini idem dominus papa commisit maiori penitentiario ... (Finis) ad liberandum terram sanctam de suo soluere tenebantur.

fol. 39v-41v **Formulae absolutionis**
(Rubrica) Forma absolutionis cum iniecit quis manus in sacerdotem etc. (Textus) Auctoritate domini nostri pape qua fungor ego te absolvo ... (Rubrica ultima) Alia forma. (Textus) Eadem auctoritate absolvo ... (Finis) si habes bonam uoluntatem confitendi. In nomine Patris et Filii et Spiritus sancti. Amen.

fol. 42r **Benedictus XII, Privilegia et stipendia poenitentiariorum**
(Rubrica) Priuilegium penitentiariorum. (Textus) Primo sunt immediate subiecti Romano pontifici ... (Finis) item sunt commensales domini pape etc. (This is a variant version of the text in Vat. lat. 3994, fol. 18v-19r, and printed in Göller, *Die päpstliche Pönitentiarie* I.2, equivalent to Göller's text to the bottom of p. 177.)

fol. 42v-43v <**Formula absolutionis**>
(Inscriptio) Lucas miseracione diuina etc. religioso uiro fratri Iohanni de Heremo domini pape penitentiario ad presens in Romana curia residenti salutem in Domino. (Textus) Suam (*sic*) nobis frater P. presbiter monachus professus monasterii etc. ordinis etc. diocesis etc. lator presencium petitionem monstravit quod ipse olim post publicationem quorundam(?) processuum apostolicorum 'Nuper cum in uinea Domini' (Finis) ad satisfactionem tenetur satisfaciatur competenter. Datum Luce (*sic*) etc. pontificatus Urbani pape VI anno quinto etc. (The formula is for the absolution of a monastic adherent of Robert of Geneva. **Bibl.** Haskins, 'Papal penitentiary' 440 n. 77; cf. M. Meyer, *Die Pönitentiarieformularsammlung des Walter Murner von Strassburg* (Spicilegium Friburgense 25; Freiburg, Switz. 1979) 330 no. 389 for a similar type of

document.)

fol. 44r-64r <Incertus auctor, forsan **Berengarius Fredoli, Summula**> **in foro poenitentiali**, imperfecta (See Vat. lat. 4614 fol. 1r-50r for further information.)

Variants:

(Rubrica) Incipit summa in foro penitentiali breuis et utilis ac ualde necessaria. (Finis) si uero scit quis probabiliter uel credit. (**Bibl.** P. Michaud-Quantin, 'La "Summula in foro poenitentiali" attribuée à Berengar Fredol', SG 11 (1967) 146-67 at 167. The text breaks off abruptly in Part II, so it cannot be identified as version A or B. The last item belongs to the section 'de ementibus rapinam', cf. Michaud-Quantin, art. cit. 155.)

fol. 66r-12-5v <**Formularium supplicationum**>. imperfectum

(Rubrica) Incipiunt supplicationes sacre penitentiariae super singularis formis dicti officii formularii. Et primo rubrica de matrimonialibus de contrahendis in 4^o consanguinitatis et affinitatis gradibus. (Textus) Exponitur s. u. pro parte deutorum uestrorum pe. n. laici et ka. n. mulieris ... (fol. 125r) (Rubrica) Pro presbytero qui sine licentia curatorum uel non statuto tempore quasdam personas matrimonialiter copulauit et bis in die celebrauit. (Textus) Exponit etc. quod ipse olim quasdam personas ... (Finis) super irregularitate etc. de gratia speciali. (Rubrica ultima) Pro presbitero qui nonnullos /// (The text breaks off in mid-rubric. For the last item, cf. Meyer 356 no. 477. **Bibl.** F. Tamburini, 'Note diplomatiche intorno a suppliche e lettere di Penitenzieria (sec. XIV-XV)', AHP 11 (1973) 149-208 at 175-76 n. 2, characterizing this work as a 'formulario di suppliche'; Haskins, 'Papal penitentiary' 441 n. 84, citing this MS.)

fol. 126r-134r <**Taxationes litterarum poenitentiariae, saec. XV**>, imperfectae
(Rubrica) Taxe litterarum penitentiariae. Incipiunt rubrice sacre penitentiariae apostolice et primo de incestu. Taxa. (Textus) Quando quis cognouit consanguineam in secundo gradu affinitatis uenit in forma ... (Finis) in totum grossos xiiii^{or}. (**Ed.** Göller, *Die päpstliche Pönitentiaria* II.2, pp. 141-45, from this MS, to the bottom of fol. 131r, after which the work becomes fragmentary. At the top of fol. 132r is the rubric 'de excommunicatis' and the beginning of an entry. Fol. 133v has only a few words; the entries on fol. 134r are unlabelled.)

Bibl. Göller, *Die päpstliche Pönitentiaria* I.1 pp. 73-74; Haskins, 'Papal penitentiary' 426 n. 15.

This MS is composite in structure; the earlier parts (fol. 1r-41v and 44r-64r) were written in an Italian gothic bookhand in gray-brown ink. The other texts were added in cursive hands in gray ink: fol. 42r-43v (a Germanic hand); fol. 66r-134v (several similar hands). In the earlier work (fol. 1r-41v, 44r-64r), initials, rubrics, and paragraph signs are red; catchwords are in the lower left corner, often cut away. On fol. 66r-134r, rubrics and initials are in ink, often decorated in red, fol. 66r opens with two heavily decorated but clumsy large initials. Running titles added by a later hand appear in the upper right corners of fol. 66-82, 94-114, 126-131; catchwords in this section are centered. Marginal notes in several hands occur throughout the MS. The numerous blank folios and the arrangement of the texts, especially in the second half of the MS, indicate that it was meant to be a working manual, with room for additions. On fol. 65r is an inscription for a letter to the abbot of Farfa (probably the beginning of a formula letter); on fol. 65v is a

record of the appointment to the penitentiary tribunal of Genexius de Sp///cis, cleric of Novara, who may have been among the owners (and copyists) of the volume. At fol. 134v appears the note, 'Magister Iacobus de Zabaliis habuit'. Fragments of formulae appear at fol. 134v and 135v. The shelfmark '6290' is written at the bottom of fol. 1r. For the watermarks, cf. Briquet no. 3688. The MS has a leather and parchment binding, partly 17th-century, partly 19th-century in origin. The following folia are blank: fol. ZZ 41a-b, 43a-c, 64v, 74a, 77a-i, 83v, 91v, 91a-b, 92r, 101v, 104v, 110v, 114v-114c^v, 116v-116b^v, 120v, 125a-k, 129v, 131v, 132v-132e^v, 133r, and 135r.

Vat. lat. 6330

saec. XIV

Prov. M. de Guadagnis; Lazarus de Papia (?); Benincasa de Prato (?).

<II> + 516 fols. chart. (memb.: I-II, fol. 516) 287 (227) x 203 (152) mm, origin Italy (Rome ?). Saec. XIV.

fol. 1r-515v <**Formularium Urbani VI**>

(fol. 1r-23r) <Tabula contentorum> ... (fol. 24r) (Epistola prima) (Rubrica) Indicitur treuga inter imperatorem et ducem Andrie. (Inscriptio) Ad futuram rei memoriam. (Textus) Pacifici regis tenentis ... (Epistola ultima) (Rubrica) Clausula seu nonobstantia quod quamprimum ex altera etc. (Textus) Seu quod ad dilecti filii abbatis ... (Finis) contrariis non obstantibus quibuscumque. Datum etc. (Colophon) Explicit etc. Deo gratias. Amen.

fol. 1r-2r, 23v, 516r-v <**Additiones ad Formularium**>: papa incertus, *Dignum arbitramur et congruum* (fol. 1r); Bonifacius IX(?), *Rationi congruit* (fol. 1r-v); papa incertus, *Humilibus supplicum uotis* (fol. 1v-2r); Urbanus VI, *Dudum felicitis recordationis Gregorius XI* (fol. 2r); papa incertus, *Grata tue deuocionis* (fol. 23v); Bonifacius <IX>, *Humilibus et honestis* (fol. 516r-v?) so oben.

Bibl. *Repertorium Germanicum II (Urban VI, Bonifaz IX, Innocenz VII, und Gregor XII)*, ed. G. Tellenbach ([Rom?] 1933; repr. Berlin 1961) 17*, briefly describing this MS; Dietrich von Nieheim, *Der Liber Cancellariae Apostolicae vom Jahre 1380 und der Stilus Palatii Abbreviatus*, ed. G. Ehler (Leipzig 1888; repr. Aalen 1971) 205, concerning the papal scribes Lazarus de Papia and Benincasa de Prato; F. Tamburini, 'Note diplomatiche intorno a suppliche e lettere di penitenzieria (sec. XIV-XV)', *AHP* 11 (1973) 149-208 at 205 n. 15, citing the document on fol. 484v-488v; C. Cenci, 'Bolle francescane in un formulario scritto sotto Urbano IV [recte VI]', *Studi francescani* 77 (1980) 375-94, describing the MS and its contents at 375-80 and editing texts from fol. 48r, 60v, 71v, 76r, 79r, 89v, 187r, 312v, 318r, 319v, 326r, 328v, 329v, 330v, 333r, 405r, 482r, 482v at 380-94 (cf. 375 n. 1 on the earlier owners of the MS).

The MS is written in gray ink, with no other color, in several late gothic cursive hands. Capitals are sometimes simply decorated; rubrics are in the ink of the text and often crowded into inadequate space. Catchwords are centered, sometimes decorated or framed. The MS has been rearranged in several ways, indicated by three different foliation systems. The oldest foliation, in roman numerals, runs i-ccccxcii, cccccix (present fol. 37-515, 24-36, 516=499 515=ccccxxix), excluding the table and the pages preceding it. A 15th-century handwritten arabic foliation 1-298 begins with the present fol. 1 and is continuous to 34 (present fol. 36, the present fol. 10-11 being omitted); it resumes with 35-298 on the present fol. 252-515. The modern stamped one in the lower right corner is followed above. The table (fol. 3r-23r) refers to the

roman numerals: entries for i-ccccxxxi in a contemporary hand, and the rest (to cccxcii) in one much later. There are occasional notations, cross-references, and corrections. A few documents have been cancelled, sometimes with the notation that they are duplicates. On Ir are the notes 'Formularium', and 'M. de Guadagnis'; Iir contains the single word 'formularium'. In the upper margin of fol. 1r is the title 'Formularium Urbani 6', in a fine italic cursive hand. On fol. 516v is the note 'Hoc formularium est mei Lazari [Ben. de ///] domini nostri pape secretarii ac litterarum apostolicarum scriptoris et abbreviatoris'. Fol. 3, 8, and 91 are damaged. For the watermarks, cf. Briquet nos. 7504, 7662, 3291, 2370, and 790. The binding is of leather and parchment, 19th-century restoration of 17th-century work. <I>v, <II>v, and fol. 2v are blank.

Vat. lat. 6332

saec. XVin. (ca. 1418)

IV + 172 fols.- 155 + I memb. 286 (206) x 221 (156) mm, origin Italy (Rome).
Quiniones, saec. XVin. (ca. 1418).

IVv <Papa incertus>, **Epistola ad episcopum Traiectensem**

(Rubrica) De declaratoriis. Semper episcopis commituntur et non aliis neque uicariis. (Inscriptio) Venerabili fratri episcopo Traiectensi etc. (Textus) Dilectus filius Antonius Didonis rector parochialis ecclesiae in Fancherio ... (Finis) successum de iure fuerit faciendum. Datum etc. (This piece is in a later hand.)

fol. 1r-13v <Tabula contentorum>

fol. 13v-19v <**Formulae privilegiorum**>

(Rubrica) Tractatus de modo et forma scribendi et formandi priuilegium commune etc. (Textus) Forma scribendi priuilegium commune talis est ... (Finis) apud districtum iudicem premia eterne pacis inueniant. Amen. (**Ed.** Tangl, *Päpstliche Kanzleiordnungen* 303-06 (nos. 102, 103, 104), cf. 229-32. These are standard forms for privileges for Benedictin, Cistercian, and Augustinian religious.)

fol. 19v-115v, 127v-139r <**Formularium audientiae litterarum contradictarum**> (See Vat. lat. 5711 fol. xvii^r-lxvii^v for further information.) *Variants:*

(Rubrica) Quomodo litterarum domini pape alie bullantur cum filis sericis, alie cum cordis canapis ... quis cognoscere possit et scire. (Textus) Et *om.*, littere *pro* litterarum, nostri *add. post* domini uero *add. post sericis*, alie (Finis) debet narrari, ut supra dictum est. (**Ed.** Herde, *Audientia*, II passim, using this MS (siglum D), the last item is at II 539 (Q 15, 59); G. Barraclough, 'The chancery ordinance of Nicholas III', QF 25 (1933-34) 192-250 at 236-50, using this MS (siglum B5) to edit fol. 27r-30r.)

fol. 116r-127v <**Marinus de Ebolo**>, **Tractatus de reuocatoriis** (See Vat. lat. 3976 fol. 150v-153r for further information.) *Variants:*

(Rubrica) Incipiunt regule reuocatarum super appellationibus secundum cursum cancellarie sancte Romane ecclesiae. <Rubrica textus deest.> (Textus) remotis *pro* leuioribus (**Ed.** P. Herde, 'Marinus von Eboli', 196-229, using this MS: siglum D.)

fol. 139r-145r <**Marinus de Ebolo**>, **Tractatus de confirmationibus**, imperfectus (See Vat. lat. 3976 fol. 153r-155r for further information.) *Variants:* (Rubrica) Super confirmationibus *marg. al. man.* (Praefatio) sunt *om.* <Rubrica textus deest.> (Finis) ab aduersa parte obtentum pro se sententiam tulisse etc. (**Ed.** Herde, 'Marinus von Eboli' 230-50, using this MS (siglum D). The text in the MS ends on p. 247 of the edition.)

fol. 145r-171r <**Formulae variae**>

(Inscriptio) Innocencius quartus ordinario. Salutem etc. (Textus) Cum sicut ad audientiam nostram ... (fol. 170v) (Inscriptio) Dilecto filio abbati monasterii beate Marie de Launaux Cistercien. ord. Venecen. dioc. Salutem etc. (Textus) Significasti nobis quod nonnulli monachi et conuersi ... (Finis) excessibus libere officii tui debitum exequaris. (Datum) Gebennis etc. (The most recent documents date from 1418.)

Bibl. Herde, *Audientia* I 125-18, describing this MS (siglum D).

The MS is a product of the papal chancery from the period of its reorganization under Martin V around 1418. It is written in a single gothic cursive hand, mostly in gray-brown ink. Corrections, some marginal notes, and the *resolutions* in the ordinance of Nicolas III (fol. 27r-30r) are in a contemporary, similar hand. Capitals are in ink, sometimes lightly decorated. Rubrics are also in ink, in a combination of heavy versals and formal gothic bookhand. Although there is no fol. 155, there is no lacuna in the text. There are some marginal notes in several 15th-century humanistic cursive hands. In the first part of the MS (to fol. 145) these are sparse, but in the rest of the MS there are extensive notations in a single, very fine humanist hand, ending in a note on fol. 171r, 'Boetius. Miserrimi ingenii est semper inuentis uti et numquam inueniendis'. The annotator may have been part of Poggio Bracciolini's circle; cf. Herde, *Audientia* I 174. <I>r contains only the shelfmark, <I>v, various erased notes. On <II>r is the note 'Sum Jani et pietas ducit me parcere uictis'. Fol. 172r contains the notes 'de citationibus' and 'Nota quod auditor habet pro quolibet iulio unum Bologninum.' Fol. 172v-<+I>r contain various notes, perhaps *probationes penna*. Catchwords are at the lower right near the edge of the folio; on fol. 40v, instead of a catchword, is 'iiii^{us}'. The quires are numbered in large Roman numerals on the first recto of each quire. The MS has been trimmed; most of the catchwords are missing and some of the numbers are mutilated. The outside vertical edge of fol. 145 has also been cut down. The MS is bound in 17th-century green leather with a 19th-century white parchment spine. <II>v-<IV>r, 171v, and <+I>v are blank.

Vat. lat. 6343

saec. XVI

<V> + 320 fols. chart. 270 (205) x 205 (132) mm, origin Italy. octava (nona cod.), saec. XVI.

fol. 2r-9v <Index contentorum>

(The index is arranged by subjects, arranged in ten groups, and refers for each item to folios of the MS.)

fol. 18v-19r <**Pseudo-Bonifacius VIII, Professio fidei**>

(Rubrica) Iuramentum siue professio summorum pontificum de antiquis libris ecclesie sumptum precipue ex diurno. In nomine sancte et indiuidue Trinitatis

amen. Anno IIII dominice incarnationis millesimo CCLXXXX (CCXIII *ed.*) ZZ indictione nona. (Textus) Ego Benedictus Gaysanus sancte Romane ecclesie diaconus cardinalis ... (Finis) (presentibus etc. *add. ed.*) ZZ sinceriter offero. Actum Rome mense anno et indictione quibus supra. (Ed. Finke, *Acta Concilii Constanciensis* II 616-18.)

fol. 19r-20r **Eugenius <IV, Bulla unionis Graecorum>** (See *Vat. lat. 2934 pars I fol. 320r-323r for further information.) *Variants:*
(Rubrica) Unio ecclesie orientalis ecclesie occidentali.

fol. 20r-93v <**Theodoricus de Nyem, Liber secundus cancellariae**> (See Vat. lat. 3984 fol. 48r-108r for further information.) *Variants:*
(Datum) apud sanctum Petrum *om.* (Tangl's formulae CII-CV are on fol. 20r-22v. Fol. 23v-27v are blank, then on fol. 28r Tangl's formula CVI begins, preceded by the red title: 'Incipiunt diuerse forme litterarum domini pape. Indulgetur, ut confessor quem elegerit ...' and the first formula directed to 'Johanni Branchatio canonico ecclesie Aretine'.)

fol. 93v-320v <**Liber cancellariae apostolicae usque ad annum 1555 continuatus**>
(Rubrica) Declaratio quod beneficia collectorum etiam antequam sint in officiis morientium sint reseruata. Urbanus etc. Ad futuram rei memoriam. (Textus) Dudum omnia beneficia ecclesiastica ... (Textus ultimus) (Rubrica) Bulla declaratoria decanatus collegii reuerendissimorum dominorum SRE cardinalium. Paulus ep. s. s. d. Ad p.r.m. Cum uenerabiles fratres nostri ... (Finis) ceterisque contrariis quibuscumque. Nulli ergo ... Datum etc. 1555 undecimo kal. septembris pontificatus ZZ nostri anno primo. (Ed. of the last: *Bullarium Romanum* 6.502-04. This continuation is the same as that in Barb. lat. 2850.)

Bibl. M. Tangl, 'Neue Forschungen über den Liber Cancellariae Apostolicae', NA 43 (1922) 553-78 at 554; B. Schwarz, *Die Organisation kurialer Schreiberkollegien von ihrer Entstehung bis zur Mitte des 15. Jahrhunderts* (Tübingen 1972) 245. Although Barb. lat. 2825 is obviously the ultimate source of this MS, direct dependence is excluded by certain transpositions and additions (e.g. on fol. 95v-98r) shared, on the other hand, with Barb. lat. 2850, q.v. An analysis of both MSS and their collation with Barb. lat. 2825 is needed.

The main body of the MS is written by two clearly distinguishable hands. The first, writing after April 1518, is a calligraphic Italian cursive in light brown ink with red rubrics; it starts with the two isolated items on fol. 18v-20r, leaves 9 pages blank (fol. 23v-27v) between Tangl CV/CVI, but avoids any break after the *Liber secundus* (fol. 93v) and continues through fol. 268v (his last entry is Leo X, *Cum nuper quondam Latino*, 12 april 1518), this part clearly has the aspect of a fair copy. The second hand, writing after August 1555, adds the rest in an individual and rather careless hand in dark brown ink with no other color for the rubrics; this section has suffered from acid corrosion of the ink. Fol. 1r carries a title in red: 'Quinternus cancellarie apostolicae cum suo indice amplissimo.' The table on fol. 2-9 is if a hand similar to the first. <I>-<V> were added later; <I>r bears the title repeated on fol. 1r in a heavy block script of the late 16th-century. The same writer entered some notes concerning the origin and juridical value of papal reservations by *regulae cancellariae* on <IV>r; there are references to 16th-century canonists, including Rebuffus and Gomez. For watermarks, cf. Briquet 12205 (cf. Barb. lat. 2850) for <I>-<V>, and Briquet no. 13884-13891 and Piccard vol. XV.3 section X 1747ff. for the main body of the MS. The MS has a 17th-

century green leather binding repaired in the 19th century. <I>v-<III>v, <IV>v-<V>v, fol. 1v, 10r-18r, and 23v-27v are blank.

Vat. lat. 6347

saec. XVI

235 fols. + <98a-f> chart. 263 (187) x 193 (105) mm, origin Italy. Quiniones, saec. XVI.

fol. 1r-95v **Formularium poenitentiarii**

(Rubrica prima) Prorogationes uotorum. (Rubrica secunda) Pro eo qui habet pauperes parentes illius opera indigentes, potest concedi ad maiorem suae conscienciae quietem. (Textus) Quatenus audita prius ipsius oratoris sacramentali confessione si re diligenter ... (Finis) in ea sub regulari obseruantia, neque aliter illi presentes litterae suffragentur etc.

fol. 96r-98r <Tabula alphabetica formularii>

fol. 99r-101r <Tabula materiae>

(This table covers the remaining contents of the volume.)

fol. 102r-110r **Benedictus XII, Const. In agro dominico** (See Vat. lat. 2663 fol. 7r-11v for further information.)

fol. 111r-120v **Taxationes litterarum poenitentiariae** (See Vat. lat. 3994 fol. 9v-18v for further information.) *Variants:*
<Rubrica deest.> (Rubrica textus) Taxationes.

fol. 120v-121v **Benedictus XII, Privilegia et stipendia poenitentiariorum** (See Vat. lat. 3994 fol. 18v-19r for further information.)

fol. 121v-126r <**De observantiis poenitentiariorum**> (See Vat. lat. 3994 fol. 19r-23v for further information.) *Variants:*
(Rubrica) Capitulum *om.* (Finis) recipiendo *pro* incipiendo.

fol. 126v-127v <**Feriae poenitentiariae**> (See Vat. lat. 2663 fol. 20va-21rb for further information.)

fol. 127v-134r <**Summa de absolutionibus et dispensationibus**, sive Summa Nicolai IV, cum additionibus> (See Vat. lat. 2663 fol. 34r-38v for further information.) *Variants:*
<Rubricae desunt.>

fol. 134r-135r **Gaucelmus, Johannis Deuza, Supplicatio ad Clementem VI, cum rescripto papae** (See Vat. lat. 2663 fol. 38v-39v for further information.) *Variants:*
(Rubrica) Nota quod dominus Clemens sextus concessit casus infrascriptos domino Gaucelelmo (*sic*) episcopo Albanensi maiori penitentiario. (Rubrica

- rescripti) Verba domini pape de manu sua scripta et concessionones eiusdem super casibus predictis. (Rescriptum) nostrum *add. post officium*.
- fol. 135v-136v **Forma ad reconciliandum apostatam a fide** (See Vat. lat. 3994 fol. 32v-34v for further information.) *Variants:*
(Rubrica) Sequitur *om.*; Examinatio *om.* (Textus) Respondit *om.*; Petrus *om.*
- fol. 136v-137v <**Innocentius IV, Const. Perlectis litteris**> (See Vat. lat. 3994 fol. 34r-v for further information.) *Variants:*
(Textus) Per litteras uestras *pro* Perlectis litteris uestris.
- fol. 137v-142v <**Casus pertinentes ad officium poenitentiariae**> (See Vat. lat. 3994 fol. 34v-39v for further information.) *Variants:*
Sequitur *om.* (Textus) canonibus *pro* canone.
- fol. 142v-143r <Incertus auctor, **De poenitentibus mittendis ad curiam Romanam**>
(See Vat. lat. 3994 fol. 40r-v for further information.) *Variants:*
<Rubrica deest.> (Finis) Ni pro Si.
- fol. 143r-146r <**Declaratio predictorum versuum**> (See Vat. lat. 3994 fol. 40v-43r for further information.) *Variants:*
<Rubrica deest.> (Finis) Ni pro Si; id in ipsis factor eorum *add.*
- fol. 146r-153r **Bonaguida de Aretio, <Tractatus> de dispensationibus**, forma brevior
(See Vat. lat. 3994 fol. 43r-49r for further information.)
- fol. 153r-171r **Berengarius Fredoli, <De excommunicatione et interdicto>** imperfectus
(See Vat. lat. 3994 fol. 49r-64v for further information) *Variants:*
(Inscriptio) Beterrensi *pro* Biturensi.
- fol. 171r-174v <**Berengarius Fredoli, De exceptionibus duarum regularum circa iniectionem manuum in clericum**> (See Vat. lat. 3994 fol. 64v-67r for further information.) *Variants:*
<Rubrica deest.> (Textus) 18 *pro* xvii (Finis) uersu *pro* uersibus.
- fol. 174v-179v <**Casus in quibus fertur sententia excommunicationis, interdicti vel aliarum censurarum secundum constitutiones Clementinas**> (See Vat. lat. 3994 fol. 67r-70v for further information.) *Variants:*
<Rubrica deest.> (Colophon) Amen. *om.*
- fol. 180r <**De potestate iniungendi poenitentiam ab episcopo commissa**> (See Vat. lat. 3994 fol. 70v for further information.) *Variants:*
<Rubrica deest.>
- fol. 180r-186v **Casus in quibus sententia vel poena incurritur ipso facto secundum constitutiones Clementinas**> (See Vat. lat. 3994 fol. 70v-76v for further

- information.) *Variants:*
<Rubrica deest.>
- fol. 186v-189v <**Summaria titulorum in Constitutiones Clementinas**> (See Vat. lat. 3994 fol. 76v-78v for further information.) *Variants:*
(Textus) Christus fuit mortuus, lanceatus. Anima est fidei catholice forma corporis humani. (Like Vat. lat. 5424 fol. 29r-34v. this MS contains an additional paragraph at the start.)
- fol. 189v-190r. <Incertus auctor, **De exceptionibus duarum regularum**> (See Vat. lat. 3994 fol. 78v-79r for further information.) *Variants:*
(Textus) Quicumque uerberat clericum uel aliam ecclesiasticam personam (This incipit resembles the wording found at the beginning of the text in E. Vernay, *Le 'Liber de excommunicatione' du Cardinal Berengar de Frérol* (Paris 1912) 113.)
- fol. 190r-192r **Regulae poenitentiariae**, imperfectae (See Vat. lat. 3994 fol. 79r-81r for further information.) *Variants:*
<Rubrica deest.> (Finis) correptae (*sic*) pro correcte.
- fol. 192v-193r <**Memoriale de privilegiis poenitentiariorum minorum, saec. xiv**> (See Vat. lat. 3994 fol. 81r-v for further information.) *Variants:*
<Rubrica deest.> (Textus) die 18 mensis Iulii pontificatus sanctissimi in Christo Patris domini nostri papae Gregorii sexti anno quarto *add. post* quarto.
- fol. 193r-194r **Excommunicationes papae reservatae** (See Vat. lat. 3994 fol. 81v-82v for further information.) *Variants:*
<Rubrica deest.>
- fol. 194r-195r **Clemens V, Const. Ne Romani** (Clem. 1.2.3)
- fol. 195r-196v **Eugenius IV, Const. Ad sacram Petri sedem** (16 oct. 1435) (See Vat. lat. 3994 fol. 83v-85r for further information.) *Variants:*
<Rubrica deest.> (Textus) Dei pro Petri.
- fol. 197r-199v <**Jordanus de Ursinis, Ordinationes super receptione poenitentiariorum**> (See Vat. lat. 3994 fol. 85r-87r for further information.) *Variants:*
<Rubrica deest.> (Finis) commissi ad tuam pariterque aliarum animarum salutem in nomine Patris et Filii et Spiritus sancti. Amen. (The MS lacks the concluding paragraph of the edition.)
- fol. 200r-v **Eugenius IV, Const. Devotionis vestrae sinceritas** (16 oct. 1435) (See Vat. lat. 3994 fol. 87r-v for further information.) *Variants:*
<Rubrica deest.>
- fol. 201r-202r **Eugenius IV, Const. Prudens pater familias** (14 jun. 1438) (See Vat. lat.

- 3994 fol. 87v-88v for further information.) *Variants:*
<Rubrica deest.>
- fol. 202v-203v <**Forma bullae receptionis poenitentiiorum**> (See Vat. lat. 3994 fol. 89r-90r for further information.) *Variants:*
<Rubrica deest.>
- fol. 204r-v **Forma litterae quae conceditur poenitentiario minori** (See Vat. lat. 3994 fol. 90r-v for further information.) *Variants:*
<Rubrica deest> (Datum) quarto *pro* tercio (Colophon) Hucusque durat liber Vaticanae Bibliothecae.
- fol. 205r-206v **Sixtus IV, Const. Provida Romani pontificis** (1 nov. 1473) (See Vat. lat. 5424 fol. 186v-190r for further information.) *Variants:*
<Rubrica deest.>
- fol. 206v-209r **Philippus Calandrinus, Statuta collegii poenitentiariae**> (See Vat. lat. 5424 fol. 190v-196v for further information.) *Variants:*
<Rubrica deest.>
- fol. 209v **Julianus de Rovere**, <postea Julius II>, **Mandatum ad minores poenitentiarios** (26 mar. 1490) (See Vat. lat. 5424 fol. 229v-230r for further information.)
- fol. 209v-210v **Nota de pecunia poenitentiariis numerata pro valore vestimentorum post mortem Sixti papae IV** (See Vat. lat. 5424 fol. 197v-198v for further information.) *Variants:*
(Textus) Anno *om.* (Epilogus) ZZ Quietantia *pro* Quitania, Brunus D. *add. post* etc.
- fol. 211r-213r **Leonardus** <**Grossus de Rovere, Statuta collegii poenitentiiorum**> (23 apr. 1518)
(Inscriptio) In nomine Domini. Amen. (Textus) Per hoc presens publicum instrumentum ... (Finis) specialem uel generalem, in casibus premissis. Datum Rome apud sanctum Petrum septimo kalendas aprilis anno sexto. (Subscriptio) Die XXIII aprilis xxx primo xxxCXXIII reuerendissimus dominus, dominus Leonardus ... contenta obseruari mandauit. Et ego Joannes Marenchus, clericus Astensis diocesis ... cum sigilli eiusdem impressione. (**Ed.** Göller, *Die päpstliche Pönitentiarie* II.2 pp. 39-43, citing this MS.)
- fol. 213v-214r **Leo X, Motu proprio** (13 aug. 1520)
(Inscriptio) Leo papa X. Motu proprio etc. (Textus) Cum dilecti filii penitentiarii in basilica apostolorum Petri et Pauli de Vrbe cappellani et continui commensales ... (Finis) modo concessis ceterisque contrariis quibuscumque. (Subscriptio) Placet et ita motu proprio mandamus. (Epilogus) Anno Domini 1520 indictione 8 die uero 13 (?) mensis Augusti ... collegii poenitentiiorum predictorum priore

dignissimo.

fol. 214r-v <**Juramentum poenitentiariorum**>

(Textus) Ego N. sanctissimi domini nostri pape penitentiarius et capellanus ab hac hora ... (Finis) sic me Deus adiuuet et hec sancta Dei euangelia. (Ed. Göller, *Die päpstliche Pönitentiarie* II.2 pp. 126-27; cf. fol. 197r-199v above.)

fol. 216r-220v <**De infirmitate et de obitu papae**> (See Vat. lat. 5424 fol. 198v-208v for further information.) *Variants:*

<Rubrica deest.> (Textus) quod *pro* est que (Continuatio colophonis) cuius mandati tenor sequitur et est prout infra. R. sancti Georgii diaconus cardinalis ... signata per notarium prefati domini cardinalis. Phy. de Pontecorvo. (Cf. Göller, *Die päpstliche Pönitentiarie* II.2 p. 137 for a very similar passage, edited from the text at fol. 220v-221r below.)

fol. 220v-221v <**Nota de pecunia poenitentiaris numerata pro valore vestimentorum post mortem Innocentii VIII**> (See Vat. lat. 5424 fol. 211r-212v for further information.)

fol. 221v-222v **Innocentius VIII, Const. *Super familiam*** (24 oct. 1486) (See Vat. lat. 5424 fol. 209r-211r for further information.)

fol. 222v <**Jacobus Caccia (?)**, **Nota de electione Alexandri VI**> (See Vat. lat. 5424 fol. 212v for further information.) *Variants:*
(Textus) Item anno *om.*

fol. 223r-229v **Alexander VI, Epistolae ad poenitentiaris de anno iubilei** (See Vat. lat. 5424 fol. 212v-229v for further information.) *Variants:*
<Rubricae desunt.> (Datum) 1498 *pro* millesimo quadringentesimo nonagesimo nono, quarto *pro* octauo.

fol. 230r-234v **Julius III, Const. *Pastoralis officii*** (1 mar. 1552).

(Inscriptio) Julius papa III ad futuram rei memoriam. (Textus) Pastoralis officii cura meritis licet imparibus ... (Finis) de indulto huiusmodi mentionem. Datum Romae apud sanctum Petrum sub annulo piscatoris die prima martii 1552 pontificatus nostri anno 3°. (Colophon) Paulus Sadoletus Carpentoratensis. (Ed. *Collectionis bullarum brevium aliorumque diplomatum sacrosanctae basilicae Vaticanae, vol. I-III* (Roma 1747-52) III 6-10, not using this MS. **Bibl.** Göller, *Die päpstliche Pönitentiarie* II.2 p. 94.)

Bibl. Göller, *Die päpstliche Pönitentiarie* I.1 p. 73, mentioning this MS as part of the same general group as Vat. lat. 3994; Haskins, 'Papal penitentiary' at 428 nn. 21-23.

The MS is a composite, written in two cursive hands in dark brown ink; the hand changes at fol. 99. There is no color. Fol. 102-235 were originally foliated as 1-134; the continuous foliation is followed here. Catchwords are at the lower right, at the end of each quire of the first formulary, on each page thereafter. For the watermarks, cf. Briquet nos. 6087 and 12212 for fol. 1-98, nos. 12236 and 12250 for fol. 99-235.

The paper has been damaged by the ink to varying degrees, sometimes to the point of disintegration, much of the MS is very difficult to read. The MS has a parchment binding which utilises 17th and 19th-century components. Fol. 1r-v, 98v, <98a-f>, 101v, 110v, 215r-v. and 235r-v are blank.

Vat. lat. 6351

saec. XV.1

Prov. Rome, Collegio Capranica.

<II> + 335 fols.-85 chart. 340 (235) x 238 (167) mm, origin France. Seniones, saec. XV.1.

<I>v-<II>r <Tabula Extravagantium>

(This table was added in a later hand in brown ink.)

ZZ fol. i^r-cccxxxv^r **Egidius de Bellamera, Commentaria in Extravagantes** (See Vat. lat. 5637 fol. 5r-708v for further information.)

(**Bibl.** *Extravagantes Johannis XXII*, ed. Tarrant 3(-4) n. 3; N. Zacour, 'Papal regulation of cardinals' households in the fourteenth century', *Speculum* 50 (1975) 438 n. 13. Vat. lat. 5637 may have been copied from this MS.)

fol. xixb^{vb}-xli^{rb} <**Egidius de Bellamera**>, **Tractatus de indulgentiis**

(Rubrica) Tractatus indulgentiarum. (Praefatio) Quoniam de materia indulgentiarum loquitur ista extrauagans, hic tractatum indulgentiarum aggredior ... (Rubrica textus) Prima pars de potestate concedentis. (Textus) Decimo quinto queritur intrando primam partem tractatus indulgentiarum unde habent papa, ceterique prelati ... (Finis) sub rubricella de remissionibus § 1 et in quinque § ibi sequentibus.

Bibl. Gilles, Gilles Bellemère' 394 n. 1; Bignami, *Bibliothèque* 134-35 n. 143; Sella, 'Nuove sigle' 9, 12.

The MS is written in a gothic bookhand in black ink. Paragraph signs and capitals are red or blue, both colors being used in the capitals on fol. 1r. Catchwords are centered. For the watermarks, cf. Briquet no. 11155. The MS has a 19th-century leather and parchment binding incorporating the 17th-century one. <II>v is blank except for the note 'Tractatus indulgentiarum est infra folio xx'. <I>r, fol. 238v, and 335v are blank.

Vat. lat. 6353

saec. XV

98 fols. memb. (chart. fol. 88-98) 400 (292) x 253 (178) mm, origin Italy. Quiniones, saec. xv.

fol. 1ra-85rb **Paulus <de Liazariis, Lectura in Clementinas>** (See Vat. lat. 1452 fol. 163ra-247vb for further information.) *Variants:*

(Rubrica) Incipit apparatus domini Pauli doctoris decretorum super constitutionibus Clementis pape. (Praefatio) suis *om.*; primo *pro* primam nostram (Textus) sub salutacione *add. post* libri (Finis) nisi hoc exprimeretur ut dixi in proximo (*sic*) rubrica. (Colophon) Explicit apparatus domini Pauli doctoris

decretorum super constitutionibus Clementis pape V^{ti}.

fol. 88r-89r <Tabula titulorum Constitutionum Clementinarum>

fol. 90r-94r <Incertus auctor, **Adnotationes** ex c. *Fidei*> (Clem. 1.1.1)

Bibl. Maffe, *La Donazione* 177 n. 19.

Fol. 1-85 are written in brown ink by two scribes, both employing cursive bookhands; fol. 1ra-42vb and fol. 43ra-85rb. The text is divided into two parts: fol. 1ra-40vb and 40vb-85rb. Picia marks are visible throughout (e.g. fol. 12va). Rubrics are red. Capitals are red or blue with Italianate decoration in the contrasting color. The individual columns are numbered in the upper margins. The modern numeration in the lower right corner is followed here. Decorated catchwords are centered through fol. 39v; they are at the lower right thereafter. There are occasional notes in a contemporary and two modern hands. The table at fol. 88r-89r and the notes at fol. 90r-94r are written in two different late 16th-century cursives in black ink. They are on small pieces of paper which have been glued to full-size sheets. The numeration is on the larger sheets. For the watermarks of the larger sheets, cf. Briquet no. 7316. Those of the smaller sheets are illegible. The MS has a 19th-century parchment binding. Fol. 86v-87v, 89v, and 94v-98v are blank.

Vat. lat. 6354

saec. XV (ca. 1430)

Scr. Ernestus de Stoltzenberg.

411 fols. chart. 439 (259) x 295 (167) mm, origin North Italy. Quiniones, saec. XV (ca. 1430).

fol. 1ra-411vb <**Pseudo-Johannes Calderinus, Repertorium**> (See Vat. lat. 2359-2360 for further Information *Variants*:

<Lemma primum deest.> (Finis) similiter ut *pro* simile. (Colophon) Deo gratias. Finito opere sit laus et gloria Christo. Stolczenberg per Ernestum notulum. Salua Deus illum.

Bibl. *Colophons*, ed. Bénédictins de Bouveret II 51 no. 3941.

The MS is in the gothic bookhand of Ernestus de Stoltzenberg in brown ink. A gap in the text is noted at fol. 144vb. Extensive corrections have been made (e.g. fol. 155ra). The MS is decorated in two styles. The arms of Martin V with the papal tiara superimposed appear at fol. 1ra in an architectural frame. The rest of the decoration of fol. 1r is in a Northern Italian style, consisting of a foliate H at fol. 1ra, acanthus borders in the inner and lower margins - both borders enhanced with gold disks - and a floral spray arabesque in the outer margin. The lower border frames an unidentified coat of arms: concentric fields of blue and black, red, blue and black, black with a blue half moon. Each section begins with an illuminated initial. Rubrics are red. Capitals are red with violet or blue with red decoration. Paragraph signs are red or blue. Catchwords are at the lower right. For the watermarks, cf. Briquet nos. 11725 und 2665. The MS has a 19th-century leather und parchment binding incorporating the 17th-century one.

Vat. lat. 6361

saec. XVI

592 fols. + 185a + <IV> chart. 271 (200) x 205 (133) mm, origin Italy (Rome?).
Quaterniones, saec. XVI.

fol. 1r-5v <**Nicholas III, Formularium cancellariae**>

(Praefatio) Anno natiuitatis Christi millesimo ducentesimo lxxviii^o xii kalen. februar. ... circa easdem formas uoluit obseruari quousque aliud duxerit ordinandum. (Rubrica) Iste sunt littere que solent dari sine lectione et transeunt per audientiam. (Textus) Ea que de bonis in maiori forma ubi continetur quod non obstantibus iuramentis ... (Finis) item de hiis que continentur in prouinciali. Cetera omnia sunt legenda. (Ed. G. Barraclough, 'The chancery ordinance of Nicholas III', QF 25 (1933-34) 192-250 at 236-250, not using, this MS.)

fol. 5v-14v <**Formularium 'Optimae conclusiones'**>

(Rubrica) Optimae conclusiones super reuocatoriis et aliis multis secundum quod cancellaria utitur. (Inscriptio) Iudici. (Textus) Sua nobis petitione monstrat quod cum inter ipsum ... (Finis) et ZZ fine debitis faciens etc. testes etc. (Bibl. Herde. *Audientia* I 65 n. 403, citing this MS.)

fol. 14v-17v <**Pseudo-Marinus de Ebolo, Collectio diversarum litterarum et formarum et processuum secundum stilum Romanae curiae, excerpta**>

(Rubrica) Quando littere erant impetrate super alienatis et distractis et conueniebatur super aliis rebus. (Inscriptio) Iudici. (Textus) Sua nobis dilectus filius rector ecclesie de Sauli petitione monstrauit ... (Formula ultima) (Rubrica) Quod non permittat grauari plebanum in collectis ultra proprias facultates. (Inscriptio) Venerabili fratri ... episcopo. (Textus) Dilectus filius plebanus plebis de ... tue diocesis sua nobis questione monstrauit ... (Finis) uel obstaculum apponatur presentibus post terminum etc. (Bibl. F. Schillmann, *Die Formularsammlung des Marinus von Eboli* I (Rom 1929. No more published.) nos. 1275-1281. See also Vat. lat. 3975 fol. 2ra-348v.)

fol. 18r-32v **Doctrina super formandis exceptionibus**

(Rubrica) Doctrina super formandis exceptionibus in reuocatoriis. (Textus) Nota quod illa communis exceptio que dari solet quando subditus exceptit contra ordinarium ... (Rubrica ultima) Quando denegabatur terminus ad probandas exceptiones admissas (Textus) Iidem ex eo sentientes ... ad nostram audientiam appellarunt.

fol. 33r-72v <Tabula rubricarum>

(The table covers the contents of the MS from fol. 73 onwards.)

fol. 73r-87v **Marinus de Ebolo, Tractatus de reuocatoriis**, imperfectus

(Rubrica) Incipit opus magistri Marini de Ebolo sancte Romane ecclesie uicecancellarii super reuocatoriis. Folium 1. Incipit liber primus. (Praefatio) Cum per inferiores iudices aliquid iniuste uel improuide agitur ... (Rubrica textus) Quando appellatur a diffinitiu. (Textus) Et ut a leuioribus incipiatur cum a diffinitiu interponitur ... (Finis) iudex assignare securum humiliter requisitus. (Ed. P. Herde, 'Marinus von Eboli' 196-229, not using this MS. The text ends on p. 228 of the edition, lacking the last paragraph.)

fol. 88r-98r **Doctrina super litteris concedendis vel non**
(Rubrica) Doctrina super litteris concedendis uel non. (Textus) Quando ponitur non obstante questione de duabus dictis ... (Finis) uel nobis exposuit cum querela.

fol. 98r-104v <**Conclusiones super revocatoriis**>
(Rubrica) Octo modi quibus concluduntur omnes lictere in causis appellationum. (Textus) Sciendum est quod omnes littere que fiunt in causis appellationum octo modis concluduntur ... (Finis) talis littera dari similiter consuevit. (**Ed.** Cf. Herde, *Audientia* II 517-539, which contains a different version, without the short prologue and the *prima conclusio* found here.)

fol. 105r-114v <**Marinus de Ebolo, Tractatus**> **de confirmationibus**
(Rubrica) Doctrina super confirmationibus. (Praefatio) Sicut ea que iniuste aut minus prouide facta sunt ... (Rubrica textus) De confirmatione rerum. (Textus) Cum confirmantur res plerumque confirmatio simpliciter conceditur ... (Finis) si qui fuerit de plenitudine potestatis. (**Ed.** Herde, 'Marinus von Eboli' 230-50.)

fol. 114v-592v <**Collectio litterarum et formarum secundum stilum Romanae curiae**>, aucta
(Prima littera) (Rubrica) Reuocatorie (*in marg.*). Quando denegatur copia litterarum apostolicarum et subdelegatorum. (Inscriptio) Iudici. (Textus). Significauerint (*sic*) nobis G. et J. de ... laici ... (Formula ultima) (Rubrica) Super eodem per alia uerba. (Inscriptio) Potestati et populo. (Textus) Qui presidium fauoris ... (Finis) a nobis exinde cum digno uobis proueniat actio gratiarum (**Ed.** Schillmann no. 2634). (According to the table above (fol. 72v), there should have been five more entries. Schillmann describes this collection as derived from the formulary attributed to Marinus of Eboli (cf. Vat. lat. 3975), but the collections are in fact substantially different.)

Bibl. F. Schillmann, *Die Formlarsammlung des Marinus von Eboli* I (Bibliothek des Deutschen Historischen Instituts in Rom 16, Rom 1929. No more published.) describing this MS at 16-17.

The MS is written in a large secretarial cursive script, by a single hand, in brown ink. There is no color or decoration. On fol. 1r is the note 'ex uetusto codice manuscripto quem commodauit I.D. Cardinalis S. Eusebii 1626' (Jacopo Cavalieri, † 1629). Catchwords are at the lower right of each folia. For the watermarks, cf. Briquet no. 12212. The MS has a contemporary parchment binding with traces of clasps. Fol. 177v and 185a are blank.

Vat. lat. 6363

saec. XVI

<XV> + 569 fols. chart. 267 (204) x 202 (140) mm, origin Italy. Quiniones, saec. XVI.

<II>r-<IX>v <Tabula incipitorum et contentorum, imperfecta>

fol. 1r-198v <**Theodoricus de Nyem, Liber secundus cancellariae**> (See Vat. lat. 3984

fol. 48r-108r for further information) *Variants*:

<Rubrica deest.> (Datum) pontificatus nostri *praem. ante* anno (Colophon) Finis secundi libri cancellariae de mandato reuerendissimi patris et domini domini (Rampnulphi *om. cod.*) tt. sancte Pudentianae dignissimi presbiteri cardinalis regentis officium. (This 16th-century copy of the *Liber* is identical to Vat. lat. 3984 and Barb. lat. 2825 [except for variations in the rubrics]), including part of the colophon from Barb. lat. 2825. The corrections noted at Vat. lat. 3984 to the description in Tangl, *Päpstliche Kanzleiordnungen* of Barb. lat. 2825 apply to this MS as well.)

fol 199r-568v <**Liber cancellariae apostolicae usque ad annum 1485 continuatus**> (Rubrica) De ueneratione sanctissimae eucharistiae. (Inscriptio) Bonifacius Papa IX ad perpetuam rei memoriam. (Textus) Transitus de mundo ad Patrem Saluator mundi ... (fol. 563v) (Constitutio ultima) (Inscriptio) Innocentius episcopus seruus seruorum Dei ad perpetuam rei memoriam. (Textus) Cum ab apostolica sede, ad quam de diuersis mundi partibus ... (Finis) et reuocationibus (reuocatione *cod.*) specificarentur ceterisque contrariis quibuscumque. Nulli ergo ... Si quis autem ... Datum Romae apud sanctum Petrum (sanctum Petrum *om. cod.*) anno incarnationis Dominice 1485 decimo cal. septembris pontificatus nostri (pontificatus nostri *om. cod.*) anno primo. L. Grifus. (Publicatio) Lectae et publicatae fuerunt suprascriptae duae bullae Romae ... die martis tertia decima mensis supradicti eiusdem pontificatus anno secundo. Finis (*add. cod.*). (Ed. of the final constitution *Bullarium Romanum* V 316-19. This set of additions is highly similar to those found in Vat. lat. 6343 fol. 93v-320v through the year 1485. It is also virtually identical to the additions in Barb. lat. 2825, q.v. There are some differences in placement of texts, minor variations of rubrics and readings, and the signatures in Barb. lat. 2825 are usually missing here.)

Bibl. M. Tangl, 'Neue Forschungen über den Liber Cancellariae Apostolicae', NA 43 (1922) 553-78 at 554.

The MS, with the exception of the preceding table, was written by a single scribe in black ink in a florid 16th-century secretarial hand. Most rubrics and marginalia are by the scribe, using a smaller form of the same script. Some rubrics were added by the person who added the table at the front. The latter is in a rough, untrained hand and is keyed to the present foliation of the MS, which appears to be contemporary. There is no decoration. The ink often bleeds through to the point of obscuring the text, especially in the table. Another hand has occasionally added notes cross-referencing documents. Catchwords appear at the far right below the text on each verso. For watermarks, cf. Briquet nos. 12212, 7108, and 12250. The MS has a modern parchment binding. <I>r-v, <III>r-v, <X>r-<XV>v, and fol. 269r-v are blank.

Vat. lat. 6364-6368

saec. XVII (1612-1617)

Prov. Scipione Cobelluzzi, card. 1616-1626. **Scr.** Giacomo Grimaldi.

I: 1a-1x, xa-xm + 283 fols.; II: <XXXII> + 266 fols.; III: <XXXII> + 282 fols.; IV: <XXXV> + 313 fols.; V: a-z + aa-ee + 448 fols.; + 362a-e + 367a-e chart. 337 (240) x 230 (141) mm, origin Italy (Rome). Quaterniones, saec. XVII (1612-1617).

ZZ _], <Pseudo->Marinus de Ebolo, <Collectio diversarum litterarum et formarum et processuum secundum stilum Romanae curiae> (See Vat. lat. 3975 fol. 2ra-348v for further information.) *Variants:*

ZZ (Rubrica) De summa Trinitate et fide catholica incipit liber primus.

(Colophon) (Vat. lat. 6368 fol. 448r) Finito libro referantur gratiae Christo. Amen. Amen. Amen. Explicit totus liber (here follows the Registrum Chartarum). Anno Domini MDCXVII die XVI iunii in pontificia Vaticana Bibliotheca septimus iste et ultimus liber absoluitur in transcribendo a manuscripto exemplari no. 3976. Qui manuscriptus liber est in totum foliorum 380 sub dicto numero 3976. Feria VI hebdomadae sanctissimi iubilaei indicti feria iiii proxima praeterita, et hac ipsa die a sanctissimo D.N. Paulo V. Pont. Max. cum supplicatione solemnibus Sanctitatis Suae totius cleri et curiae de more ad basilicam S. Petri die mercurii, et ad ecclesiam Sanctae Mariae Maioris die Veneris, ut sileant arma inter christianos principes a diabolo concitata quod faxit Deus.

Bibl. F. Schillmann, *Die Formularsammlung des Marinus v. Eboli* I (Rom 1929; anast. repr. 1971. No more published.) 15, describing these MSS, which he does not use for the calendar; P. Herde, 'Marinus von Eboli' 123-24, citing Vat. lat. 6364; on Giacomo Grimaldi, E. Müntz, 'Recherches sur l'oeuvre archéologique de Jacques Grimaldi', BEFAR 1 (1877) 225-69; on Cardinal Cobelluzzi, cf. F. Petrucci, 'Cobelluzzi, Scipione', DBI 26.433-35.

These MSS, which make up Giacomo Grimaldi's five volume transcription of the Pseudo-Marinus formulary, are now bound in 11 parts: Vat. lat. 6364-6367 each in two parts, and 6368 in three parts. At first Grimaldi copied the text from Arch. S. Pietro C.117; when he reached the end of that MS, he turned to Vat. lat. 3976 (see Schillmann 10-14). At the end of each volume Grimaldi carefully noted the dates and circumstances of his work, annotation's partially printed by Schillmann, 15ff.

The five volumes agree in general layout, script, ink, decoration, and binding. All are written in black ink, in the neat secretarial cursive hand of Giacomo Grimaldi. The ink has often penetrated the paper to the point of illegibility. Rubrics, initials, and paragraph signs are red. There are numerous marginal notes, often identifying the original source of a text. Catchwords are at the lower right of the recto and verso of each folio; quires are marked A, B, ... AA, BB, etc. in the lower right corner of the first recto of each. The first folio with writing in each MS carries the shelfmark. A table of rubrics precedes the text of the formulary for each volume. For the watermarks, cf. Briquet no. 7113, but watermarks are difficult to read because of the yellow tissue applied to strengthen the folios. The MSS are bound in 19th-century parchment.

Vat. lat. 6364, containing the first part of book I of the formulary, is divided into two parts, I: 1, 1a-x, xa-xm, 2-120; II: 121-283. The text of the formulary is prefaced by Grimaldi's note on the manuscript exemplars (fol. 1^r-^v) and a biographical sketch of Marinus de Ebolo (fol. 1g^r-1k^v); cf. Schillmann 15 and 18. Fol. 1e^f is a title page: 'Formularium litterarum apostolicarum Marini de Ebolo. Lib. 1 De summa Trinitate et fide catholica.' On fol. 2r a large opening initial on a square ground was drawn but never completed. Fol. 1v, 1a^r-1d^v, 1e^v; xl^r-xm^v, and 283v are blank.

Vat. lat. 6365, containing the rest of book I, is divided into two parts, I: I-XXXII, 1-120; II: 121-266. The opening initial on fol. 1r, drawn in outline on a square ground, is unfinished. Some initials are lightly decorated. J. Leclercq, 'Textes et manuscrits cisterciens à la bibliothèque Vaticane', *Analecta ordinis cisterciensis* 15 (1959) 79-103 cites this MS fol. 263r-265v, at 95 for a Cistercian *ordinatio negotii*. <XXX>v-<XXXII>v are blank.

Vat. lat. 6366, containing books II-IV of the formulary, is divided into two parts, I: I-XXXII, 1-128; II: 129-282. On <XXVI>r-<XXIX>v is a second copy of Grimaldi's biographical sketch of Marinus de Ebolo. The opening initial on fol. 1r is rendered in pen and ink. Tables concerning various administrative matters, in a different hand, appear on fol. 270v-274r, 275r-280r, and 281r. On fol. 274v is a copy of a letter of Paul V to Cardinal Seria (20 mai 1614). <XXX>r-<XXXII>v, fol. 270r, 280v, and 281v-282v are blank.

Vat. lat. 6367, containing book V of the formulary, is divided into two parts, I: I-XXXV, 1-136; II: 137-313. The opening initial on fol. 1r is decorated with penwork. On fol. 306v-313r (the chancery ordinance of Nicholas III), initials and paragraph signs alternate red and blue. <I>r is a title page: 'Collectio diuersarum litterarum et formarum ac processuum secundum stylum Romanae curiae magistri Marini de Ebolo canonici Saresberiensis Innocentii papae quarti uicecancellarii liber quintus ex pontificia Vaticana Bibliotheca depromptus anno Domini MDCXVI'. <I>v-<III>v, <XXXV>v, and fol. 313v are blank.

Vat. lat. 6368 is divided into three parts. I: a-z, aa-ee, 1-128; II: 129-288; III: 289-448. A large opening initial on fol. 1r includes the arms of Paul V and Cardinal Cobelluzzi; another on fol. 368r is decorated with a dove symbolic of the Holy Spirit. In the third part (fol. 289-448) initials are decorated with elaborate but somewhat clumsy penwork. Fol. a^r is a title page for book VI, mentioning Vat. lat. 3976. Fol. t^r includes notes on the life and tomb of Nicholas III by Grimaldi, dated 15 July 1615. A long note on Clement IV appears on fol. z-aa^r, and there is a series of various notes on fol. dd^v-ee^r. Extensive marginal notes were added to the tables, as were repeated sketches of a coat of arms (not Cobelluzzi's). On fol. 362r-v is a note by Grimaldi about Cobelluzzi's appointment to the College of Cardinals (*ed.* Schillmann 15-16). Fol. 363r is a title page for book VII. The last few folios are badly faded. book VII was originally foliated separately, but the continuous foliation is followed here. For the watermarks of this volume, cf. Briquet no. 4832. Fol. a^v-d^v, fol. 362a^r-b^v; 363v, 367r-367e^v, and 448v are blank.

Vat. lat. 6381

saec. XII; XVI

antea 466. Prov. Antonio Agustín, bp. of Lerida (1561-76), archbp. of Tarragona (1577-86), Luis Gomez, bp. of Sarno (1534-43). **Scr.** Antonio Agustín (fol. 328r-336r). <I> +337 fols. memb. (chart.: fol. 1, 257-337) 272 (198) x 183 (130) mm, origin Italy. Quaterniones, saec. XII (fol. 1-256); XVI (fol. 257-337).

fol. 1r <**Versus**>

(Textus) Has clauēs terre, uos gentes discere ferre ... (Finis) cui post has metas, bona celica conferet etas. (These three lines were written by a contemporary hand in the upper margin.)

fol. 1r-4r <**Ordo Romanorum pontificum**> (See Vat. lat. 1364 fol. 1ra-3vb for further information.) *Variants:*

(Finis) Urbanus ii (*super lin.*) annos xi. menses iiii. Paschalis ii (*super lin.*) annos. (**Ed.** ZZ Schelstrate, *Antiquitas ecclesiae* 644-50, from this MS. **Bibl.** *Liber pontificalis*, ed. Duchesne I ccv, short notice only.)

fol. 4r-256v <**Anselmus Lucensis, Collectio canonum**>, recensio B, imperfecta (See Vat. lat. 1364 fol. 4r-266r for further information.) *Variants:*

(fol. 4r-6r) <Tabula libri primi capitulorum> (Rubrica) De dignitate Romanae ecclesiae *add. al. man. pro* de primatu et excellentia Romanae ecclesiae (Finis) non cogeret aecclesia perditos filios ut redirent. (**Ed.** *Anselmi episcopi Lucensis collectio canonum una cum collectione minore*, ed. F. Thaner, fasc. 1 (Oeniponte

1915; anast. repr. Aalen 1965), using this MS (siglum V₃). This MS ends at Book 12.17 (= A 13.16). being missing several folios at the end. **Bibl.** P. Landau, 'Erweiterte Fassungen der Kanonessammlung des Anselm von Lucca aus dem 12. Jahrhundert', in *Sant' Anselmo, Mantova e la lotta per le investiture*, ed. P. Golinelli (Bologna 1987) 323-37 (trans. into Italian as 'Intorno alle redazioni più ampie del XII secolo della raccolta dei canoni di Anselmo da Lucca' at 339-48), esp. 332-33; *Pelagii I epistulae*, edd. Gassó et Batlle, using this MS (siglum O₃) for the Pelagian letters at fol. 231-35, with a short description of the MS at l-li; P. Fournier, 'Observations sur diverses recensions de la collection canonique d'Anselme de Lucques', *Annales de l'Université de Grenoble* 13 (1901) 427-58 at 438-42, repr. in Fournier, *Mélanges* II 635-66 at 646-50, identifying this as a copy of recension B, in which book XI of Collection A is missing (here, Antonio Agustín has noted the missing book by changing the titles of books 11 and 12 to 12 and 13); Ballerini, *De antiq. coll.*, PL 56.326-27, misciting this MS as 6361; Fournier-LeBras, *Histoire* II 26 and 195; A.M. Stickler, 'Il potere coattivo materiale della Chiesa nella riforma gregoriana secondo Anselmo di Lucca', *Studi Gregoriani* 2 (1947), citing this MS as V₃ at 243 et passim.)

fol. 257r-v <**Gratianus, Decretum**>, quattuor canones

(Rubrica) Gregorius VII in synodo Romana anno 1078 ... Caput I. (Textus) Quicumque militum uel cuiuscumque ordinis ... (Canon ultimus) (Rubrica) Cap. 12. (Textus) Si quis episcopus fornicationem ... (Finis) auctoritate officii sui non impugnauerit, ab officio suspendatur. (**Ed.** Friedberg. The canons are C.12 q.2 c.4, C.1 q.3 c.3, C.16 q.7 c.1, and D.83 c.1. They are from the aut. 1078 council of Gregory VII (cf. MGH Epp. Sel., ed. E. Caspar, pp. 402-05) and have been arranged and numbered according to the council, with marginal and interlinear notations on how the Gratian recension differs from that of the Gregorian register. **Bibl.** Kuttner, 'Some Roman Manuscripts' 18, suggests that this folio was a loose sheet folded in which was bound in at the rebinding. It was originally not numbered, receiving '257^a' when the MS was refoiled. Kuttner speaks of it as containing 'material pertaining to the work of the *Correctores*.')

fol. 238r-326v <**Anselmus Lucensis, Collectio canonum**, recensio A, excerpta>

(Rubrica) Augustinus de eadem re. XV. (Textus) Quod autem dixerunt, qui contra suos impietates leges iustas institui nolunt ... (Rubrica ultima) Vt preces et prefaciones que in concilio probate non fuerint non celebrentur. (Textus) Placuit etiam hoc ut preces que probate fuerint ... (Finis) quecumque cum prudentioribus fuerint collate dicantur. (**Bibl.** Kuttner, 'Some Roman Manuscripts' 19-20, for a summary description of this collection of excerpts and their sources, showing that these excerpts were copied from Venice, S. Marco MS lat. IV.55 to supplement the incomplete 12th-century collection preceding them. They start by repeating the last two canons of the older collection (fol. 256r-v) and continue with the rest of book A13 = B12 (cf. Vat. lat. 1363 fol. 235r et seq.). The last canon, which also appears in Burchard's Decretum (3.67) and Ivo's *Decretum* (3.69) is marked for inclusion after what must be the last canon common both to this manuscript and the Venetian one.)

fol. 328r-336, <Index collectionis Anselmi Lucensis>

(This is Antonio Agustín's autograph index to the Collection of Anselm of Lucca. It is arranged alphabetically by pope, incipits, and councils.)

Bibl. Kuttner, 'Some Roman Manuscripts' 14-20.

This is a composite MS. Fol. 1r-256v form a 12th-century parchment MS written in a late Carolingian minuscule in a brown ink which changes to black at fol. 77v. Each of the twelve books opens with a large decorated initial in a Romanesque design, usually a combination of interlace and white vine elements, often with a man or animal worked in. The initial on fol. 6r is an 'I' formed as a bishop. Each decorated initial is followed by a line of display script. Capitals are red, or ink decorated with red. Rubrics are red. Prickings are visible in the outer margins. Fol. 255-256 have been damaged and repaired; fol. 256v is difficult to read. This 12th-century MS was purchased by Antonio Agustín from the estate of Luis Gomez. Agustín collated it with another copy of the collection hold by Niccolò Ormaneto (†1577), now Venice S. Marco Ms lat. IV.55; he then had the missing chapters copied out and bound in as fol. 258r-326v. The 16th-century additions are on paper and written in a secretarial cursive without decoration. Many of the notations throughout the volume are by Agustín; they often refer to Gratian's *Decretum*. Pasted into <I>v is a biographical note on Anselm of Lucca taken from Sigisbertus; it was written by Agustín. Above it is the library note 'In pluteo IX', which has been crossed out. At the top of fol. 1r is the ex libris 'Ludouici Gomez episcopi Sarnensis auditoris rote' and the former shelfmark '466'. At the bottom of the folio is the erroneous note 'Brocardus Vormacen. eps'. which has been cancelled. Above it, readable by ultra-violet, is the ex libris 'Antonii Augustini epi Illerden<sis>' cf. Kuttner, p.19. The MS has two numbering systems, an older one by Agustín at the upper right and a modern stamped one at lower right. The latter is followed here. Some folios are stained. For the watermarks in the paper sections, cf. Briquet nos. 5377 and 5919. The MS was rebound in parchment by the Vatican during the 19th-century. <I>r, fol. 269r-v, 292v, 327r-v, and 336v are blank.

Vat. lat. 6457

saec. XVIex.

II + 56 fols. + 39a chart. 207 (166) x 133 (70) mm, origin Italy (Rome). Bifolia, saec. XVIex.

fol. 1r-v <Incertus auctor, **Informatio de Laborante et operibus eiusdem**>

(Textus) Laborans creatus diaconus cardinalis ab Alexandro III^o anno < ... > et ab eodem postmodum presbyter ... (Finis) ministeri canonum rusticani quinque putantur, et contemptibiles, et ignari.

fol. 2r-3v, 4r-6r <**Laborans, Compilatio decretorum**, excerpta>

(Excerpts include material from Book 4 part 8 (fol. 2r-3v) and Book 6, parts 1, 2, 3, and 5 (fol. 4r-6r).)

fol. 3v, 5r, 6v-7v <Incertus auctor, **Lectiones variae ad compilationem Laborantis**>

(The author has collated 1.10.1 with the corresponding passage of Ivo of Chartres' *Panormia*, 1.8.12, 2.1.47, and 4.8.8.7 with Gratian's *Decretum* and with an unidentified copy of a letter of Charlemagne (MGH Epp. 4, ed. E. Dümmler et al., pp. 228-30).)

fol. 8r-56r **Laborans**, <**Tractatus de iustitia et iusto**>

(Inscriptio) Laborantis ad Maionem magnum Siciliae admirandum. (Praefatio) Memini (Omini *cod.*) uir illustris sapientiae luce uirtutumque nitore prefulgens ... (fol. 8v) <Tabula titularum> ... (fol. 10r) (Rubrica textus) De iustitia et iusto. (Textus) Diuina substantia bonitas est, quae quidem in idiomate greci sermonis ... (Finis) nulla uel possibili uicissitudinis obumbratione mutari. (Ed. A.M. Landgraf, *Laborantis cardinalis opuscula* (Florilegium patristicum 32; Bonn 1932) 6-42.)

The MS is written in 16th-century professional script by a single hand, in faded black ink, without decoration or color. The foliation, in the upper right corner of the recto, is contemporary. Scattered marginal notes identify sources or corresponding passages in Gratian's *Decretum* or Ivo's *Panormia* (?). On fol. 3r the scribe notes, against a passage labelled as from *actione quarta santa sinodus*, 'Immo octaua sed sic legit Laborans'. (Gratian's reading, however, matches that of Laborans.) The contents of the MS and their treatment suggest that it was produced in conjunction with the work of the *correctores romani*. It is blank except for the shelfmark '6457'. IIv has the pencilled note 'Originale Laborantis, unde haec compilata, extat in archiuo Basilicae S. Petri in Vaticano'. The quires are formed of bifolia gathered in eights. The single watermark is similar to Briquet no. 3395, but has a coat of arms below it. The MS has a 19th-century leather and cloth binding. IIr and fol. 56v are blank except for library stamps. Iv and fol. 39a^{r-v} are blank.

Vat. lat. 6484-6521 only 6484 is checked **saec. XVIex.**

Prov. Antonio Agustín jr. S.J.; Franciscus Aduarte; Antonio Agustín, archbp. of Tarragona. **Scr.** Antonio Agustín, archbp. of Tarragona (1577-1586); Franciscus Aduarte; Antonio Agustín jr. S.J.
34 vols. chart. 205 (185) x 140 (105) mm, origin Spain and Italy, saec. XVIex.

Vat. lat. 6484

fol. 1b^r-1c^r **Antonius Augustinus iunior S.J.**, <Epistola dedicatoria ad Epitomem iuris pontificii veteris Antonii Augustini>
(Rubrica) (Inscriptio) Illustrissimo ac reuerendissimo D.D. Alexandro Peretto cardinali a Monte Alto sanctae romanae ecclesiae vicecancellario dignissimo etc. Antonius Augustinus e societate Iesu fr. (Textus) Serius quidem, quam ut tuorum praestantiae meritorum fieret ... (Finis) compensari a bonorum omnium largitore Deo enixe postulabunt. Vale. (Ed. A. Agustín, *Iuris pontificii ueteris Epitome in tres partes diuisa ... secunda, et tertia nunc ... prodeunt. Opera Antonii Augustini fratris filii Societatis Iesu sacerdotis ...* (Roma 1611) p. [I]ff. Cardinal Peretti's imprimatur was added below the letter.)

fol. 2r-23r **Antonius Augustinus iunior S.J.**, <ZZ Praefatio epitomes iuris pontificii veteris Antonii Augustini>

(Rubrica) De auctoris consilio deque operis utilitate (Antonius Augustinus e societate Iesu *add. al. man.*). (Textus) Qui canones antiquorum epistulasque summorum pontificum ... (Finis) ex ultimo testamento legatum accipito (Ed. Agustín, *Opera* V 3-10, ending at note a, from this MS. Also found in the Rome 1611 edition. The text on fol. 9v has been struck through and seems to be a false start for the text which begins on fol. 10r. The material on fol. 16v-23r has been rearranged in the edition.)

fol. 24r-64v <**Antonius Augustinus, De quibusdam veteribus canonum ecclesiasticorum collectoribus iudicium et censura**>
(Rubrica) Clemens Papa, Cyprianus, et Dionysius. (Textus) Matthaëus monachus initio Nomocanonis de conciliis et sacris scriptoribus, qui canones ediderunt ...
(Finis) tempora deducere /// facere /// (**Ed.** Agustín, *Opera* III 219-43. **Bibl.** Bernal, 'Antonio Agustín' 525. Much of the text has been destroyed by the ink eating away the paper. Fols. 60-64 are virtually illegible.)

fol. 65r-151r <**Franciscus Aduarte, Additiones in primum tomum Epitomes Antonii Augustini**>
(This series of notes does not appear in the edition and may be Aduarte's own notes to his printed copy of Vol. I, cf. Bernal, 'Antonio Agustín' 525-26 and Leonardi, 'Per la storia' 633.)

fol. 152r-205r, Vat. lat. 6485-Vat. lat. 6521 <**Antonius Augustinus, Iuris pontificii veteris epitome, partes II et III**>
(Here begins the collection of drafts and notes from which the second and third parts of the epitome were constructed. Some folios are fully written pages; many are pages on which many small scraps have been glued, sometimes even at right angles to other notes, cf. Vat. lat. 6484 fol. 154r and 157r. Many folios are blank. These are the basis for **Ed.** ZZ A. Agustín, *Iuris pontificii ueteris Epitome in tres partes diuisa ... secunda, et tertia nunc prodeunt. Opera Antonii Augustini fratris filii Societatis Iesu sacerdotis ...* (Roma 1611); repr. in Agustín, *Opera* VI.)

Bibl. Leonardi, 'Per la storia', with plates of Vat. lat. 6485 fol. 1r (Tav. IV), Vat. lat. 6524 fol. 39v, 144r, and 161r (Tav. V-VII), Vat. lat. 6521 fol. 37r (Tav. Xa), and Vat. lat. 6584 fol. 2r (Tav. Xb), showing the autographs of Antonio Agustín, Francesco Aduarte, and Antonio Agustín jr. S.J.; A. Bernal Palacios, Antonio Agustín (1517-1586) y su 'Recollecta in iure canonico', *Revista Española de Derecho Canonico* 45 (1988) 487-534 at 503 n. 21 and 524-26.

This collection of 38 volumes was written by Antonio Agustín senior and junior and Francesco Aduarte; cf. Leonardi for a study of the hands. They are in late 16th-century personal cursives in dark ink which have often eaten away the page, rendering the text illegible. The size of the volume given above is the original size of volume one; however, the original quires have been taken apart, and the individual leaves are now glued on modern paper of a larger size. It also does not reflect that many of the leaves are simply backings for long series of notes being rearranged to achieve the final order of the work. In Vat. lat. 6484, fol. 1r has a title by a later hand: 'Antonii Augustini archiep. Tarraconen. Epitome Iuris Pontificii Veteris ~~XXXIIX~~ uoluminibus cuius epitomis praefationes et praeludia habentur in praesenti Vol. I.' A second title in another hand appears on fol. 1a^r: 'Praefationes et praeludia ad epitomem Iuris Pontificii et de collectoribus canonum D. Ant. Augustini arch. Tarrac. Vol. I.' In Vat. lat. 6484, fol. 1v, 1a^v, 1c^v, and 151v are blank. The volumes have mid-19th century parchment bindings.

Vat. lat. 6523

saec. XVI

IV fol. + IV fol. (V-VIII) + 344 fol. + <III> chart. 230 (180) x 161 (105) mm, origin Italy

(Rome). Quiniones, saec. XVI.

fol. 1-344 **Antonius Augustinus, De legibus et senatusconsultis**, imperfectus (See Vat. lat. 6231 fol. 1r-158r for further information.) *Variants*: (fol. 7) (Rubrica textus) Acilia lex. (Textus) Haec lex de pecuniis reperundis lata est (*ed.* 25a).

Ed. Agustín, *Opera* VII 188-89 (Epistola dedicatoria); 1 7-138. **Bibl.** G. Mayáns y Sísacar, 'Antonii Augustini Vitae historia' in Agustín, *Opera* II xi-cxii at lxxxix; Kristeller, *Iter* II 340; Bignami, *Bibliothèque* 141, 152 n. 62.

This codex starts with several printed pages of the Rome 1583 edition: fol. 1r-IVv = p. 1-8 of the ed.; pag. V = p. 97; pag. VI-VIII = p. 100-101, 104. It seems that they were later bound to the rest of the codex, which is written in a very clear and precise 16th-century hand in a brown ink. The first five pages contain a copy of the *Epistola dedicatoria* of Agustín to his brother Jerónimo which is identical to the edition cited. The *De legibus* starts on p. 7, but in an order different from that of the editions. The first part, dedicated to the nature of laws, is missing in the codex. The section on particular laws is quite different from the edited one, not only in the distribution but also in the redaction of the contents. The 'praetermissae' added by Fulvio Orsini to the first edition (Roma 1583) are missing here. The section about the 'Leges XII tabularum' (*ed.* 96-127) is included in the codex among *de legibus* (p. 47-147) between 'Duilia' and 'Ebutia'. The part called 'De senatusconsultis' on pp. 313-44 is practically identical to the edited text. It seems that this codex contains a copy of one of the first redactions of the work. At the bottom of p. 344 there are, in different hands, the following notes: 'Imprimatur si uidebitur R. P. Magistro Sacri Palatii P. Viceg.', 'Vidi ego Ant. Buccapadulius ex commissione R.P. D. Magistri Sacri Palatii et nihil inueni quod esset contra fidem aut contra bonos mores (///)'. The last line has been cut away during binding. There are catchwords on the lower right side of the folios. The leaves of each quire have an internal numbering system: Ai-vii ... Pi-iiii. The watermark is a fleur-de-lis on top of two mountains, the whole within a circle, not like any listing in Briquet or Piccard. The MS has a 19th-century cardboard binding with a leather spine. Pages 6, 311-312, and <1>r-<+III>v are blank.

Vat. lat. 6735

saec. XV

Prov. Quatarius Sulmonensis (?).

I + 212 fol. memb. 275 (195) x 198 (133) mm, origin Italy. Quaterniones, saec. XV.

Iv <**Versus**>

(Textus) Eloquio sapiens discreto dirige linguam ... (Finis) Non det sermones ubi non prodesse uidebit. (**Bibl.** F. Brunhözl, "Florilegium Treverense", *Mittellateinisches Jahrbuch* 3 (1966) 129-217 at 165; lines 1039-1040 are the same as the first two lines here; line 1041 is a variation of the last line here.)

fol. 1v-2r <Incertus auctor>, **Epistola de mirabilibus montis Vesuvii**

(Rubrica) Epistola de mirabilibus montis Vesuuii per quam mandatur laxari tributaria functio secundum quantitatem dampni facti per eiusdem montis incendium. (Textus) Campani Vesuuii montis hostilitate uastari ... (Finis) qui et remedia levis conferat et locum subreptionibus non relinquat. Datum etc. (There is no recorded eruption of Vesuvius between 1139 and 1500.)

- fol. 2r <**Duae litterae formatae cancellariae apostolicae**>
 (Bibl. F. Kaltenbrunner, 'Römische Studien III', MIÖG 7 (1886) 93 and n. 3.)
Gaude innocentia et exulta etiam si tibi iustus iudex defuerit - it is no fromular! - pro quo etiam fret tibi rex regum propitius ZZ retribatur grata fauente Domino uicissitudine respondere.
- fol. 2v-3r <**Innocentius VI, Epistola ad**> **Johannem V Paleologum**
 (Inscriptio) Magnifico principi Iohanni Paleologo imperatori Grecorum illustri, gratiam in presenti que perducatur ad gloriam in futuro. (Textus) Venerabiles frater noster Paulus archiepiscopus Biturnensis (*Smirnensis cod.*) et nobilis uir Nicolaus ... (Finis) speramus et credimus acquiescas. Datum Auinioni (Ed. Innocent VI, *Lettres secrètes et curiales*, edd. P. Gasnault et N. Gotteri, IV (Rome 1976) 141-43 n. 2278, the MS lacking the long datum.)
- fol. 3v <**Innocentius VI, Epistola ad**> **Karolum IV imperatorem**
 (Inscriptio) Carissimo in Christo filio Karolo Romanorum imperatori semper augusto salutem. (Textus) Repleuit amaritudine tabernaculum ... (Finis) grata fauente domino uicissitudine respondere. Datum.
- fol. 4r-6v <Incertus auctor, **Vita cuiusdam Albani perperam dicti rex Hungariae**>
 (Textus) Erat olim in partibus Aquilonis quidam potens et nobilis ... (Finis) ZZ exemplum Albani serui tui, mereamur et nos cum eo anostri facinoribus abluere, et super niuem dealbari. Amen. (Bibl. *Acta sanctorum Iunii V*, 2nd ed. (Parsii et Romae 1867) 82-83. *Bibliotheca sanctorum I* (Roma 1961) 661.)
- fol. 7r **Innocentius** <**VI, Epistola ad**> **Karolum IV imperatorem**
 (Inscriptio) Innocentius etc. Carissimo in Christo filio Karolo imperatori Romanorum semper augusto salutem etc. (Textus) Tanta filii carissime amaritudine nos repleuit ... (Finis) dirigi et auxilio poteris adiuuari. Datum. (Ed. Innocent VI, *Lettres secrètes et curiales*, edd. P. Gasnault et N. Gotteri, IV (Rome 1976) 201-02 no. 2407, this MS lacking the closing phrases and datum.)
- fol. 8ra-212v <**Berardus de Neapoli, Epistolae notabiles seu Dictamina**>
 <Tabula epistolarum> ... (fol. 10r) (Epistola prima) (Inscriptio) Venerabilibus fratribus archiepiscopis episcopis et dilectis filiis abbatibus et aliis ecclesiarum prelatibus et cet. (Textus) Exultet angelica turba celorum, exultent diuina misteria ... (fol. 212r) (Epistola ultima) (Inscriptio) Eidem. (Textus) Pertulit ad nos multorum fide digna relatio ... (Finis) pro parte nostra retulerit, credas (*errdas cod.*) indubie illaque ad effectum sperate consumationis adducas. Datum. (fol. 212v)
 (Inscriptio) Venerabilibus fratribus uniuersis patriarchis et archiepiscopis ac episcopis per Italiam et Ungariam constitutis ecclesie etc. (Ed. The first letter is Po. 18232: *Bullarium Romanum* I.149. Bibl. F. Kaltenbrunner, *Actenstücke zur Geschichte des deutschen Reiches* (Mitteilungen aus dem Vaticanischen Archive I; Wien 1889), editing many of the individual documents using this MS (siglum NV); idem, 'Römische Studien III', MIÖG 7 (1886) 21-118 and 555-635, classing this MS (siglum NV) at p. 22 as of the third redaction of Berardus's work, called

the *Epistolae notabiles* following Delisle. He divides the collection into four parts, each having its own structure and division, cf. pp. 86-94. Part I has reference glosses, parts I and III have rubrics in the margins. The table of contents contains only the first 172 of the 366 letters. Of the last letter, only the inscription is present, at the very top of the folio verso with the remainder of the side blank.)

Bibl. F. Kaltenbrunner, 'Römische Studien III', *MIÖG* 7 (1886) 21-118 and 555-635, with an exhaustive analysis of the MS at 85-94.

The MS is written in multiple 15th-century chancery cursive hands; cf. Kaltenbrunner. Fol. 10r opens with a large red and blue initial with penwork decoration. For the beginning of other letters, there is sometimes a large red capital, sometimes an enlarged capital by the scribe, sometimes a blank reserved. The variation usually follows quire structure. Through letter 200 the number of the letter is in the margin: by the scribe through 172, added by a later hand thereafter. At the top of fol. 8r, in an early modern hand, is the note: 'Pleraque pars epistolarum que in hoc codice continentur, extant etiam in Formulario Berardi de Neapoli in cod. 3977', q.v. At the top of fol. 10r is the 15th-century ex libris 'Iste liber continet ducentas cartas et est Quatrarii Sulmonensis.' The position of the catchwords and the existence of quire numbers change with the change of scribes. The MS was prepared with dry point; prickings are often visible in the outer margin. It is blank except for the shelfmark; 1r is blank except for the library stamp and the note at the top: 'xxvii nouembris que fuit sabato.' The MS has a 18th-century leather binding (on the cardboard). Fol. 7v and 199v are blank.

Vat. lat. 6746

saec. XIV

<I> + 66 + <I> memb. 311 (188) x 217 (135) mm. Quaterniones, saec. XIV.

<I>v <Incertus auctor, **Epistola petens munas in curia**>

(Inscriptio) Reuerendissime pater et domine, domine mi singularissime. (Textus) Cum non ignorem quod sit clemens ... (Finis) dominus noster Ihesus Christus in summa felicitate conseruet. (This appears to be a draft, written around the painted figures on the folio.)

fol. 1ra-58rb **Rolandinus Passagerii, Summa artis notariae** (See Vat. lat. 2326 fol. 1ra-92rb for further information.) *Variants:*

(Rubrica) Incipit Summa domini Rolandini de Passageriis de Bononia super arte notaria (*marg. al. man.*).

fol. 58rb-66vb **Rolandinus Passagerii, Tractatus notularum** (See Vat. lat. 2326 fol. 92rb-107vb for further information.) *Variants:*

(Rubrica) Quid sit notaria et unde dicatur. (Colophon) Explicit tractatus notularum Deo gratias. Amen. Amen (*add. al. man.*).

Bibl. This MS is not listed by Wahrmund, *Quellen zur Geschichte des römisch-kanonischen Processes im Mittelalter* III.2 lvi.

The MS is written in a neat gothic bookhand, possibly by several scribes, in gray-brown ink, and corrected in contemporary hands. The *Summa* opens with a large decorated letter 'A' in red and blue with penwork filigree filling. Capitals are red or blue, usually with penwork decoration in the contrasting color (they are

plain after fol. 42r). Rubrics are red and in a different hand; paragraph signs alternate red and blue. There are no catchwords; fol. 1-45 have running heads. The beginning of the *Tractatus* is set off from the preceding text only by its rubric and a large initial. In both the *Summa* and the *Tractatus* are several generations of notes and additions, including many instruments. One hand refers several times to Petrus de Boateriis (cf. fol. 5r, 55v, 62v). On <I>v and <+I>r are two paintings of a pair of lovers. On <I>v the picture was painted over same legal notes; the draft letter on the folio was written around the figures. A fragment of another draft runs lengthwise down the right side of the folio, while another fragment of text (upside down) occupies the bottom of the folio. On <+I>, some dialogue in Italian has been added to the picture, and the man labelled 'Giovanni'. The rest of the folio contains sketches of designs resembling notarial signs, various notes, epigrams, and verses in Latin and Italian, including several on marriage. Several folios have been repaired. The leather binding dates from the last quarter of the 18th century. <I>r and <+I>v are blank.

Vat. lat. 6769

saec. XIII

<I> +138 fols. memb. 364 (313) x 241 (176) mm. Seniones, saec. XIII.

fol. 1ra-138rb (*rect.* 3ra-10vb, 2ra-vb, 12ra-91rb, 1ra-vb, 104ra-138rb) **Vincentius**

<**Hispanus**>, **Apparatus in Decretales**, fragmenta

(Rubrica praefationis) Incipit apparatus Vincentii super decretalibus. (Praefatio)

<C>reavit Deus hominem in virili etate ... (Finis praefationis) veniam postulo a lectore. Vincen. (Textus) *Gregorius*: Nomen imperatoris in principio instrumenti poni debet ... (Finis) et est speciale in iudicio ut non petatur.

Bibl. J. Ochoa Sanz, *Vincentius Hispanus, Canonista boloñes del siglo XIII* (Cuadernos del Instituto Juridico Español 13; Roma-Madrid 1960) 136-47, with an edition of the preface from Barb. lat. 1626, a copy of this manuscript, on 139. A.D. de Sousa Costa, 'Mestre Silvestre e Mestre Vicente', quotes this manuscript passim; see also S. Kuttner, 'Notes on Manuscripts', BMCL in *Traditio* 17 (1961) 533-42 at 539-41.

There are other defects besides the misarrangement of folios. X 1.33.16 is placed between X 1.3.29 and 30; hence the second fragment (fol. 2ra-vb) begins, and the third fragment (fol. 3ra-10vb) ends, in the middle of X 1.33.16. The fourth fragment (fol. 11ra-rb) repeats the preface and the first glosses on the bull *Rex pacificus* (through v. *nimiam similitudinem* = fol. 3rb, line 20), follows these with another partial repetition of the preface ('Set quia ...'), and ends with a short note on contracts. Only a small part of Book three (X 3.1.1-2.5 in med.) is present in the first fragment (fol. 1ra-vb). Finally, X 2.20.35-23.11 are repeated because the fifth fragment (fol. 12ra-84vb) ends at X 2.23.11 and the sixth fragment (fol. 85ra-91rb) begins at X 2.10.35. See also Barb. lat. 1626, a copy of this manuscript.

The text is written in brown ink, in several gothic hands (possible changes are on fol. 12r, 85ra, and 92ra). Space was left for painted initials at the beginnings of both copies of the preface, of book four (fol. 104ra), which begins on a new folio, and of book V (fol. 116ra), which begins in mid-column. Capitals and paragraph signs are red, the former with Italianate decorations in violet until fol. 27r. Lemmata are underlined. There are no catchwords. ZZ On <I>r there is a pasted slip with a post-medieval title, 'Tomus Secundus Questionum'. The binding is 19th-century leather. <I> and fol. 11v and 138v are blank.

Vat. lat. 6770

saec. XIV

56 fols. memb. 351 (291) x 231 (196) mm, origin Italy. Quaterniones, saec. XIV.

- fol. 1ra-53ra **Fredericus II**, <**Liber constitutionum regni Siciliae**> (See Vat. lat. 1437 fol. 3ra-50rb for further information.) *Variants*:
 <Inscriptio deest.> (Rubrica) Constitutionum domini Frederici secundi sacratissimi Romani imperatoris Ierusalem et Sicilie serenissimi regis felicitis triumphatoris et semper augusti incipit liber primus. Amen. Rubrica. praem. ante rubricam textus (Inscriptio textus) Augustus *add. post* secundus (Finis) Amen. (Colophon) *add.* Deo gratias. (**Ed.** *Die Konstitutionen Friedrichs II. für sein Königreich Sizilien*, ed. H. Conrad et al. (Studien und Quellen zur Welt Kaiser Friedrichs II.; 2. ZZ Köln-Wien 1973), using this MS. **Bibl.** E. Sthamer, 'Die vatikanischen Handschriften der Konstitutionen Friedrichs II. für das Königreich Sizilien', *Papsttum und Kaisertum: Paul Kehr zum 65. Geburtstag*, ed. A. Brackmann (München 1926; anast. repr. Aalen 1973) 508-25, esp. 512-14; *Constitutiones Regni Siciliae 'Liber augustalis' Neapel 1475*, Faksimiledruck ..., introd. H. Dilcher (Glashütten 1973) 16.)
- fol. 1rb-53ra <Incertus auctor, **Apparatus in Librum constitutionum regni Siciliae**> (Lemma primum) *Amplexantur*: Nota quod pax et iusticia sicut sorores adinuicem adplexantur ... (Lemma ultimum) <*regis*>: nota nouum regem nouam legem ... (Finis) simile habes supra de fide et auct. insti. I. cum circa. (Lemma *add. male: titulo*); Supra in principio constitutionis. (**Bibl.** G. d'Amelio, 'Una falsa continuità: il tardo diritto longobardo nel Mezzogiorno', *Per Calasso* 371-408 at 398 n. 92, 399 nn. 93-95; idem, "'Quaestiones' di giuristi napoletani in due manoscritti vaticani del *Digestum vetus* e del *Codex*', *Studi sulle "quaestiones" civilistiche disputate nelle università medievali* (Studi e ricerche dei 'Quaderni catanesi' 1; Catania 1980) 9-56 at 20 n. 51, 21-22; idem, *Indagini* 25-118, quoting extensively from these glosses in this section; Sella, *Sigle* 6, 8, 13 and 14; idem, 'Nuove sigle' 4, 5, and 9. This apparatus is constructed from the glosses of Andreas de Capua (e.g. fol. 46vb) and 'g' (e.g. fol. 46rb). The scribe has placed the gloss on *titulo* after the more proper ending, the gloss on *regis*, although the former has its proper letter: 'a'.)
- fol. 53ra-56vb **Carolus I**, **Constitutiones novi <regni Siciliae>**, imperfectae (Rubrica) Incipiunt constitutiones noue domini nostri regis Karoli. (fol. 53rb) (Inscriptio) Karolus Dei gratia rex Sicilie etc. ... (Praefatio) <C>um de fide et legalitate tua confisi te iusti ... (Textus) Quia de uicariis quos in diuersis ciuitatibus atque locis terre Laboris et comitatus Molesii ac principatus et terre Beniuentane ... (Finis) perelegimus ius scriptum in hac parte potius (*om. cod.*) aliquatenus pertransire quam propter (per *cod.*) defectum probationum /// (**Ed.** *La legislazione angioina*, ed. R. Trifone (Documenti per la storia dell' Italia Meridionale I; Napoli 1921) 6-11, 14, 22, 19-21, 23, 26-27 *in med.*, using this MS (siglum V2), see p. x n. 3 for a description of the MS. **Bibl.** E. Sthamer, 'Die Überlieferung der Gesetze Karls von Anjou', *Sb. Akad. Berlin* (1922) 162-73.)

The text and gloss are written in a *littera bononiensis* in dark brown ink. The gloss is referenced to the text by letters of the alphabet. Corrections and additions, sometimes extensive, were made in later hands; e. g. fol. 42r. Capitals are red or blue; those at the beginning of a section have elaborate penwork decoration in

the contrasting color. Paragraph marks alternate red and blue; rubrics are red. Pen tries appear on fol. 44v, 45r, 56v, and 60v. Catchwords are framed and centered. The text size given includes the gloss; where the gloss is not present, the text size is 193 x 175 mm. The MS has a 19th-century leather binding.

Vat. lat. 6812

saec. XIV

<II> + 193 fols. + <I> memb. 273 (202) x 190 (120) mm, origin Italy (?). Quaterniones, saec. XIV.

fol. 1ra-193ra **Goffredus de Trano, Summa super titulis Decretalium** (See Vat. lat. 2309 fol. 1ra-182rb for further information.) *Variants:*
(Rubrica) Incipit summa Gofredi edita super decretalis (*sic*). (Colophon) Gloria sit Christo de cuius munere sisto. Amen.

fol. 193rb <**Aegidius Albornoz, Constitutiones Aegidianae, excerptum**> (IV 49)
(Rubrica) De raptu mulieris et adulterio et incestu et strupro (*sic*) et fornicatione. Constitutionum Marchie Ancon. Rubrica. 41^a (*sic*) libro 4^o. (Textus) Mulierem nuptam uirginem uel uiduam ... (Finis) quodammodo prosequuntur iniuriam admictantur. (Ed. *Aegidianae Constitutiones [Constitutiones Marchiae Anconitanae]* (Venetiis 1605).)

The text of the *Summa* is in gothic bookhand by several scribes, in dark brown to black ink. The excerpt on fol. 193rb was added in a later Italian cursive. There are marginal notes throughout in contemporary and later cursives. There is a multicolored historiated initial at the beginning of the preface, fol. 1ra. Elaborate multi-colored initials appear at the opening of each book and at the title *de constitutionibus*. The initials are in the margins as no space was reserved for them in the text column. The top of each leaf upon which a book begins is marked by a painted heading (e. g., 'Incipit Liber Secundus'); in the case of book I this appears on the verso of the leaf upon which the book begins. Capitals are red or blue with penwork decoration in the contrasting color. Rubrics are in red, and the paragraph signs, many elaborate, alternate red and blue. There is half a column of space between book II and III, at fol. 89va. Some folios are badly rubbed to the point of illegibility, e.g., fol. 70v, 71r, 85r. <II>r-v contain a table of the titles of the *Summa*, in several gothic cursive hands. Fol. 193v is occupied by what appears to be a palmist's chart, with a diagram of two hands and notes in Latin and Hebrew. The date 1453 (or perhaps 1483 or 1493) appears at the top of the leaf. Catchwords are centered. The binding is of old green leather, with an unidentified coat of arms: a lion and a crowned eagle face one another, crossed words between them, and a comet above. <I>r-v and <+I>r-v are blank.

Vat. lat. 6813

saec. XVI

antea 6865. **Scr.** Marino Ranaldi.
177 fols. + 164a chart. 272 (229) x 204 (150) mm, origin Italy (Rome). Terniones, saec. XVI.

fol. 1r-177v <**Concilium Constantinopolitanum IV (869)**>, imperfectum (See Vat. lat. 1332 fol. 1r-177r for further information.) *Variants:*
(Rubrica) depromptae *pro* deprompta (Inscriptio) Hadriano II *pro* Hadriano
(Invocatio) Amen *add.* (Finis) missus sum ad Photium et Michaellem imperatorem
caussa benedictionis. Sanctissimi uicarii senioris Romae dixerunt. Subscripsistis

(ed. 156A) ///

Bibl. C. Leonardi. 'Anastasio Bibliotecario e l'ottavo concilio ecumenico', *Studi Medievali* ser. 3, 8.1 (1967) 59-191 at 148-49 for a description of the MS and additional bibliography.

The text is incomplete, stopping abruptly towards the end of Actio IX. The misplacement of part of Actio X, as in Vat. lat. 1332, occurs on fol. 150r-152v. The end of Actio VI is noted as the end of Actio VII. The MS was written in black ink in 16th-century cursive by three scribes: fol. 1r, fol. 1r-111v, and fol. 111v-177v. The first two appear in be the same scribes as in Vat. lat. 5593, and the third may be Marino Ranaldi, cf. Leonardi. The MS is undecorated. Fol. 1r has an old shelf mark: 6865. A later hand wrote the note at fol. 177v: 'Hactenus in edito apud Binium tom. 3 par. p.a sect. post. pag. 669D. For the watermarks, cf. Briquet no. 7105. The MS is bound in contemporary parchment.

Vat. lat. 6818

saec. XVIIlex./XVIIIlin.

Prov. Giovanni Maria Tommasi, O.Theat. (card. 1712-13) ?.

142 fols. + 83a-c + 106bis chart. 268 (200) x 200 (145) mm, origin Rome. Quinionones, saec. XVIIlex./XVIIIlin.

fol. 1r-83v <Incertus auctor, **Liber diurnus romanorum pontificum**>

(Rubrica) Diurnus pontificum siue uetus formularum liber quo sancta romana ecclesia ante annos mille utebatur. (fol. 2r-4v) <Tabula formularum> ... (fol. 5r) (Rubrica) Indiculus epistolae faciendae. (Inscriptio) Superscriptio ad principem. Domino piissimo et serenissimo, Victori ac Triumphatori filio ... (fol. 6r) (Rubrica) De ordinatione pontificis. (Textus) Psallunt secundum consuetudinem, procedit electus ... (Finis) quae regulariter in psalmis ... Deo Saluatori ... uigilias excubias (cf. *ed.* Sickel 132, Foerster 180. The ellipses in the explicit were supplied by the copyist.). (**Ed.** *Liber diurnus romanorum pontificum*. ed. T.E. Sickel (Wien 1889; repr. Aalen 1966); *Liber diurnus romanorum pontificum*, ed. H. Foerster (Bern 1958), neither using this MS. **Bibl.** Foerster, ed. cit. 37; L. Santifaller, *Liber diurnus, Studien und Forschungen* (Päpste und Papsttum 10; Stuttgart 1976) 184 and 196; H. Leclercq, 'Liber diurnus', *Dictionnaire d'archéologie chrétienne et de liturgie* 9.1 (Paris 1930) 243-344 at 327-29; I. Giorgi, 'Storia esterna del codice vaticano del diurnus romanorum pontificum', *Archivio della società romana di storia patria* 11 (1888) 641-89 at 656-61.)

fol. 84r-104r **Auxilius presbyter, Liber pro Formosi papae eiusque ordinationum defensione**

(Rubrica) Auxilii presbyteri pro Formosi papae eiusque ordinationum defensione liber. (fol. 85r) (Praefatio) (Rubrica) Praefatiuncula. (Textus) Prudens lector, haec de scripturarum copiis ... <Tabula capitulorum> ... (fol. 87r) (Rubrica textus) Caput primum. Ablatio ex decretali epistola Antheri papae. (Textus) Non transit de ciuitate in ciuitatem ... (Finis) et iudica causam tuam, cui est honor et gloria per infinita saecula saeculorum. Explicit. (**Ed.** PL 129.1059-74. **Bibl.** *Auxilius und Vulgarius*, ed. E. Dümmler (Leipzig 1866) 1-38, not citing this MS.)

fol. 104v-142r **Auxilius presbyter, <Tractatus qui Infensor et Defensor dicitur>**
 (Praefatiuncula) (Rubrica) Interrogatio super his, qui primo per uim, postea uoluntarie in eodem ordine consecrati sunt. (Textus) Vellem scire, quid de illis congrua ... (fol. 107r) (Epistola dedicatoria) (Inscriptio) Reuerentissimo domno Leoni sanctae Nolanae ecclesiae praesuli Auxilius in Domino salutem. (Textus) Missa legatione asseris te uiolentas pati oppressiones ... (fol. 107v) <Tabula titulorum> ... (fol. 108v) (Rubrica textus) Incipit textus cap. i. Quod ordinatio quam papa Formosus fecit, rata et legitima esse probabiliter ostendatur, etiam si ipse Formosus, ut aiunt, non rite fuerit ordinatus. (Textus) (Infensor *marginis*.) Formosus propria relicta uxore aliam abstulit ... (fol. 140v) (Finis) sed magis poenitentiae submittendum. (Praefatio *iterum*) Interrogatio super his, qui prima per uim, postea uoluntarie in eodem ordine consecrati sunt. (Textus) Vellem scire, quid de illis ... (Finis) quem (quam *cod.*) ab haereticis accipere non potuerint (potuerunt *cod.*) ... (ed. 1076A) (Ed. PL 129.1073-1102. The scribe ends with the ellipsis.)

Vat. lat. 6818 may be related to Casanatensis MS 4908 (formerly Castel Gandolfo MS M.V.9), which is inscribed with the name of Cardinal Tommasi; cf. Giorgio, 'Storia esterna ...' 661. The MS is written in a professional cursive hand of the late 17th or early 18th-century, in black ink in single columns without color or decoration. The headings in the *Liber diurnus* are in Roman capitals. The *Liber diurnus* text is generally held to derive from an ancient exemplar, *Vat. Arch. XI 19*, and from the early edition of Holste. There are occasional marginal notes by the scribe in the *Liber pro Formosi*; in *Infensor et Defensor* the two voices of the dialogue are marked in the margin. Catchwords appear in the lower right corner of each verso. Fol. 1r and 84r are title pages; fol. 84v contains a biographical note on Auxilius, referring to Baronius's citation of Sigebert of Gembloux. The watermarks are similar to (although later than) Briquet 12250 and 12251. The MS has a plain, green leather binding. Fol. 1v, 83a-c, 106bis^{r-v} and 142v are blank.

Vat. lat. 6935

saec. XIV

93 fols. + 5a memb. 366 (298) x 261 (220) mm, origin Italy. Quaterniones, saec. XIV.

fol. 1ra-5va <**Martinus de Fano, Questiones de iure emphyteutico**> seu Tractatus de iure emphyteutico
 (Textus) Quia sepe de iure emp<phiteutico> ... (Finis) questio sit in se //dendum in fine. (The text closely resembles a 'Questiones de iure emphyteutico' in TUI IV.1 189-94 and in *Volumen V Tractatum [Tractatus Tractatum]* (Lugduni 1549) 542-47, attributed there to Guido de Suzaria. It is almost identical to a *Tractatus domini Martini de Fano super iure emphyteutico* in Vat. lat. 8746, fol. 208a^r-235r, in which the final *questio* is much shorter and in which the different numbering scheme yields twenty-eight questions, rather than the twenty-nine here. The lacuna is supplied from Vat. lat. 8746. U. Nicolini, *Trattati 'De positionibus' attribuiti a Martino da Fano in un codice sconosciuto dell' Archiginnasio di Bologna* (Milano 1935) 44, considered the TUI and *Tractatus Tractatum* texts as editions of Martinus's work. See also Dolezalek, *Verzeichnis* 3. This text and those that follow, through fol. 19, are written in a highly abbreviated 14th-century Italian gothic bookhand. Large initials begin sections in

the Martinus text. Its leaves, badly torn at the edges, have been repaired, but much of the text has been lost or become virtually illegible. In places the ink has been smeared or blotted out. Fol. 4 has suffered worm damage.)

- fol. 5va-vb **Albertus Papiensis**, <**Tractatus de fideiussoribus**>, imperfectus
(Textus) //ni epistola. Hec est illa epistola Adriani de qua ... (Finis) 1. In executionibus (Cod. 9.45.6). et no. de duobus reis aut. hoc nec presentem in fine glo. magne (ad Auth. *Hoc ita*, post Cod. 8.40(39).1. ex Nov. 99.1?). (Subscriptio) Alb' Pp. (About one-third of the text is missing because of the loss of part of the leaf.)
- fol. 5vb, 5a^{ra} <Incerti auctores, **Quaestiones**>, nominantur: 'Prima questio talis fuit. Quidam accepit Berta (*sic*) in uxorem ... ut pena suos tantum teneat auctores ut C. de penis. Sancimus (Cod. 9.47.22) cum similibus.' (fol. 5vb); 'Questio talis est. Quidam habet multos creditores qui ueniunt et petunt sibi satisfieri in suis bonis sub extimatoribus communis Brixiensis ... atque mulcte prouocatio non ante, etc. et ff. de re iu. A diuo Pio. §. Quod si res sit pignorata (Dig. 42.1.15) etc. (fol. 5a^{ra}).
- fol. 5vb-5a^{ra} <Incertus auctor, **Tractatus de positionibus**>, imperfectus
(Textus) Super 1. Si. ff. de interro. act. 1 (*leg. §.*) 1 (Dig. 11.1.9.1?). Videndum est igitur an positiones fieri ... (Finis) ff. de pet. her. 1. Si quis libertatem (Dig. 5.3.7) in fine. uide. (Ed. Nicolini, *Trattati* 78-82. This is a fragment of a text found at Ross. 727 fol. 219va-220rb, attributed there to Martinus de Fano. Nicolini, who apparently knew neither of these manuscripts, edited another imperfect text only a few words less complete than Vat. lat. 6935, giving reasons for doubting Martinus's authorship at 23, 49-63.)
- fol. 5a^{ra}-6ra <**Roffredus Beneventanus**, **Tractatus de positionibus**>
(Textus) Cum frequens et cotidianus sit hodie in iudiciis positionum usus et ideo magis necessarius ... (Finis) dixisse sufficiat gratia nouitatis nec enim actenus aliquem doctorum inueni in hunc modum tractatum de positionibus condidisse. (Subscriptio) Odofredus. (Bibl. Nicolini, *Trattati* 21, 49-50, 54-56; Izbicki, 'Problems in TUI' 490. Although the work is subscribed 'Odofredus', it is probably the work of Roffredus. Nicolini, at 21, discussed another manuscript of this work, also with an Odofredus subscription, which he ascribed to Roffredus. The text displays many readings at variance with the text in TUI IV 2ra-3ra, attributed there to 'Odofredus Beneventanus', and attributed in Coing, *Handbuch* I 194 to Roffredus. Some parts of the text are faded and illegible. The lower right of fol. 5a is wanting, and some text is lost.)
- fol. 6ra-7ra **Thomasus de Piperata**, <**Tractatus de fama**> (See Vat. lat. 2343 fol. 47va-48vb, etc. for further information.) *Variants*:
(Invocatio) In nomine Christi et beate Marie uirginis. (Praefatio) Quoniam circa famam, inditium, argumentum, et presumptiones, multas dubitationes in iudiciis oriri contingit, instantia uiri prudentis domini Guilielmi iuris periti cuius

Alexandrini, ego Tomasius de Peuerata ... (Textus) Primo uideamus quid sit fama. Secundo unde dicatur. Tercio per quot testes probetur. Et postea dicam de accusatione. Fama est dignitatis illese status legibus ac moribus conprobatus. Eodem modo et eadem significatione dicitur. (Colophon) Deo gratias. Amen. (Parts of the text are lost because of folio damage, and part of the remaining text is faded and illegible.)

fol. 7ra-rb <**Benedictus de Isernia, Summula de quartis**>

(Textus) Super lege Cum queritur C. de inof. t. (Cod. 3.28.6) super illo uerbo quartam. Quot sunt quarte et quid in qualibet ueniat breuiter uideamus et quidem quarte xii. numero inueniuntur ... (Finis) ad hoc ff. famil. herc. li. (*sic*) Ex parte in principio (Dig. 10.2.39). (Ed. E.M. Meijers, *Iuris interpretes saec. XIII* (Neapoli 1924) 61-63. **Bibl.** H. Kantorowicz, *Studies in the Glossators of the Roman Law* (Cambridge 1938) 219. This text is longer than that in Chigi E.VII.218 fol. 150vb-151ra, from which Meijers worked. Benedictus was a student of Jacobus Balduini, who is mentioned as 'dominus ja. bal.' at fol. 7rb in a passage not found in the Chigi MS. The leaf has been repaired; a small portion of text at the lower outside corner has been lost.)

fol. 7va-10-va **Guido de Suzaria, <Quaestiones>**

(Textus) Questio talis est. Statuunt (*sic*) est ius in ciuitate ista ponamus quod maior ... (Finis) et hoc per leges ff. de legatis. i. Filius. §. Diui (Dig. 30.[1].114.11) et de legatis. iii. Pater. §. Iulius (Dig. 32.[1].38.4) et eodem titulo l. Lucius (Dig. 32.[1].93). (Subscriptio) Guido de Suç. (Parts of the text have been lost because of folio damage, and parts of the remaining text have been rendered illegible with the fading of the ink. With this text begins a marginal enumeration of *quaestiones*, in a late cursive, which continues through the following three works of the codex, as if they all comprised one work.)

fol. 10va-17ra <**Albertus Gandinus, Quaestiones statutorum**>, imperfectae

(Textus) Si considerarem mei ingenii facultatem non ZZ (*ed. Si ?? considerarem ingenii et scientie mee paruitatem non ed.*) essem ausus tantum opus assumere ... (Finis) restituuntur ergo ut iterum producat per .l. ff. ex quibus c. ma. Sed et si per pretorem in prin. (Dig. 4.6.26). (Ed. A. Solmi, *Bibliotheca iuridica medii aevi III* (1901) 155-214. Solmi based his edition on two manuscripts, one of which is very similar to this one. **Bibl.** H. Kantorowicz, *Albertus Gandinus und das Strafrecht der Scholastik. Zweiter Band: Die Theorie* (Berlin und Leipzig 1926) xxvi; idem, 'Geschichte des Gandinustextes', ZRG Rom. Abt. 42 (1921) 1-30 at 10, 18; idem, 'Leben und Schriften des Albertus Gandinus', ZRG Rom. Abt. 44 (1924) 319-59. Part of the text has been lost because of folio damage. The text bears the sigla of many jurists.)

fol. 17ra-19ra **Guido de Suzaria (?), <Tractatus de maleficiis>**

(Textus) Tractaturi de maleficiis primo sciendum est quod de maleficio cognoscitur ⁱⁱⁱⁱor modis ... (Finis) et facit de magistra. con. 1. 1. in prin. (Dig. 27.8.1 or Cod. 5.75.1), C. de naufra. 1. fi. uel uerbis ad finem legis (Cod.

11.6(5).6). (Subscriptio) Guido de Suçaria. Amen. (Although attributed here to Guido, this text may actually be the work of Albertus Gandinus, whose work exists in several recensions. Works with the same incipit in Oxford Bodl. MS can. misc. 468 and Leipzig Univ. 992 were attributed to Albertus by H. Kantorowicz; cf. his 'Gandinustextes' 42 (1921) 9-10, 13-14; 43 (1922) 6-10; 'Leben und Schriften', 272-319; and *Strafrecht* II and Dolezalek, *Verzeichnis* 3.)

fol. 19ra-vb <**Auctores varii, Quaestiones**>, nominantur: Dinus de Mugello; Franciscus Accursius; Guido de Suzaria; Johannes de Blansco; Johannes de Deo, Julianus de Sesso, Odofredus; incertus auctor.

(Probably excerpted from a *Liber quaestionum*, all seem to be written in the same hand as the previous texts, except the first question, which is unattributed and written in a notarial hand similar to that of an opinion of Dinus added across the bottom of fol. 19r. The cropping of the bottom of the leaf has partially destroyed a notation in a large notarial hand on the verso: 'marchi de /// suma suis usibus /// et questiones domini Guidonis de Suçaria.' The enumeration of *quaestiones* begun in the *Quaestiones* of Guido above runs through and ends with this work.)

fol. 20ra-85vb **Roffredus <Beneventanus, Libelli iuris civilis>**, imperfecti (Rubrica) Rubrica. Si rem aliquam aliquis tenet seu possidet et tu dicis tuam esse potes eam uendicare. Rubrica. De rei uendicatione. (Rubrica textus) De rei uendicatione. Rubrica. (Textus) Si aliquis rem aliquam possideat cuius rei dicis ad te pertinere dominium ... (Finis) et super illa sibi perpetuum silentium imponeretur. Hodie talis libelli reprobantur ut petam. (Ed. Roffredus Beneventanus, *Libelli iuris civilis* (Avinione 1500) anast. repr. *Corpus glossatorum*, ed. ZZ Viora, VI.1 fol. i^{ra}-clxv^{rb}. The manuscript corresponds to fol. lvii^{rb}-clxi^{va} of the edition. **Bibl.** I. Baumgärtner, 'Was muss ein Legist vom Kirchenrecht wissen? Roffredus Beneventanus und seine *Libelli de iure canonico*', *Proceedings Cambridge* 223-48 at 225-27; and see Vat. lat. 2337 fol. 2ra-150vb. The text appears to be the collaboration of three or more scribes writing in Italian gothic bookhands. Large initials begin sections. The author's name appears on fol. 41vb: 'Explicit prima pars libelli Roffredi in iure ciuili. Deo gratias.' The siglum 'Ro' appears on fol. 42ra. At points the text is stained, smeared, or darkened, making reading difficult, e. g., fol. 20r, 25r, 34v, 51v, 65r, 85v. It is only sparsely annotated.)

fol. 86ra-89ra <**Bernardus Dorna, Summa libellorum**>, imperfecta (Rubrica) Incipiunt formationes libellorum a domino Odofredo composite que quidem utiles sunt admodum. De seruihana actione. (Textus) <S>eruihana autem actio que et qualis sit ... (Finis) quia non plene probauit et ideo G. in centum petitis absoluo. (Colophon) Finiuntur libelli domini Odofredi in iure ciuili. Deo gratias. Amen. Deo gratias. Amen. (Ed. This manuscript corresponds to Wahrmund, *Quellen zur Geschichte des römisch-kanonischen Processes im Mittelalter* I 1-10 at 324-101; this text was apparently unknown to him. **Bibl.** See also Vat. lat. 2590 fol. 70ra-78va. It is written in a compact, neat Italian gothic bookhand. Large initials begin sections, though some are wanting. Sigla for

Odofredus appear at the ends of many sections. Despite these, the incipit, and the colophon, this appears to be the work of Bernardus. The first folio is stained; some of its ink is blotted, and the text is difficult to read.)

fol. 89rb <Incertus auctor (forsan **Antonius de Bobbio**), **Consilium de salario**>
(Textus) Super facto egregii domini uicarii domini uicecomitis Szan. ... (Finis) et autentica. Vt iudices sine quiquam (*leg. quoquo*) suffra. § Necessitatem collatio ii^a (Coll. 2.2.9 Nov. 8.9). (Subscriptio) Antonius de Bobbio legum doctor et uicarius domini potestatis ciuitatis Luchanensis etc. (This would appear to be a later addition to the codex, added in a notarial hand and filling one-half of an empty column. Bartolus is cited in the course of the argument. The subscription by or regarding Antonius is added in a different and smaller hand.)

fol. 90ra-93vb **Dulius Gambarinus**, <**Margarita de feudis**>
(Invocatio) In nomine Domini amen. (Praefatio) Quoniam cunctos litteratorie scientie amatores expedit dare operam studio indefesso ut sua in eum memoria relinquatur, ideo ego Dulius Gambaninus (*sic*) legum professor curauit de talento credito super feudis sociis relinquere margaritam ... (Rubrica) Quid sit feudum et unde dicatur, et quot sint genera feudorum. (Textus) Quid sit feudum et unde dicatur ... (Finis) De pena contra infitiantes no. infra si de fe. fu. contro. c. Vasallus si feudum in glo. quod dici (*leg. dicit*; ad Lib. feud. 2.26.4, v. *scientia*). Deo Gratias. Amen. (Colophon) Finitur sumula usus feudorum compillata per dominum Dulium Gambaninum (*sic*) legum professorem. Finit sumula usus feudorum compillata /// do/// legum /// Finitur summa usus. (**Bibl.** J. Acher, 'Notes sur le droit savant au moyen age', *Nouvelle revue historique de droit français et étranger* 30 (1906) 125-78 at 125-26, describes another manuscript of this work, Parma BP Parmensis 1227, which seems to differ only in lacking the invocation. Like Acher's, this text appears to be incomplete. It is written in a compact Italian gothic bookhand, highly abbreviated. Large capitals mark the section heads. Blots, creases, and stains have marred considerable portions of the text beyond recognition. The repeating of the colophon is probably not the work of one scribe. There are no marginalia.)

fol. 93vb <Incertus auctor, **Notae de margaritibus**>
(Written in a late notarial hand, this occupies the remainder of fol. 93vb, after the Dulius Gambarinus text. It appears to be a table of contents to that work, but it is badly faded and at times illegible.)

Cat. Dolezalek, *Verzeichnis* 3.

This is a composite codex. Through fol. 19 it appears to be the work of one scribe, with marginal annotations and corrections in various hands. This section alone is bound in quinions. The leaves have been cropped, perhaps to fit the remainder of the codex. At fol. 20 the gatherings and lay-out of the text change, as several scribes take up the imperfect Roffredus text, fol. 20ra-85vb. More care seems to have been taken with copying these folios than in the previous section. Pecia marks occur only in this section (e.g., fol. 57ra, 64va, 82ra), and the manner in which the text begins and ends - occupying the entire leaf in both cases and ending in the midest of a section - invites the conjecture that there were once more leaves at front and back. Another change of lay-out and scribes occurs after fol. 85.

The ink is brown throughout. Rubrics are red. Capitals and paragraph signs are red or brown through fol. 85, after that, red or blue. There are catchwords at the lower right verso of fol. 9, 27, and 35; the latter two are boxed. At the top of fol. 1r appears 'Odofredus', or perhaps 'Roffredus', in a late cursive, followed by some undeciphered abbreviations. At the bottom left of the same folio, also in a late cursive hand, is what appears to be 'Roffredus de iure ciuili', reference perhaps to the work found later in the codex. The binding is 19th-century parchment. Fol. 89v is blank.

Vat. lat. 6979

saec. XIV.1

antea 362. 272; C. Si. 2^a. **Prov.** Gaspar Zachii, bp. of Osimo (1460-1474?).
<III> + 41 fols. + <I> memb. 225 (175) x 160 (130) mm, origin Italy (Bologna?).
Biniones. saec. XIV.1.

<I> there is the old callnumber C SI 2^a.

<IIv> Constitutiones Clementis pape quinti Res. G. Volaterrani epi Auximani and at the top bolognini X.

<IIIv> Johannes episcopus....

<III>v-fol. 41vb **Clemens V, Constitutiones <Clementinae>** (See Vat. lat. 1401 fol. 1ra-60rb for further information.) *Variants:*
(Rubrica) Incipiunt constitutiones domini Clementis pape quinti in concilio Gienuensi. Incipit prohemium Iohannis pape super dictas constitutiones. Rubrica (Inscriptio) Auinioni *pro* Bononie <Rubrica et inscriptio textus desunt.> (Textus) propter quod [Deus] *pro* preter quod (fol. 41va) (Colophon) Finis ix pec. Explicit liber vii decretalium. (fol. 41vb) <D>atum Auinioni kalendis (?) [no] nouembris pontificatus nostri anno secundo. Clemens in concilio [uienn] Lugdun. (*sic*).

Bibl. Tarrant, 'Clementinae' pt. II 123-24 and 140.

The MS is a university exemplar in several Gothic bookhands in black ink. <II>v is a smaller insert, containing the text of John XXII's letter of promulgation, written in long lines, perhaps by one of the scribes who worked on the MS, the text being crowded to fit an the sheet. Clem. 1.1.un. then begins on fol. 1r. The dating clause has been erased, but one of the scribes copied it at fol. 41vb. Rubrics are red to fol. 8ra; thereafter they are simply underlined. Pecia marks appear an fol. 10r, 19r, 23r, and 39r, as well as copied by the last scribe into the colophon. <II>r and <+I>v seem to be fragments of papal bulls. The old shelfmarks ZZ '362' and 272 are written on the upper and lower parts, respectively, of the front cover. <I>r has another old shelfmark. 'C. SI. 2^a (C 51 2^a?). <II>v is blank except for the signatures of the apostolic *scriptores*, ZZ Constitutiones Clementis pape quinti G. Res. Volaterrani epi Auximani '/// Bologn<i>ni' ZZ (Gaspar Zachii) Half of the second column an fol. 26 was cut away, interrupting on the recto the text of Clem. 5.1.1 after the third word, 'nostris'. The verso is blank except for the catchword 'humeris', and the text resumes on fol. 27ra. There are catchwords at lower right at fol. 8v, 9v, 26v, and 30v. The MS has a parchment binding with remnants of in earlier one, including, on the spine, the shelf mark '6979' and part of an old title, '///ion Clementis V MS'. <+I>r is blank.

Vat. lat. 7005

saec. XV (1439)

antea C.8. C.9.o. **Prov.** Convent of Sant' Onofrio. **Scr.** Johannes Jacobi Christiani Amstelredammis.

<II> + 261 fols. + <I> chart. (memb.: <II> et <+I>) 296 (204) x 204 (133) mm, origin Italy (Modena). Quiniones, saec. XV (1439).

<I>r-v, <+I>v <**Kalendarium**>, fragmenta

(**Bibl.** *Manuscripts liturgiques*, ed. Salmon IV 374. These fragments give the saints's days in May-June and January-February.)

fol. 1ra-255va <**Bartholomaeus de Sancto Concordio O.P., Summa de casibus conscientiae**> (See Vat. lat. 2319 fol. 1ra-239va for further information.)

Variants:

(Additio fol. 255rb) Queritur quare summa presens est breuior summa prima de qua extracta est ... (Finis additionis) quod in ista citatio expeditur. (Colophon) Deo gratias. Consummatum ac editum fuit hoc opus per fratrem Bertholomeum (*sic*) de Sancto Concordio Pysani ordinis fratrum predicatorum in ciuitate Pysana anno Domini M^o ccc^o xxxviii^o in mense septembri tempore sanctissimi patris Benedicti pape xii. (**Bibl.** Kaeppli, *Scriptores* I 164 no. 436.)

fol. 255va <Incertus auctor, **Tabula abbreviationum in Summa Bartholomaei de Sancto Concordio**>

(Rubrica) Iste sunt declarationes abreuiationis. (Textus) Ala. idest Alanus. Al. Albertus Theutonicus ... (Finis) § paragrapho uel paragraphus. (**Ed.** See Vat. lat. 2318 fol. 192vb-193ra.)

fol. 255vb-258vb <**Tabula alphabetica Summae Bartholomaei**>

(Colophon codicis) Completum per manus Iohannis Jacobi Christiani Amstelredammis anno M^o cccc^o xxxix^o die xv^o mensis septembris in Mutina. Sit laus Deo. Amen.

fol. 259ra-260ra <**Tabula titulorum Decretalium**>

The MS is in the gothic bookhand of Johannes Jacobi Christiani Amstelredammis in dark brown ink. The calendar fragments and the table at fol. 259ra-260ra are in other gothic bookhands. Fol. 1r has an elaborately drawn foliate border with numerous figures in it. Capitals are blue with red or red with violet decoration. Paragraph signs are red or blue. Drawings were done on <II>v. On <+I>v there is a miniature, and at the same place is written, 'regula ad inueniendum Pascham ... quam regulam scripsi ego Frater Nicolaus Gratia de Veneciis B. dum essem laicus (?) huius conuentus 1423', ZZ which suggests that this leaf and <I> are binding scraps taken from another MS. This note is followed by 'Iste liber est prioris sancti Onofrii'. There is a later pen trial on <I>r with the old shelfmarks 'C.8' and 'C.9'. <II>r has a note on the date of Bartholomaeus's *Summa*. The ex-libris 'Est loci sancti Honofrii' appears on fol. 1r. For the watermarks, cf. Briquet no. 7336. Catchwords are centered. The MS has an old parchment binding, perhaps the original. Fol. 260v-<+I>r are blank.

Vat. lat. 7072

saec. XVmed.

65 fols. chart. 427 (302) x 287 (190) mm, origin Italy. Quiniones, saec. XVmed.

fol. 1ra-62vb <**Andreas Barbatia, Commentaria in Decretales**>, fragmenta duo (X 1.5.1-1.5.6; 1.4.1-1.4.9)
(Fragmentum primum) Visum est supra de iure scripto et non scripto ... (fol. 2va)
(Lemma primum) *Ad hec*: Inpostulabilis est qui uiolat interdictum ... (fol. 25ra)
(Finis) et per do. abb. in c. 1 de testi. et per scribentem in c. uides filii (carissime *add. ed.*) [d] X di. gratias Deo (Inscriptio) ??? cas ??? dus (fol. 28ra)
(Fragmentum secundum) Dominus Galuanus qui repetiit in studio Paduano c. fi. infra eo. (X 1.4.11) ... (fol. 33ra) (Lemma primum) *Consuetudines*: Potest legi duobus modis et secundum primum et communem intellectum (fol. 60va)
(Lemma ultimum) *Cum consuetudinis*: ... (Finis) ut superior prestat consensum intelligitur per uiam ///

Ed. A. Barbatia, *In primum [-tertium] librum decretalium ... commentaria* (Venetiis 1508) I fol. 300rb-313vb, 263ra-290va. **Bibl.** L. Genuardi, 'Canonisti siciliani del secolo XV', *Studi in Onore di Francesco Scaduto* vol. 1 (Firenze 1936) I 421-32 at 426-27: Sella, 'Nuove sigle' 5.

The two fragments are in different hands: the first (fol. 1ra-25ra) is a gothic cursive bookhand; the second (fol. 28ra-62vb) is an humanist cursive bookhand. The ink is gray brown in both sections. In the first part capitals and paragraph marks are alternate red and blue, the former with violet penwork decoration. In the second part there is no color, but the lemmata are written in large rustic capitals. Catchwords are vertical on the inner margin line in both sections. The MS has two foliations, the first, handwritten in the upper right corner, skips the blank folios. The second, stamped in the lower right corner, is followed here. Although in different hands, the fragments are probably both from a single codex as the watermark is the same on fol. 1-62. For the watermarks, cf. Briquet nos. 7466 and 8936. The MS has an old parchment binding in which the binding threads come through and help form six bands. Fol. 25v-27v, 36r-37v, and 63r-65v are blank.

Vat. lat. 7073

saec. XV

49 fols. + 17bis chart. 390 (288) x 273 (177) mm, origin Italy. Quiniones, saec. XV.

fol. 1ra-49vb <**Panormitanus, Lectura in Decretales**>, fragmentum (Lib. II. pars 1;- X 2.2.7-2.5.un.)
(Lemma primum) <*Verum*>: /// Quero in (cum *ed.*) glossa prima quare hic differtur ista questio in tempus futuri episcopi ... (Lemma ultimum) *Olim (Cum ed.) inter*: ... Fatetur tamen Ho. quod si positio fiat generalis ///

Ed. Panormitanus, *Decr. Comm.* III fol. 64ra-104va. **Bibl.** See Vat. lat.2247; Sella, 'Nuove sigle' 13.

This MS contains five gatherings surviving from a larger codex. The text is written in a late gothic bookhand in dark brown ink. Rubrics, capitals - when they have been added - and paragraph signs are red. Catchwords are centered. For the watermarks, cf. Briquet no. 11662. The MS has a late 18th-century parchment binding.

Vat. lat. 7074

saec. XV (ca. 1485)

antea 354.

32 fols. chart. 399 (279) x 275 (180) mm, origin Italy. Quiniones, saec. XV (ca. 1485).

- fol. 1ra-7ra <Incertus auctor, **Lectura in Decretales, excerptum**> (X 2.26.12-15)
(fol. 1r) (Rubrica) Liber II^{us}. (Invocatio) Iesus. (fol. 1ra) (Lemma primum) *Cum non liceat*: Subditus non prescribit obedientiam contra prelatum ... (fol. 5rb) (Lemma ultimum) *Auditis et in*: ... (Finis) quod abbas possedit exercuit illa iura episcopo tamen non excluso sed concurrente in exercitio. (The author cites Panormitanus (e.g. fol. 2va) and Johannes de Imola (e.g. fol. 6r) within the text. At fol. 2vb the lecture on c. *Cum non liceat* ends, 'et per Lapum in allegatione xxxv circa finem'.)
- fol. 11ra-18ra **Panormitanus, Quaestio <I>** (See Vat. lat. 5607 fol. 73va-91rb for further information.) *Variants*:
(Finis) Amen. M cccc xxiiii xxiii iulii. *add. post curie* (Colophon) de Tudisco *add. post Nicolaum*; de Moniaciis *pro Monacensem*; M cccc xxvii *pro Mcccxxvi*.
- fol. 18rb-20vb <**Panormitanus, Repetio c.**> *Cum esses* (X 3.26.10), imperfecta (Lemma) <C>*um esses*: Hoc capitulum uariis (uaris^{ac}) modis legitur ut infra patebit sed inherendo littere hoc dicit ... (Finis) non debet ab ecclesia recipere nisi tamen /// (**Ed.** Panormitanus, *Decr. comm.* VI fol. 117vb-121vb, ending at 119vb.)
- fol. 21ra-vb <Incertus auctor, **Tractatus de absolutione debitoris**>, imperfectus (Textus) /// late concepti /// /// /// missima quia notorii he/// ... (Finis) que in uariis locis sparsa uigerit difficultatem maxime iuuenibus et librorum copiam non habentibus. Laudetur Deus. Qui scripsit sit benedictus.
- fol. 22ra-23ra <**Johannes Andreae, Lectura in arborem consanguinitatis**> (See Vat. lat. 1383 fol. 1va-2ra for further information.) *Variants*:
(Textus) Circ<a lecturam arbori>s diuersis olim <diuersum> (Finis) inpedit *pro* inpediet; contrahere *om*.
- fol. 23ra-vb <**Johannes Andreae, Lectura in arborem affinitatis**> (See Vat. lat. 1383 fol. 2ra-va for further information.) *Variants*:
(Finis) continuo *pro* continue <Subscriptio deest.> (Colophon) Deo gratias.
- fol. 24ra-va **Franciscus <de Accoltis, Repetio I.>** *In exercendis* (Cod. 4.21.15)
(Rubrica) De fide instrumentorum. (Lemma) *In exercendis*: Per quot testes reprobetur instrumentum Inno. in c. Cum Iohannes (X 2.20.10) eodem titulo multum se inuoluit ... (Finis) que produxit illud cui derogare nolo ut supra l. proxima (Cod. 4.21.14). (Subscriptio) Per Franciscum de Aretio.
- fol. 24va-25va <**Hungarus Hugolini de Firmo, Tractatus de computatione dierum in termine**> (See Vat. lat. 2656 fol. 94vb-95va for further information.) *Variants*:
(Rubrica) Questio domini Iacobi de Butrigariis de Bononia.

fol. 31ra-c <Incertus auctor>, **De ambitu urbis Romae**

(Rubrica) De ambitu urbis Rome. (Textus) Ambitus urbis Plinii temporibus fuit m
d xx nostra aetate uix xiiii ... (Finis) M. Iunius Brutus aedem Magne Matris in
palatio edificauit et ludi ob eam rem. ///

Bibl. Sella, ZZ 'Nuove sigle' 8, 13.

The MS is written in four hands in brown ink. The first (fol. 1ra-7ra) is a humanistic italic hand, the second (fol. 11ra-20vb) and the third (fol. 21ra-25va) are late gothic cursive bookhands. The fourth (fol. 31ra-c) is a late gothic bookhand with traces of humanistic influence. The presence of the old shelfmark '354' at fol. 11r and 21r suggests that the first quire (fol. 1-10) was not part of the original MS. Fol. 21-23 are damaged. The written numeration ignores the internal blank folia, now fol. 8-10 in the stamped numeration, which has been followed here. At the bottom of fol. 11r is written, 'Haec sunt scripta propria manu Nicolai de Tedeschis abbatis Panormitani ut patet ex Cod. 2549 Vaticano, qui etiam autographus est eiusdem auctoris'. Blank spaces have been left for capitals. For the watermarks, cf. Briquet nos. 7465 and 11727. Catchwords are centered. The MS has an old parchment binding, possibly the original. Fol. 7v-10v, 26r-30v, and 31v-32v are blank.