

EIGHT LEGAL INCUNABLES

Following our list of illustrated incunabula we are pleased to invite you to take a look at our new selection of eight legal incunables.

The majority are early editions of important works of canon or civil law although there are also examples of lesser known and provincial texts.

The star of the list is a very rare and beautiful copy of Justinian's 'Institutiones', Rome 1473, in a splendid Sunderland binding.

We hope you enjoy!



**SOKOL
BOOKS**

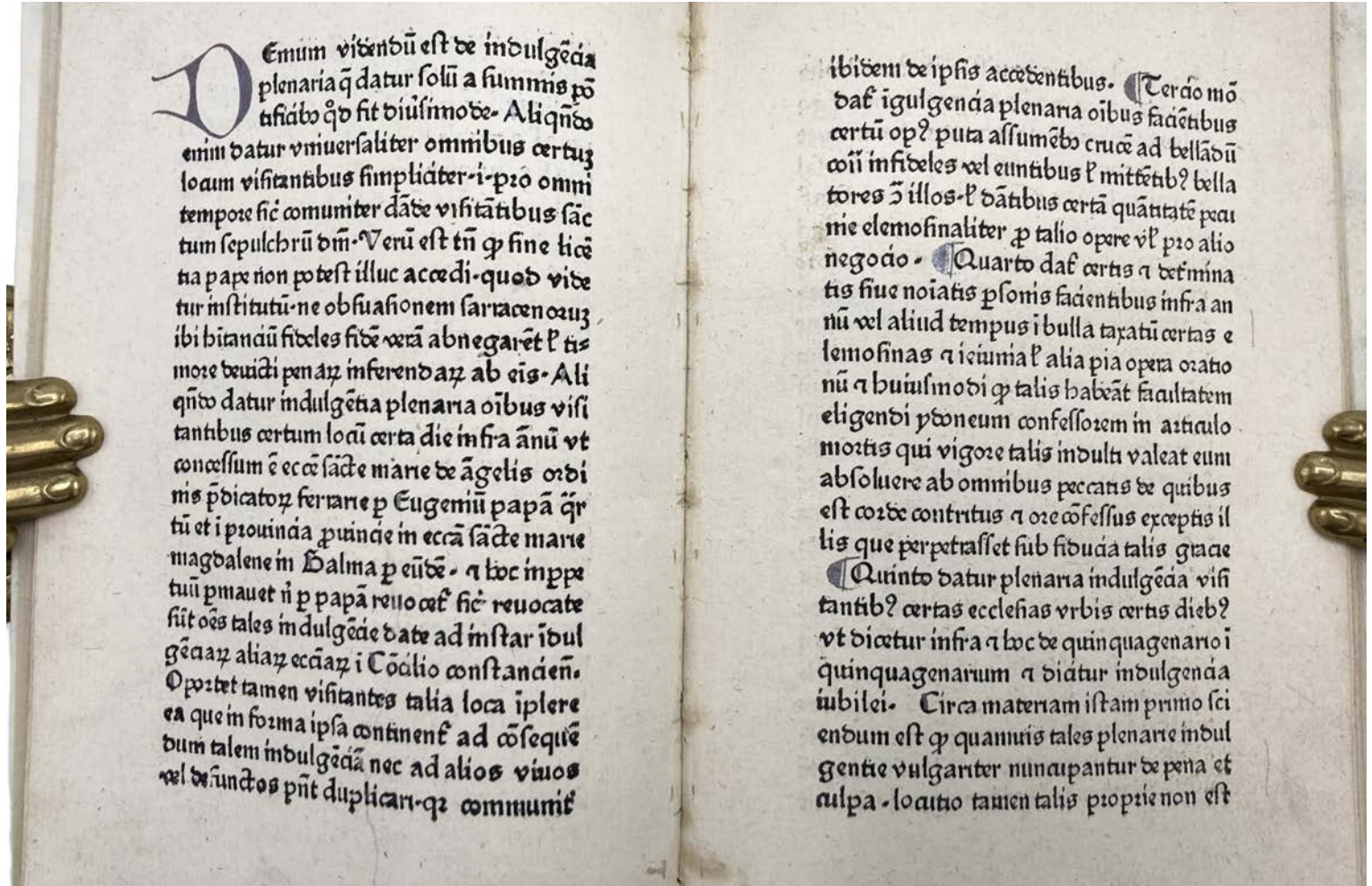


1. ANTONINUS FLORENTINUS. *Decisio consiliaris super dubio producto de indulgentiis.*

[Cologne, Johann Guldenschaff, after 1479].

£4,750

4to. ff. [20]. Gothic letter, 1:110G. Initials and paragraph marks supplied in red ink (now oxidised into silver). First and last verso dusty, long clean tear (repaired) to lower edge of fol.6, touching couple of letters, faint small water stain to upper margin of last few ll., tiny scattered worm holes at lower blank gutter repaired. A very good, wide-margined copy in modern limp vellum.



DEnim videndū est de indulgētia plenaria q̄ datur solū a summis p̄t̄ficiāto q̄d fit diuīnōte. Aliquādo enim datur vniuersaliter omnibus certis locum visitantibus simpliāter i pro omni tempore sic comūter dāte visitantibus sacrum sepulchrū dñi. Verū est tñ q̄ sine licētia pape non potest illuc accēdi. quod videtur institutū ne obfuationem sarracēnorum ibi bitancū fideles fidē vērā abnegarēt p̄ timore deuicti penāz inferendāz ab eis. Aliquādo datur indulgētia plenaria oibus visitantibus certum locū certā die infra ānū vt concessum ē ecclē sacte marie de āgelis ordinis p̄dicatoz ferrarie p̄ Eugeniū papā q̄rtū et i prouincia p̄uincie in ecclē sacte marie magdalene in Salma p̄ eūde. et hoc imppetū p̄mauet n̄ p̄ papā reuocet sic reuocate sūt oēs tales indulgēcie dāte ad instar idulgēciāz aliaz ecclēiaz i Cōōlio constantiē. Oportet tamen visitantes talia loca implere ea que in forma ipsa continent ad cōsequēdum talem indulgēciā nec ad alios viuos vel defunctos p̄nt duplicari. qz comūnit

ibidem de ipsis accedentibus. **T**ercio modo datur indulgētia plenaria oibus facientibus certū op̄? puta assumēdo crucē ad bellādū cōi infideles vel euntibus p̄ mittētib? bellatores i illos. p̄ dātib? certā quantitatē pecunie elemosinaliter p̄ talio opere v̄l pro alio negotio. **Q**uarto datur certis et determinatis siue noiatis p̄sonis facientibus infra annū vel aliud tempus i bulla taxatū certas elemosinas et ieiunia p̄ alia pia opera orationū et huiusmodi q̄ talis habeāt facultatem eligendi p̄tōneum confessorem in articulo mortis qui vigore talis indulti valeat eum absolueri ab omnibus peccatis de quibus est corde contritus et ore cōfessus exceptis illis que perpetrasset sub fiducia talis gracie. **Q**uinto datur plenaria indulgētia visitantib? certas ecclesias vrbis certis dieb? vt dicatur infra et hoc de quinquagenario i quinquagenarium et dicitur indulgētia iubilēi. Circa materiam istam primo sciendum est q̄ quamuis tales plenarie indulgentie vulgariter nunciāntur de pena et culpa. locutio tamen talis proprie non est

The fourth incunable edition of this important theological work concerning indulgences. Antoninus Florentinus (1389-1459) was Dominican Archbishop of Florence and author of influential works on moral theology. He advised the Pope during the Council of Florence (1431-49). 'Decisio' is devoted to the pardon, in the form of indulgences, enacted for the fourth Jubilee of Indulgences, in 1450, known as 'the Golden Year'. Princes from all over Europe and tens of thousands of pilgrims visited Rome in that year. 'Pope Nicholas V gave his solemn blessing every Sunday, and when the crisis [caused by the huge crowds] became more pressing, he proclaimed an edict that pilgrims would gain the Jubilee Indulgence by making a good confession and visiting the Basilicas in just three days' (O'Gorman, p.35). It was one of the most successful medieval Jubilees, and Nicholas V 'revived' the indulgence in 1455 for those who had not been able to visit Rome in 1450. 'Decisio' examines in detail all the technicalities of indulgencies: e.g. whether an indulgence enacted by a living person may apply to a dead person and remove them from Purgatory (a recently codified concept) or from mortal sin; what is the nature of an indulgence and its theological principles; the equivalence between days of indulgence and days of penitence; whether an indulgence may expire after the death of the religious who granted it; regulations concerning visits to specific places to obtain an indulgence; plenary indulgence earned fighting against the Ottomans; who can grant an indulgence and how to interpret the instructions provided in papal bulls in this matter; types of remission of sins, etc. The final few ll. focus on the 1450 Jubilee indulgence, which followed Clement VI's regulations. An interesting and curious work of theology and ecclesiastical policy.

Only LC copy recorded in the US.

Goff A864; GW 2180; ISTC ia00864000. E. O'Gorman, Towards the Great Millennium Jubilee (1998).

L1612

314
Decretio cōciliaris sup dubio p̄ducto de
indulgēcijs edita p̄ reuerēdū in xp̄o patrē
et dnm̄. frat̄rē Antonū de ordine predicatorū
Archiep̄m̄ florentinū doctore clarissimū

DE indulgēcijs nil expresse habemus ex sacra scriptura quāvis ad hoc inducat̄ illud apostoli. Si quid donavi vob̄ p̄t̄ vos in p̄sona cristi. Nec etiā ex dictis antiq̄z doctorū. sed modernorū. Dicitur t̄n̄ Gregoriū posuisse indulgentias septēnes in stacōibus rome. et quia eccl̄a h̄c facit et servat nō est credendū q̄ errat. Sciendū aut̄ q̄ nō valēt ad remediū culpe quā solus deus remittit auctoritatē de ase. di. iij. Nemo. sed valēt ad remediū pene debite p̄ p̄c̄is seu solucōe que fit de thezauro eccl̄e. Et dicitur indulgētia plena s̄m̄ p̄. de palu. in iij. di. xx. q̄ ad remissionē pene mortaliū plenior resp̄cū pene iniuncte mortaliū et venialiū. plenissima resp̄cū penitētiarū nō solū iniunctarū s̄ etiā iniungendam. Vel sic plena resp̄cū mortaliū plenior resp̄cū pene mortaliū et venialiū.

2. **BARTOLOMEUS BRIXIENSIS [with] DALEN, Michael de.** *Casus decretorum [with] Casus summarii Decretalium Sexti et Clementinarum.*

Basel, Nicolaus Kesler, 9 Aug. 1489 [with], Cologne, Johann Koelhoff, the Elder, 1485.

£10,500

FIRST EDITIONS. Folio. 2 works in 1. I: ff. [190], last blank; II: ff. [145], with added q^o (called for in BMC). Gothic letter, double column. Initials and chapter headings in alternating red and blue. I: printer's device to last leaf, light marginal waterstaining to first couple of gatherings, minor marginal repair to title and first leaf, couple of minor marginal paper flaws. II: light water stain at lower blank gutter of final gatherings, minor repair to edges of last 5 ll. Excellent, clean, well-margined copies, on thick high-quality paper, in contemporary German bevelled wooden boards, remains of two clasps, no leather, apparently never covered, sewing supports secured with wooden pegs to inner boards, evidence of former catchplate for library chain to lower cover. c1500 ms 'M[a]g[iste]r Jacobus Wilhelm[us] legauit hunc librum huius de memoria noue eccl[esi]e in delft [ie. Delft]' to flyleaf, stamp of the Association of the Bar Library, NYC to blank margin of a² and its shelfmark to first title verso. Preserved in box.

Excellent, crisp copies, rubricated and in contemporary boards still retaining the original wooden pegs, of the first editions of two important legal commentaries on the 'Decretals'. These were collections of papal decrees, issued regularly throughout the middle ages for the use of jurists, which regulated the functions, structure, personnel and law of the Catholic Church. They offer priceless insight into the everyday legal and theological questions of the age. A precious reference work, this copy was bequeathed by Jacobus Wilhelmus to the library of Nieuwe Kerk, Delft, c.1500, where it was probably chained.

Bartolomeo da Brescia (d.1258) studied canon law at Bologna and was the author of numerous legal works. Written when Bartolomeo was still a student, 'Casus decretorum' – a revised and enlarged version of Benincasa da Arezzo's (d.1206) 'Casus decretum' – is a commentary on the 'Decretum', a legal textbook by the C12 jurist Gratian and one of the 6 works that formed the 'Corpus Juris Canonici'. Later Bartolomeo wrote the standard 'Glossa' used for centuries, based on the work of Johannes Teutonicus. 'Casus' reprises Gratian's subdivisions into 'distinctio', 'causa' and 'questio', and deals with a great variety of 'cases' spanning the office of bishops, monks and priests, synods, the resignation of a pope, and various regulations pertaining to clerics concerning questions as wide-ranging as property ownership, inheritance and fornication. Little is known of the canonist Michael de Dalen, author of this commentary on two important collections of 'Decretals' which followed those of Gregory IX. The 'Liber Sextus Decretalium' was issued under Pope Boniface VIII in 1258 and the 'Constitutiones Clementis V' under Clement V in 1314. They were the last collections of decretals overseen by a Pope. Together with Gregory's 'Decretals', they formed part of the 'Corpus Juris Civilis'. They discuss all kinds of questions pertaining to the life of clerics, e.g., illegitimate children, monetary transactions, oaths, burials, offices, tithes, the mass, simony, etc. Two very handsome incunables, beautifully preserved.



I: ISTC ib00151000; Goff B151; HC 2472; BMC III 768; GW 3426. II: The second work present only at Harvard, LC and Berkeley in the US. Goff M534; HC 4661*; BMC I 226; GW M23134.

L1947

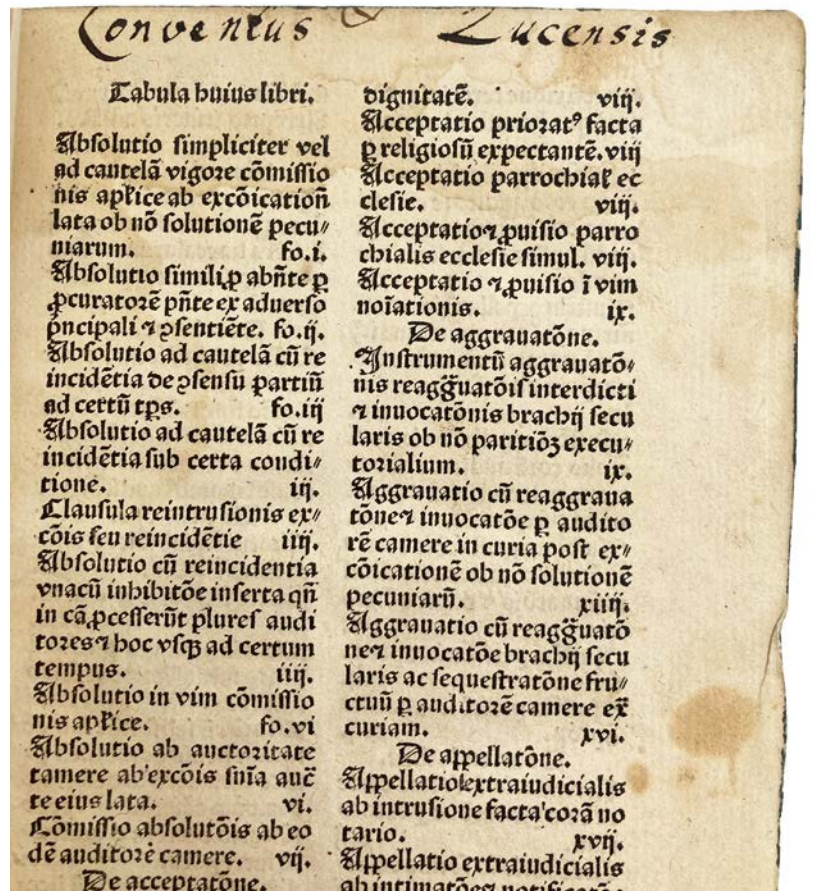
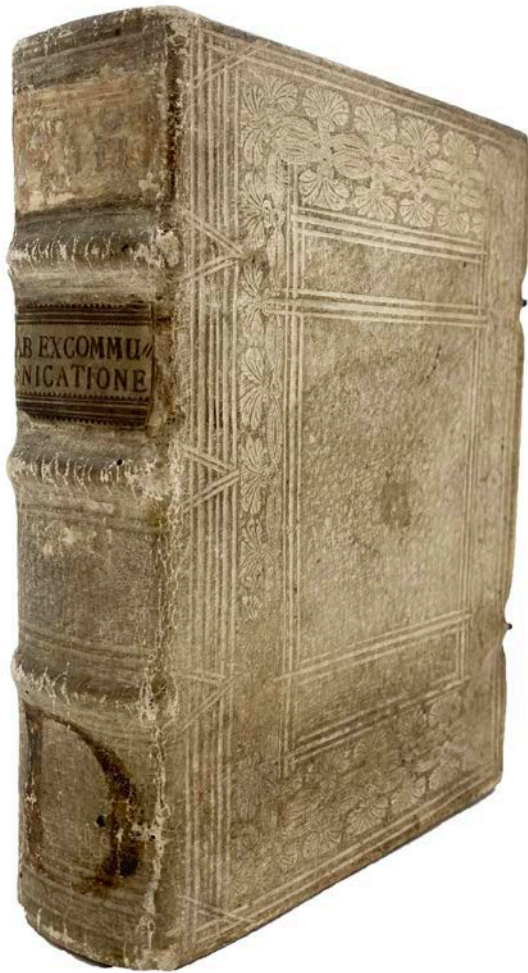
PORTABLE LAW INCUNABLE

3. [CANON LAW]. *Formularium instrumentorum ad usum Curiae Romanae.*

Speyer, Peter Drach, 1483-88.

£7,500

Small 4to. ff. 278 unnumbered ll., [*]-[***]6 a-z8 8 8 A-G8 H-I6, lacking [*]1 and [***]6 blank. Gothic letter. First leaf a little finger-soiled at margins, small oil stain to outer blank margin of first and second, repaired worm trail to l3-6 affecting couple of lines and lower margin of last few ll., some light waterstaining and marginal spotting on last few ll. A very good, clean copy, on high quality thick paper, in late C16 German pigskin, traces of clasps, double blind ruled to a panel design, outer border with roll of interlacing palmettes in blind, raised bands, blind-stamped vellum title label, c.1600 ms. casemark D at foot of spine, all edges blue, a bit rubbed, C18 bibliographical ms. note to fly, C17 inscription 'Conventus Lucensis' (i.e. Louka, Moravia) on first leaf.



A very good copy of this small-format formulary for canonists, first printed in Rome in 1474. It is a collection of templates for legal documents, preceded by a detailed index. These precedents, which follow the practice of ecclesiastical courts of the papal curia, had been circulating in ms. among scribes and clerks, in the C15. The collection is subdivided into broad categories, split in turn into more specific types. Among these are forms for the approval of the university curriculum and the obtainment of a 'Baccalaureatus', as well as precedents for the surrendering of debt, the collection of ecclesiastical benefices, the purchase of habitations, the summons of prisoners to court, and even the purchase of books. For this, a template, which uses Justinian's 'Infortiatum' as an example, identifies the notary as the witness to a financial transaction between the owner and the bookseller, for the sale of the book at the price of ten florins, and for which the number of leaves and the words at the beginning and end of text and the commentary should be specified. A very sound idea. This third German edition testifies to the gradual spreading of 'the learned Romano-canonical procedure [...] into the German-speaking regions that traditionally had had lay judges ('Schöffen')' (Korpiola, 'Introduction', 11).

Pr 2363; BMC II, 495; GW 10207; Hain 7277 ; Goff F257. M. Korpiola, 'Introduction', in *Legal Literacy in Premodern European Societies*, ed. M. Korpiola (London, 2019), 1-16.

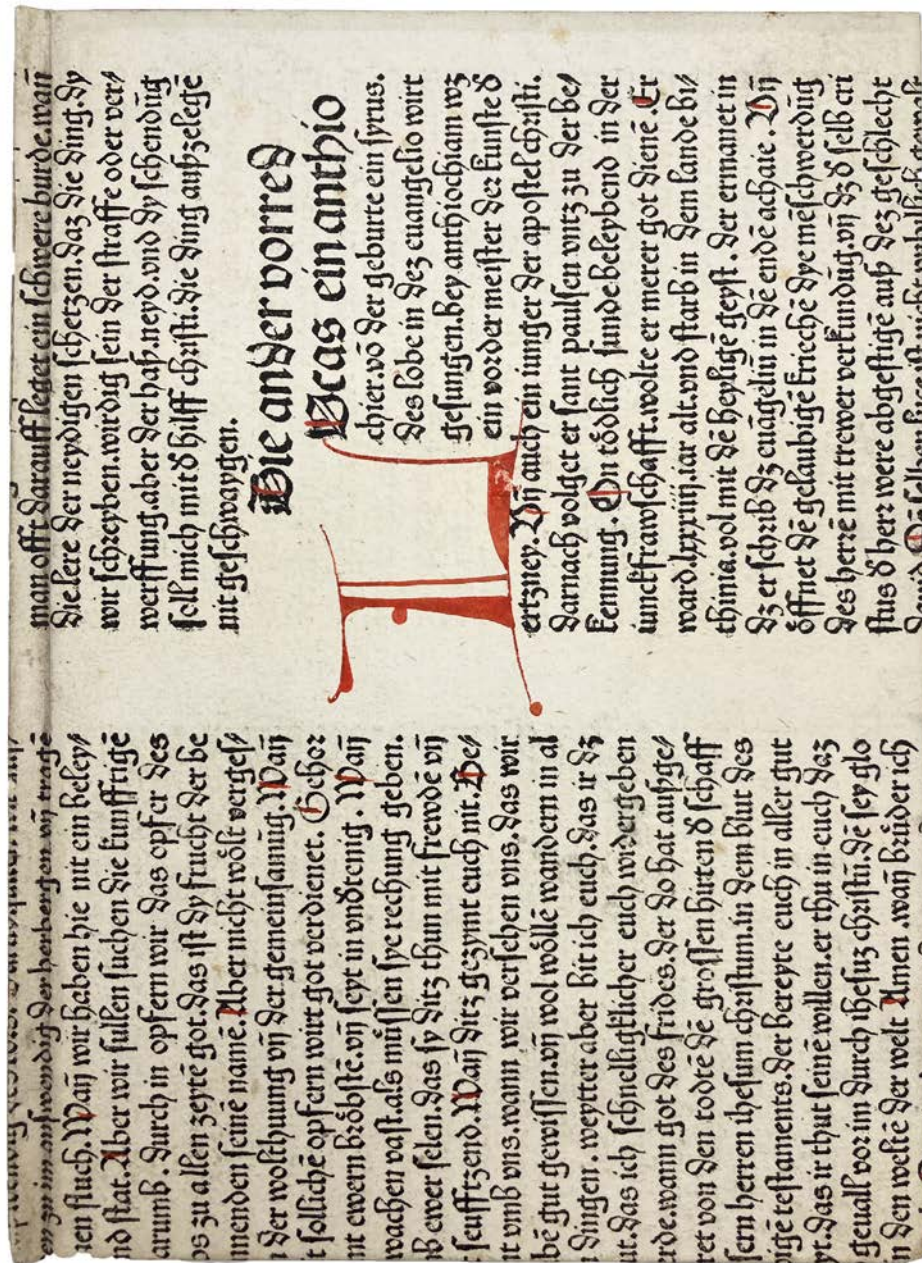


4. [GRASSUS, Antonius.] *Ars notariatus*.

Rome, Stephan Planck, c.1490.

£5,950

8vo. 6 unnumbered ll., [*] 6 . Large Gothic letter, initials heightened in red throughout. Faint marginal waterstaining, marginal ink marks to last two ll., marginal soiling to verso of last, first and last reinforced at gutter. A good, well-margined copy, in a leaf from Korenberg's 1483 German Bible over modern boards, a.e.r.



Very good, well-margined copy of this scarce Roman edition of an extremely successful manual for notaries. First composed c.1400, it circulated extensively in ms. before reaching the press in Rome in 1474 and undergoing numerous reprints in Italy, Flanders, France and Germany, as well as a German translation, until the early 1500s. Its authorship is debated: although the Brescia edition mentions the name of the Bolognese Antonius Grassus, judge of the Apostolic Tribunal of the Sacred Rota, it has also been attributed to the French jurist Johannes de Gradibus or simply considered anonymous.

The title 'Ars notariatus' was constructed a posteriori following a variation of the incipit found in some ms. copies—'Notariatus [instead of 'Notaria'] est ars scribendi et dictandi...'. It is a very simple and clear summary of a notary's work which it introduces as follows: 'the art of being a notary is the art of writing and expressing arguments in writing so as to straighten the complexities of human fragility and commit them to perennial memory.' There follows a clarification of what a notary is by law and who can become a notary—a free man, not of peasant origins, not constrained by other ties (e.g., holy orders), a male individual compos mentis (e.g., he should not be prone to excessive anger), with good eyesight and hearing, sound reputation and character (still desirable). The rest of the work is concerned with what and how a notary should proceed in his everyday business dealing with contracts, obligations, customs, sales arbitrations and stipulations, and, most importantly, how to deal

with last wills and testaments and the subdivision of inheritance (e.g., if a son refuses to ransom his father from the Saracens and the father dies in prison, his inheritance will go to the Church). A little jewel of early legal studies, from one of the most productive presses in late C15 Rome, shedding light on the professional role and individual character of the medieval notary.

Only Jacob Burns Law Library copy of this ed. recorded in the US.GW 2650; Proctor 3749; ISTC ia01129000. Rolandino e l'ars notaria da Bologna all'Europa, ed. G. Tamba (Milan, 2002).

L3077

Incipit tabula p̄ntis operis.

Q uid sit notarius ⁊ vnde dicat̄.	Cap. i.
Q uid sit ars notariatus.	Cap. ij.
Q uibus mōis notarius appellat̄ a iure.	Cap. iii.
Q ui sunt ⁊ qui debent esse notarij.	Cap. iiii.
Q uius auctoritate conficiant̄.	Cap. v.
Q ue sunt seruanda a notario.	Cap. vi.
A quibus notarius debeat se abstinere.	Cap. vii.
Q uid sit indictio ⁊ vnde dicat̄.	Cap. viii.
Q uid sit contractus.	Cap. ix.
Q uid sit obligatio.	Cap. x.
Q uid sit consuetudo.	Cap. xi.
Q uid sit stipulatio.	Cap. xii.
Q uid sit testamentū.	Cap. xiii.
D e diuisione testamenti.	Cap. xiiii.
Q ui nō possunt testari.	Cap. xv.
Q uid sit codicillus.	Cap. xvi.
Q uid sit forma codicilli: ⁊ qs possit facē codicillū.	Ca. xvii.
I n quib⁹ codicilla differāt a testamēto.	Cap. xviii.
Q ui testes sunt necessarij in testamēto.	Cap. xix.
Q ñ testamentū non valeat.	Cap. xx.
Q ualiter parētes p̄nt exheredare pueros.	Cap. xxi.
Q ui filij possunt exheredare parētes.	Cap. xxii.
D e instrumento emācipationis.	Cap. xxiii.
D e donationibus.	Cap. xxiiii.
D e forma testatoris in testamento.	Cap. xxv.
D e arbitrio ⁊ eius forma.	Cap. vltimo.

Caplm̄ primū **Q**uid sit ars notariatus.

Ars notariat⁹ est scribēdi ⁊ dictādi per quā fragilitatis hu mane negocia roborant̄: ⁊ per bēne memoriē cōmendant̄. **E**t ē notandū q̄ vnusquisq; discret⁹ notarius siue tabellio qđ idem est qñ ipse requirit̄ ad aliquē actū scribēdi: debet bene pri⁹ cōsiderare: ⁊ infra archana sui mētis reuoluere spāliter quinq;

5. JUSTINIAN. *Institutiones*.

Rome, Ulrich Han and Simon Chandella de Lucca, 1473, 10th April.

£59,500

Large folio. 174 ll. unnumbered and unsigned [a-h¹ i6 k-r¹ s], final blank precedes the register. Double column, Gothic letter, surrounded by commentary in Roman (typically 58 lines per page), text to first leaf in red and black, initial letters in red ink throughout most of text. Very minor wormholes to some lower margins, little water stain to a few edges, a very good, clean, virtually uncut copy on thick paper, 16th century ms ex dono of Francisco Contareni of Santa Marina, Venice, at foot of first leaf, 19th century bookplates of Sir Edward Sullivan and William O'Brien on pastedown, Sunderland shelf mark on ffep. In a very handsome and typical 'Sunderland' binding c.1700 of red morocco, ornate outer border gilt of alternating fleur de lys and flowers, edges and inner border gilt to floral design, spine gilt in eight compartments decorated with leaves and tendrils, morocco labels, small case mark on paper at foot. Upper joint cracked, one corner worn, very grand in the English aristocratic taste.



A very early edition (probably the 5th) of the single most important law book of the western world. The first edition was published by Schoeffer in Mainz in 1468 and is conspicuously rare. This and the present edition share the Glossa Ordinaria of Accursius.

“No single authority has had greater influence in shaping the existing legal codes of all nations than the Roman Law; obvious in those which, like the Code Napoleon, sought to impose a theoretic standpoint, it may be felt even in fundamentally empiric bodies of law like the English Common Law. The credit for the survival of this authority can be ascribed in a very large degree to work undertaken by Justinian I, Roman Emperor of the East from 527 to 565.” PMM p.3

Soon after his accession, Justinian ordered the codification of the entire chaotic body of existing law, which was completed in 533.

“...the Emperor directed Tribonian to prepare an introduction to the main work, and the elementary treatise thus produced, the ‘Institutes of Justinian’, has been for students ever since the introduction to the Roman law. ... When people speak of the Roman law today, what they mean is Justinian.” PMM p.3

A very distinguished provenance. The ms ex dono (second quarter of C16th) records the gift of the volume by Francisco Contareni to the Church of St Peter Martyr in Venice. Contareni is a variant of ‘Contarini’, one of the greatest families of Venice, producer of senators, admirals, Patriarchs, and even Doges. Francisco describes himself as ‘of Santa Marina’, where the family had a palace, and an inscription is recorded of him in the

Church of Santa Marina, now destroyed, (Delle Inscrizioni Venezia I. p.339) which also received half his estate under his will; Francisco died in 1545.

“The great library of Charles Spencer, Third Earl of Sunderland (1674-1722) contained only a few manuscripts and some 20,000 printed books; it was particularly strong in incunabula (many being printed on vellum)”. Seymour de Ricci p.38. Sunderland purchased extensively through an agent, James Gibson, who travelled all over Italy, buying speculatively, especially from monastic collections, but always giving Sunderland first choice. The Sunderland Library, described in 1703 as the finest in Europe, was sold by the Duke of Marlborough in 1882 for over £56,500, a princely sum. This volume, lot 6619 ‘A Rare and Finely Printed Edition’ fetched £6-10s.

ISTC ij00509300, IGI 5490; BMC IV 23 (imperfect); HCR 9493 ; GWK 7584; Not in Goff. Only five other copies recorded; 1 in England, 3 in Italy, and 1 in Switzerland. Printing and the Mind of Man 4 (1st end). See Katherine Swift, Bibliotheca Sunderlandiana. Bibliophily, 1986, 2, pages 63-90.

Actiones sed que. Item. cōdi. ex hac lege fm
30 sed p. in rem datur hic nō dno contra dōm.

Nostra constituio. C. de quadri. pre. bene a
zenone.

A nostra. i. puata nra subltaria. sed. s. de fis
cali dno. ut. C. de quadri. p. l. n. a zenone.

De donatione
causa mortis.

E si autez
acquls
tious.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Intēdere q̄ p dñu o
ul p̄poteca eaz re
rū q̄ altēate sūt pu
cauerit sibi q̄sdam
cōpetet actōes.

Sig. in vulgari. si. & delz hoc exprimi. at.
nō est mortis causa donatio. ut. ff. e. l. e. p. si.

Superuixisset. id est cōualuisset. & ita tribus
modis reuocatur. ut hic subicitur. & ff. si cer
pe. non oēs.

Penituisse. quia uoluntas est ambulatoria.
ut. ff. de adimē.
le. l. in. in fi. de
quia donatio est
ob causam. scz
si moriar. & sic
possum penite
re. ut. ff. e. l. e. p. si.
tus. p. i. in fi. de
ff. de con. cau.
sa da. l. in. p. ii.

Per omnia
subaudi fere. ut
statim dicit. naz
in multis diffe
rant.

Ad exēpluz
legatoz. quā tū
ad uim & potes
tatez. quia sicut
legata morte cō
firmatur. ita do
nationes causa
mortis. ut reuo
cari non possint.

Donationis
scz simplicis. &
inter uiuos. al.
nulla est. huius
modi distinctio
cum omne lega
tum sit donatio
ut patet ex diffi
nitione eius. ut
ff. dele. i. l. lega
tum.

Habebat. i.
donatio causa
mortis. nā cum
donatō inter ui
uos habet insignia. ut sit libertas cum legato
ut morte cōfirmetur. & ut detrabatur falcidia.
ut. C. ad. l. fal. l. fi.

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

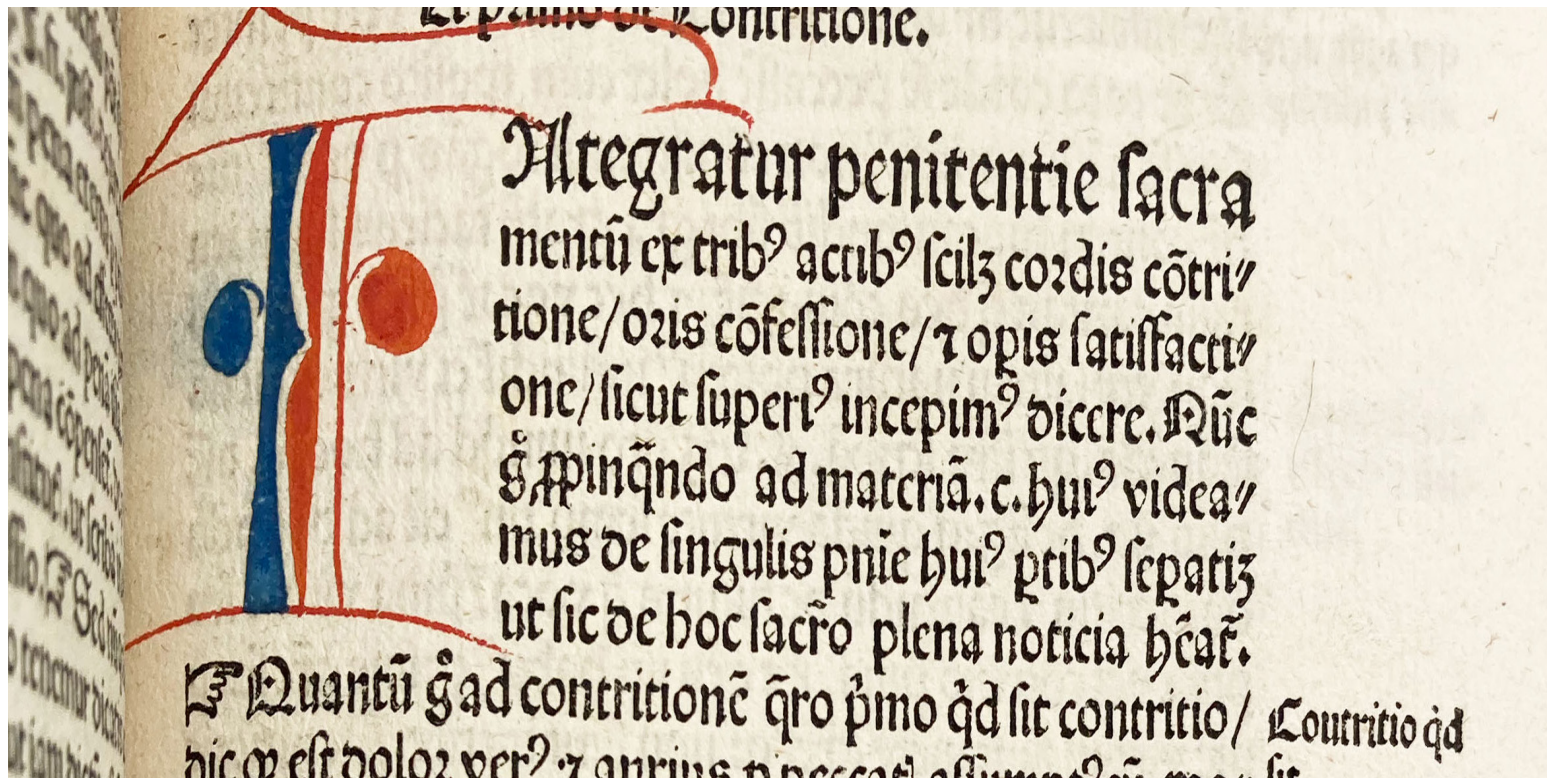
Retrahebant. subaudi & alii & aliud.
Fere legatis. fere dicit. quia in quibusdā dis
crepat a legatis. ecce enī si donas i ānos singu
los dōatio una ē. scz legata plura. ut. ff. de dona.
causa mor. senatus. p. si. Item legatū ab herede
semp traditur donatio uel ab hoc uel ab alio.
ut patet ex diffinitione. j. dele. in prin. Item in
donationibus obligatur donās. in legato non.
Item si restamētum accuso falsum. perdo lega
tum. nō donationem. si tamen accuso ut falsum

6. ODENDORFF, Henricus de. *Repetitio capituli 'Omnis utriusque sexus'*.

Memmingen, Albrecht Kunne, 1490.

£15,000

FIRST EDITION. 4to, pp. (xvi) 116. Gothic letter, charming blue and red rubricated initials throughout, one woodcut initial. Rare minor marginal stains or marks, light waterstain to lower blank margin of a few final gatherings, tiny wormhole to lower outer corner of last two ll, mainly marginal red ink splash to one fol. (not affecting reading). A very good, crisp and clean, well-margined copy in contemporary pigskin, covers double blind ruled to a panel design, upper cover with two borders, roll of foliage to second, flower stamps to corners and in central panel, lower cover featuring a single outer border and a similar decoration with the same floral stamps, spine with blind ruled raised bands. Attractively decorated brass clasps. Two printed pages of "Regulae grammaticales antiquorum" (Leipzig, Conrad Kachelofen, about 1490-1495) used as pastedowns, stubs from a C15 manuscript psalter with red initials. Alexandre Rosenberg's Picasso designed bookplate on front pastedown.



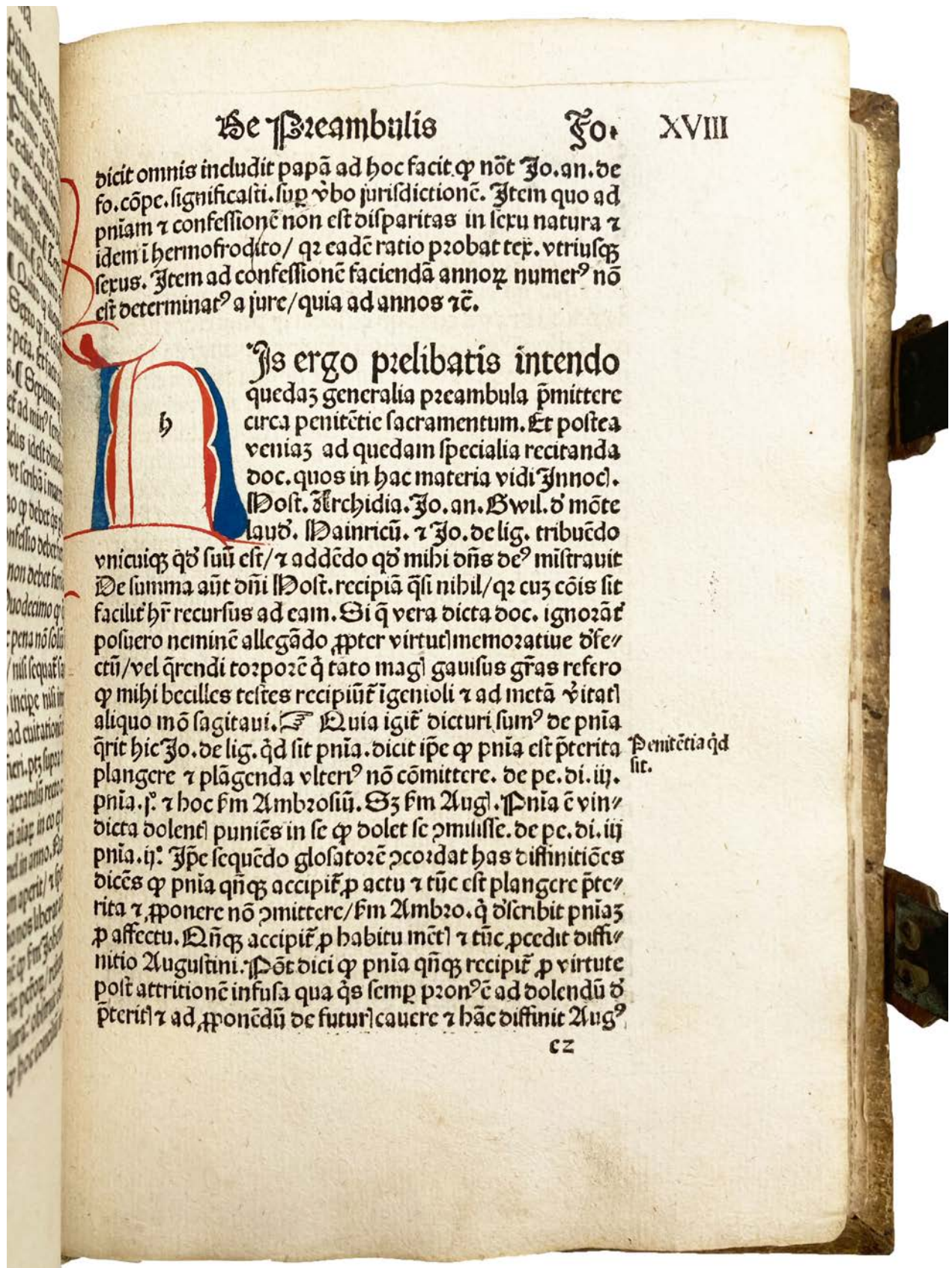
Attractive first edition of this encyclopedia of canon law. This incunable was beautifully produced by Albrecht Kunne (b. 1435), the earliest printer of the Upper Swabia region in Germany. Kunne was an expert on printing types – he designed and created the lead letters himself – and this is the first appearance of his own 'Schwabacher', a vibrant and decorative gothic type that resembles handwriting. Remarkably, this volume also contains one of the earliest examples of printed manicules. These fine 'little hands' (maniculae), originally used in manuscripts to draw attention to important points in text, were introduced in print by Leonhard Pachel and Ulrich Scinzenzeller in 1479. Kunne was among the first to adopt and reproduce this symbol. The volume is further embellished with calligraphic hand-painted initials in blue and red ink.

Henricus de Odendorff (often spelled Oldendorp/Odendorp, c. 1360-1400), was born in Cologne. A 'licentiatus utriusque iuris' meaning he obtained a doctorate in both civil and church law, he became rector at the University of Vienna in 1385 and contributed to the drafting of its statutes. He died, probably from the plague, around 1399-1400. 'Repetitio capituli', is an encyclopaedia on confession comprising a detailed explanatory commentary on Canon 21, 'Omnis utriusque sexus' (Everyone of both sexes), issued by the IV Lateran Council in 1215. This commands all Christians above twelve years of age, male or female, lay or clerical, to confess all sins at least once a year to their parish priest, under penalty of excommunication. In the introduction, Odendorff expresses his hope that this work will be appreciated and read in schools. This treatise explains every aspects of the sacrament of confession and what is expected from confessors as well as the rules they must obey. After the text of the canon in Latin and a German vernacular translation by Sixtus (von Tannberg), bishop of Freising (d. 1495), Odendorff analyses the text of the canon word by word (underlined in red), focusing on one 'particula' (small section) at a time. The six main chapters deal with the three parts of confession – contrition, confession, satisfaction – and communion, and explain that a confessor should be 'peritus' (expert), discuss different forms of penance (including how many days a man should 'abstain from his woman'), and innumerable rules relating to particular circumstances e.g. confession in shipwreck or particular people e.g. the confessor of a prince.

In 1577, this book was gifted to "M. Christophorus Kirmeserus", most likely Magister Christoph Kirmeser (b. 1550), a remarkable scholar born in Schemnitz (Upper Hungary) who graduated at Ingolstadt. He was rector of the pastoral school of Nysa (Poland, 1574-80) and later abbot of the Augustinian Monastery of Glatz (Poland, 1583) and of the Benedictine monastery of St. Lambrecht (Austria, 1596). He wrote a book of sermons published in 1582 at Ingolstadt. The donor of this volume was 'Johannes Teskl', who defines himself as a 'Doctor' meaning that he obtained a doctoral degree. The name might correspond to the German 'Johann Teschl' or 'Teschel' – a man named Johann Teschel was priest of Marienau (Germany, south of Leipzig) in 1598 (K. Stehr, Chronik der ehemaligen Hochritterlichen Maltheser-Ordens-Commende, 1845, p. 179).

USTC 747567; ISTC io00023000; GW 12255; Goff O23. A. Kastner, Aus der Geschichte der Neisser Pfarrgymnasiums, p.13.

L3787



De Preambulis Fo. XVIII

dicit omnis includit papā ad hoc facit q̄ nōt Jo. an. de fo. cōpe. significasti. sup v̄bo jurisdictionē. Item quo ad p̄niam ⁊ confessionē non est disparitas in lectu natura ⁊ idem i hermosfrodito / qz eadē ratio probat tēp. vtriusqz serus. Item ad confessionē faciendā annoꝝ numer⁹ nō est determinat⁹ a jure / quia ad annos rē.

Mis ergo prelibatis intendo quedaz generalia preambula p̄mittere circa penitētie sacramentum. Et postea veniaz ad quedam specialia recitanda doc. quos in hac materia vidi Innoct. Host. Archidia. Jo. an. Bwil. d mōte laud. Hainricū. ⁊ Jo. de lig. tribuēdo

vniciqz qd̄ suū est / ⁊ addēdo qd̄ mihi dñs de⁹ misitruit De summa aut̄ dñi Host. recipiā q̄si nihil / qz cuz cōis sit facile h̄r recursus ad eam. Si q̄ vera dicta doc. ignorā⁹ posuero neminē allegādo p̄pter virtuel memoratiue d̄se / ctū / vel q̄rendi torporē q̄ tato magi gaufus gr̄as refero q̄ mihi becalles testes recipiūt igenioli ⁊ ad metā vitat̄ aliquo mō sagitavi. Quia igit̄ dicturi sum⁹ de p̄nā q̄rit hic Jo. de lig. qd̄ sit p̄nā. dicit ip̄e q̄ p̄nā est p̄terita plangere ⁊ plāgenda vlteri⁹ nō cōmittere. de pe. di. iij. p̄nā. i. ⁊ hoc fm̄ Ambrosiū. Sz fm̄ Augi. P̄nā ē vin⁹ dicta dolent̄ puniēs in se q̄ dolet se p̄misse. de pe. di. iij. p̄nā. ij. Ip̄e sequēdo glosatorē p̄cordat has diffinitioēs dicēs q̄ p̄nā q̄nqz accipit̄ p̄ actu ⁊ tūc est plangere p̄terita ⁊ p̄ponere nō p̄mittere / fm̄ Ambro. q̄ d̄scribit p̄nāz p̄ affectu. Q̄nqz accipit̄ p̄ habitu mēt̄ ⁊ tūc p̄cedit diffinitio Augustini. P̄t̄ dici q̄ p̄nā q̄nqz recipit̄ p̄ virtute post attritionē infusa qua q̄s semp̄ pron⁹ ē ad dolendū d̄ p̄terit̄ ⁊ ad p̄ponēdū de futur̄ cauere ⁊ hāc diffinit̄ Aug⁹

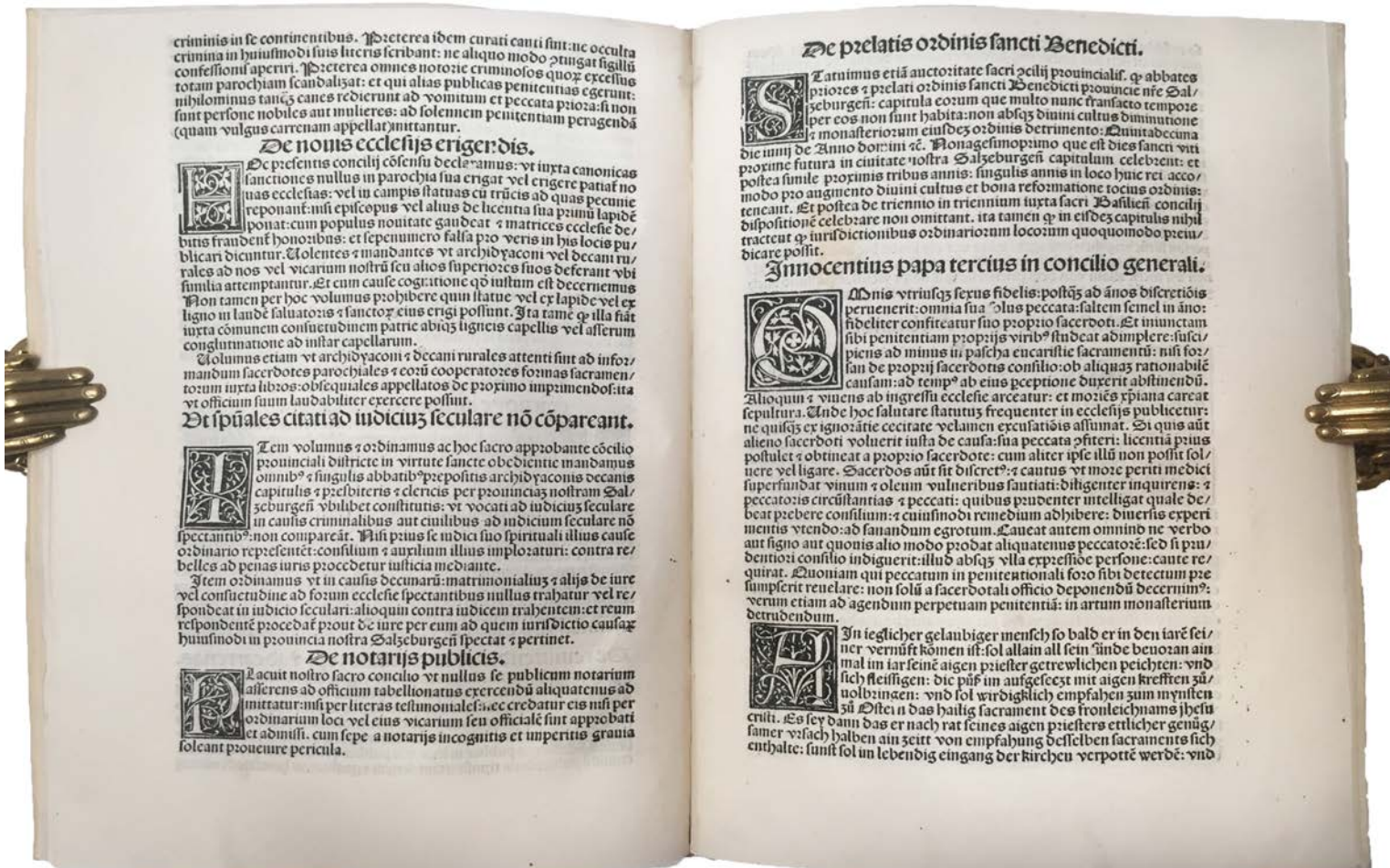
Penitencia qd sit.

7. [STATUTES OF SALZBURG]. Statuta Provincialia.

Augsburg, Erhardt Ratdolt, 1491, 5 April.

£4,750

FIRST EDITION thus. Folio. 17 unnumbered leaves. a-b, c5, as usual lacking final blank. Gothic letter. Numerous white on black fine, large foliated initials. A very little spotting and browning, not really affecting text. A few small round wormholes, some repaired, touching a few letters, two restored on final leaf. A very good, clean (possibly expertly washed) copy in modern vellum.



First bilingual Latin-German edition of the Statutes for the Province of Salzburg, with new, expanded German text, the first having appeared in 1490. The Statuta were drawn up under Friedrich V von Schaunberg (or von Schallenburg), Archbishop of Salzburg from 1489-1494, a position which traditionally enjoyed a great deal of autonomy from Rome, and considerable secular legislative powers. Friedrich was educated at the University of Vienna from 1459, becoming Domberr ('canon') in Salzburg in 1469, and proceeding steadily up the hierarchy until he was appointed Archbishop in 1489. He was renowned for being outspoken, but diplomatic.

The Statuta provide rulings on various aspects of ecclesiastical administration and law, and the duties and behaviour of clergy and laypeople. They also lay down the wider legal framework of the region's relationship to papal authority. Among their provisions are sections specifying appropriate clerical behaviour ('De vita et honestate clericorum'; 'De continentia clericorum'): it is stressed in several places that clerics should be literate and guard against letting their congregations fall into ignorant ways, and that they should reside in and receive their incomes from one parish alone. Further sections provide rulings on penitence and absolution, admission to communion and the observation of the sabbath. A large number of other, wide-ranging issues are dealt with in the simple, concise style which characterises the Statuta as a whole: they include usury, the quarantine of lepers and baptism, inter alia. Sources cited include Eusebius, St. Benedict and Pope Innocent III. The work concludes with Pope Martin V's 'confirmatio' with the Holy Roman Empire, in Latin and in German, a document which laid the basis for subsequent papal relations with the German lands, and, on a more regional level, for Salzburg's own ecclesiastical autonomy and freedom to create its own local legislation.

Ad honorem laudē ⁊ gloriam omnipotentis dei: gloriose virginis marie
 tociusq; celestis curie triumphantis: ⁊ incrementū fidei xpiane. Nos Fr̄
 dericus dei gratia sancte Salzeburgenſis ecclesie archiepiscopus: apostolice
 sedis legatus. Sixtus frisingenſis. Georgius chiemenſis. Mathias seconienſis
 ecclesiarum episcopi. Oratores ⁊ procuratores Ratisponenſis. Patavianenſis.
 Brixinenſis. Laurentiū episcoporum ac capitulorū ecclesiarum cathedralium
 ac collegiarū secularium ⁊ regularium pleno mandato suffulti. Prelati
 et eorum oratores ⁊ procuratores in sancto concilio provinciali in ecclesia
 parrochiali sancti Nicolai oppidi mūldorf Salzeburgenſis diocesis Decia/
 nona mēsis octobris Anno domini Millesimo quadringentesimo nona
 gesimo celebrato congregati de consilio omniū huic sacro concilio inter/
 essentium constitutiōes ⁊ statuta provincie Salzeburgenſis salubriter con/
 dita ⁊ edita sunt in hunc qui sequitur modum.

De vita ⁊ honestate clericorum.



Qualitas clericorū est in seipsis implere dñi voluntatē
 ⁊ lucere per bonam conversationē: qualiter oportet
 teat alios in domo domini cōversari: sacro provin/
 ciali concilio approbante. Statuimus volumus ⁊
 mandamus vniuersos clericos provincie nostre:
 presertim beneficiatos ⁊ in sacris cōstitutos: hone/
 ste clericali ⁊ deuote se exhibere: a crapula ⁊ ebri/
 etate abstinere: indumentaq; scissa in oris seu extre/
 mitatibus ab extra supducta non deferre: mittras
 caudatas penitus dimittere: cingulos et monilia
 auro argēto vel alio metallo excessiue splendētia:
 ad modum laicorū abijcere penitus ⁊ vitare Vestimēta rubei aut viridis
 coloris deferre clericos omnino prohibemus: equalib; collirijs in iop/
 pulis tunicis sine mantellis ne alterum respectu alterius circumferentijs
 eminentius appareat vtantur: Mitram seu pirreta capiti suppositā: ca/
 pucium humeris suis clerici reuerenter deferant: ipsis in publico deam/
 bulantibus. Contrafaciētes vero vltra penas iuris cōmunis per suspen/
 sionem pronentū beneficiorū ecclesiasticorū fabricę applicandorū fm q;
 proterua demeruit ⁊ excessus artius per Nos: officialē ⁊ archidiaconos
 nostros aut ordinarios loci seu eorundem vicarios ⁊ officiales puniant.

Item inhihemus omnib; clericis supradictis in publico vel alibi pre/
 sentibus laicis tabernas intrare preterq; in itinere constitutis: vel ex alia
 causa rationabili. Et omnes ludos inhonestos maxime taxilloꝝ exercere
 Contrafaciētes pena iuris cōmunis ⁊ ad arbitriū nostrum seu superiorū
 suorum in ipsos iurisdictionē habentium puniri volumus ⁊ mandamus.

Item statuim; ⁊ in virtute sancte obedientie districte ꝑcipiendo man/
 damus vt nullus clericorū cauponem vel tabernarium hospitem sibi con/
 stituat continuū in domo habitationis sue: aut potum venalem negotia/
 tionis causa publice exponat aut vendat: nisi ex antiqua cōsuetudine ha/
 ctenus obseruata ius publice vendendi vinorū habuisset. Permittimus
 tamē domos ꝑlatis ⁊ monasterijs pro hospitalitate rationabiliter intro/
 a ij

SPLENDID ARMORIAL BINDING

8. SEGUSIO da Susa [or Hostiensis, Enrico]. *Summa super titulis Decretalium*.

Venice, De Blavis, 1490.

£12,500

Large folio, 356 leaves, a-z , 7-&-48, A-R , S-T . Gothic letter, double column; a few leaves slightly age yellowed; light marginal water stain to f. kviii, two small (wine?) splashes to f. yvii, clean nick to lower margin of yviii. A good, unwashed copy with wide outer and lower margins in seventeenth-century red morocco, richly gilt with decorative border and large central crowned coat of arms; a. e. mottled; on front pastedown, modern bookplate of the Portuguese collector, Count Hercules de Silva; occasional contemporary marking, notabilia and one manicura; seventeenth-century foliation throughout and collation on verso of last.



Early uncommon edition of a very successful and extremely detailed legal commentary on the Decretals, updated for 'modern' use and first printed in Rome in 1473. It is divided by subject matter into sections, which are identified both by sub-headings and running titles. Enrico Segusio (c. 1200-1271) was named after his hometown close to Turin, Susa. Also known as Hostiensis, he was the most prominent jurist of his time. He taught in Bologna and Paris, served Henry VIII of England as ambassador to the pope and was appointed archbishop of Embrun. At the end of his brilliant career, he was made Cardinal of Ostia and Velletri. He is mentioned by Dante in his Comedia (Paradise, XII, 82-85). This work on Roman and canon law was so successful that it was often referred to as Summa aurea, remaining for centuries an invaluable legal tool.

The splendid armorial binding of this copy suggests the property of a wealthy seventeenth-century marquis (from the crown) almost certainly a member of the Spanish nobility, which included at the time also Southern Italian families. The work would have been particularly important to a public figure with administrative and judicial responsibilities, such as a viceroy. The armorial bindings, neither halved nor quartered, suggest such an appointment. A fine copy of a handsome and very substantial book.

Uncommon. Only three copies recorded in the US (Columbia, Huntington and Baltimore).ISTC ih00047000; BMC STC, V, 319; GW, 12236; Goff, H-47; Hain, 8965.

L2040

re fiat non ad preiudicandum sed ad instruendum et persuasione approbatur. f. de appel. constitutus in presentia enim archidi. claromontensis. §. i.

Quot modis accipi

scrutinii multiplex est. Primum quod faciunt canonici ante eligat. s. de elec. cum terra si f. de quo dicitur ut no. s. de elec. §. qua penas. v. si circa persona electa. Secundum quod fit servando forma; scrutinio a tribus scrutatoribus qui dati sunt ad inquirenda vota de quo plene no. s. de elec. §. q. l. i. Tertium quod fit a confirmatore. de quo plene no. s. de elec. §. a quo quando aliquando facit se et si nihil opponat a tribus. s. de de elec. nihil est. r. c. cum nobis olis. §. pe. q. r. h. apostolu manus nemini cito iponi debet. r. iij. v. f. i. r. c. manus. l. r. v. iij. di. quid est. Aliquando per alium cui committit. s. de elec. scriptu §. i. r. c. dudus ymo. in quo cau madatur tracta diligenta est servandus. s. de rescrip. cu dilecta. §. si. pot. tri subdelegari. j. de of. del. venerabili. nisi contineat in Repto quod iudex psonali ter officij exequatur. j. de of. dele. qm. §. is aut. Quartus est quod aliquoties fit inter psecratione et confirmatione. aliquo excipiente ptra psecradu. j. de accusa. super his. §. post pfirmationes vero. Quintus est quod fit eodetepore iter episcopus quorum pensus requirit. de quo no. s. t. i. r. §. r. qualif §. r. hoc sciendus. Sextus est quod fit post pfirmatione ex officio per inquisitione: vel ad denunciatione: vel extraordinarie vel ex debito per accusatione. de quibus plene no. j. de accusa. Septimus est quod fieri debet antequam quis psecret vel ordinetur: hoc circa psecratione duplex est. vnu de quo dicitur. s. v. tertius. aliud quod fit i ipsa psecratione. de quo hic dicitur. pte circa ordinatione duplex est vnu quod fit ante ordinatione quod diligenter faciendum est. s. de elec. nihil. e. §. episcopi. Aliud quod fit in ipsa ordinatione. de quo hic habet. Est et aliud scrutinium quod precedit baptismu de con. di. iij. in cathecismo. de quo. j. de maio. r. obe. his que.

Quando fieri debet.

Ordinatione fieri dicitur quarta prima ante sabbatu i quo ordines celebrant. Quid ergo si copositio facta sit inter episcopu et capitulu in qua pntet quod ipsu episcopu pcurare dicitur capitulu quoniam scilicet venerit p ordinibus celebrandis. hec questio fuit inter me et cisterciens. ppositu: vnu regebatur cistercie. ecclesia. dicebat. n. prepositus quod non tenebat pcurare episcopu nisi in sabbato. ego asserere quod tenebat pntiduu precedes prime: et oibus diebus dicitur et festiuis. copromissio igitur facta in cisterciens. archidi. super interpretandis faciendia allega ui p pre episcopu i huc modu. Quid quilibet ecclesia episcopa r regeda fit iura dispositione episcopi. r. q. ij. directu. r. c. regeda. r. ipse maior: sit oibus sit christi vicari. r. iij. q. v. muliere. r. iobediens ei morte. s. credicatiois occidendus sit. j. de maio. r. obedi. c. i. r. ij. r. oes sub eo sint. vt. e. t. c. oes. p §. q. examinato clericorum de iure eoi ad archidi. spectet. j. de of. archidi. vt n. s. no pp hoc excludit quod episcopu si velit examinare possit. vel saltem examinandu interesse cu sua iter sit: quod r puniret si dignu ordinaret. s. de elec. nihil. e. §. episcopi quoque. Si dicitur quod excuset a pca id quod archidiaconus examinauit. velles videre no glosa: sed textu expressus: r. etia si hoc eet dictu videret in fauore suu cui si vult pot renuciare. preterea in. c. qm. r. iij. di. loquitur de duplici representatione prima dicitur fieri feria. iij. episcopo. r. ipso tunc presente archidi. precipiet ei quod examinet. i absentia vero precipiet hoc alijs quos eliger de latere suo: vel vtroque casu ipsemet hoc faciet si vult etia post examinatione facta p alios: quod non est sub eis: sed su per. n. r. examinat. iteru examinat. j. de pba. cam. r. et pba tus reprobat. ff. de mu. r. ho. vt gradatum. §. reprobari. Secunda vero fit die sabbati. s. ate altare qdo episcopu dicit scis illos dignos esse. de pma loquitur in prin. dicti. c. r. iij. di. quando. de secunda in fi. r. vtraque episcopu faciendia sed ei fieri non pot in absentia. restat ergo quod pntens dicit esse a feria. iij. vsq ad diez dominicas sequentes. si dicitur quod non teneat ecclesia eu pcurare nisi dicitur facit ordines quasi factum respiciens ergo nunq teneat episcopo ecclesia occasione ordinu quod du est in faciendia non consuevit comedere: nec copositio dicitur pcuratur du facit. Sed quotienscuq venerit pro ipsa faciendis quasi dicat quado cuq venerit occasione ipso: r ordinu faciendiarum r nos probabimus quod hac occasione debet venire feria. iij. r. maio. r. zc. vt. s. certe ergo non est episcopus ad angulum restringendus: ar. ff. de vi r vi ar. l. i. §. ibi autem vide. §. C Si dicitur ppositio facta est contra ius. ergo restringenda. respondet non est verum: quia ab vtraque parte acceptata in modico. quod si restringis contra ius facis. Consuetudo enim pro iure seruatur: sed consuetudo consu euerat esse in ecclesia quod episcopus plene procuraretur quando cuqz veniebat. sic obtinuit tempore domini iherimundi qui sicut audimus ita dominabatur in claustro: sicut r in castro lucij. r. temporibus aliorum episcoporum: quantum sufficerent. xl. anni. ergo compositio restringit episcopu r de iure consueto diminiuit. Si ergo iterum restringis interpretando facis contra consuetudinem: r sic contra ius ceteralis enim consuetudo laudabilis est prescripibilis. Tandem triplex est pcuratio. j. de cens. procuraciones. s. rone consuetudinis. r. vij. q. ij. seruatum ratione pacti. j. de cens. qto. ratione visitationis. vltima regulariter recipitur semel i anno non pluries nisi ecclesia exeat: alias cencies in anno recipi posset. due vero prime semel aut pluries sicut de consu. vel ex pacto et fieri debet. Sed dicitur quod rone inuatur hec consuetudo: vel hoc pactum. r. no. generaliter p. §. ait pretor. sed i hac ecclesia aliquo obtinet peculiare: quod sponsa e. ideoque magis tenetur episcopo puidere: ar. j. de testam. regl. §. se quis aut e. post mediu. c. r. ar. ff. de re iudi. no tm. r. l. sequenti. Debet ergo sponsa sponso puidere cu ibi. r. l. anis citra nihil pceptit: quod cu extraneis teneat. r. l. di. §. i. r. per totum. s. de suppl. neg. p. l. a. c. ij. j. de p. r. aben. emp. r. ven. c. j. multo fortius suis. j. de cobra. cleri. r. muli. c. j. j. de testa. cu in officijs. certe multo fortius episcopo quod superior e. vt i pn. vicimus. Immo vicimus quod ecclesia teneat nobis i oibus solenitatibus: cu r ipsi teneamur festiuare. r sicut teneat nobis cum ea ecclesie veniamus. hoc ignorabat stricte interpretans. s. probatur. vij. q. j. temporis q. l. itas. preterea quo libet die dominico r festiuo pot ordinis minores celebrare: vt no. s. ti. i. §. quo tempore. §. his oibus teneat puidere si occasione hac veniat: r etia quolibet die dominico debent celebrare. de con. di. iij. episcopu. nisi iusta de ea impediti simus vt ibi. na quod i iustu impedimentu excipit. j. de cleri. no rest. inter qtuor. r. c. vl. nec de intentione componentiu iudicamus: sed de iuris interpretatione allegatis auditis: quod sic copromissimus. vnde obtestamur. ta. p. archidiacone: vt iter preteris hec dubia copositionis sicut tibi de iure videbit iter p. r. adu. r. ma da memorie quod non e inter nos r sponsa nostra amara interpretatio faciendia: ar. ff. d. dona. inter vi r vt. si id q. §. si q. s. fm opas. Sicut autem interpretatus archidiaconus quod die veneris poteramus venire: r die dominico sequenti sumpto p. r. adu. recedere. J. r. q. r. q. ter in ano possem venire p minoribus ordinibus celebrandis. die sabbati in sero: r. r. astina die sumpto p. r. adu. recedere. Si quis queris quod sentio. R. vt ex vi mentis copositio occasione minoru ordinu non pcurer. in alijs autem sit allegatioibus supradictis. Datet ex premisis qdo fieri debet pntis scrutinium. quod feria. iij. ante sabbatu. in quo ordines celebrant. scdm vero in ipsa ordinatione. r. iij. di. quando. j. c. c. v. i. c.

copus ad angulum restringendus: ar. ff. de vi r vi ar. l. i. §. ibi autem vide. §. C Si dicitur ppositio facta est contra ius. ergo restringenda. respondet non est verum: quia ab vtraque parte acceptata in modico. quod si restringis contra ius facis. Consuetudo enim pro iure seruatur: sed consuetudo consu euerat esse in ecclesia quod episcopus plene procuraretur quando cuqz veniebat. sic obtinuit tempore domini iherimundi qui sicut audimus ita dominabatur in claustro: sicut r in castro lucij. r. temporibus aliorum episcoporum: quantum sufficerent. xl. anni. ergo compositio restringit episcopu r de iure consueto diminiuit. Si ergo iterum restringis interpretando facis contra consuetudinem: r sic contra ius ceteralis enim consuetudo laudabilis est prescripibilis. Tandem triplex est pcuratio. j. de cens. procuraciones. s. rone consuetudinis. r. vij. q. ij. seruatum ratione pacti. j. de cens. qto. ratione visitationis. vltima regulariter recipitur semel i anno non pluries nisi ecclesia exeat: alias cencies in anno recipi posset. due vero prime semel aut pluries sicut de consu. vel ex pacto et fieri debet. Sed dicitur quod rone inuatur hec consuetudo: vel hoc pactum. r. no. generaliter p. §. ait pretor. sed i hac ecclesia aliquo obtinet peculiare: quod sponsa e. ideoque magis tenetur episcopo puidere: ar. j. de testam. regl. §. se quis aut e. post mediu. c. r. ar. ff. de re iudi. no tm. r. l. sequenti. Debet ergo sponsa sponso puidere cu ibi. r. l. anis citra nihil pceptit: quod cu extraneis teneat. r. l. di. §. i. r. per totum. s. de suppl. neg. p. l. a. c. ij. j. de p. r. aben. emp. r. ven. c. j. multo fortius suis. j. de cobra. cleri. r. muli. c. j. j. de testa. cu in officijs. certe multo fortius episcopo quod superior e. vt i pn. vicimus. Immo vicimus quod ecclesia teneat nobis i oibus solenitatibus: cu r ipsi teneamur festiuare. r sicut teneat nobis cum ea ecclesie veniamus. hoc ignorabat stricte interpretans. s. probatur. vij. q. j. temporis q. l. itas. preterea quo libet die dominico r festiuo pot ordinis minores celebrare: vt no. s. ti. i. §. quo tempore. §. his oibus teneat puidere si occasione hac veniat: r etia quolibet die dominico debent celebrare. de con. di. iij. episcopu. nisi iusta de ea impediti simus vt ibi. na quod i iustu impedimentu excipit. j. de cleri. no rest. inter qtuor. r. c. vl. nec de intentione componentiu iudicamus: sed de iuris interpretatione allegatis auditis: quod sic copromissimus. vnde obtestamur. ta. p. archidiacone: vt iter preteris hec dubia copositionis sicut tibi de iure videbit iter p. r. adu. r. ma da memorie quod non e inter nos r sponsa nostra amara interpretatio faciendia: ar. ff. d. dona. inter vi r vt. si id q. §. si q. s. fm opas. Sicut autem interpretatus archidiaconus quod die veneris poteramus venire: r die dominico sequenti sumpto p. r. adu. recedere. J. r. q. r. q. ter in ano possem venire p minoribus ordinibus celebrandis. die sabbati in sero: r. r. astina die sumpto p. r. adu. recedere. Si quis queris quod sentio. R. vt ex vi mentis copositio occasione minoru ordinu non pcurer. in alijs autem sit allegatioibus supradictis. Datet ex premisis qdo fieri debet pntis scrutinium. quod feria. iij. ante sabbatu. in quo ordines celebrant. scdm vero in ipsa ordinatione. r. iij. di. quando. j. c. c. v. i. c.

Per quos per archi

diacho nos de iure eoi. vt dicitur: r arg. r. iij. d. psalmista. r p. r. terea si in dignus presentet: teneat quod examinauit r presentauit. l. iij. di. si seruus. ar. j. d. p. r. ebn. cu fm. §. inde e. teneat r ordinator. j. d. eta. r. q. l. accepimus. vel quod teneat de facto archidiaconi. sicut exercito: nauis d. facto sui magistri. ff. de erer. act. l. i. §. magist. ar. j. de of. archidi. ea q. vel quod imputat si in examinatione archidi. pntentus fuit: quod iteru examinare potuit. fm gof. canon tam e inuuit quod no: nisi p motus: r examinatoribus debeat imputari. r. iij. di. qdo. Quid si archidiaconus presentet aliquem ad titulu patrimonij sui. s. ordinandi cu nullu habeat. vel minus sufficiens archidiacono hoc sciet r episcopo ignorate. dicitur qda quod imputadu e clericu quod no pot ignorata allegare. s. d. r. p. t. ab exco. munito. r id que rat v. tu manu p. r. i. r. di. clericus. ar. j. d. etate r. q. l. accepimus. alij dicunt quod agere potest cum effectu ne cogatur me dicare in ignominiaz ordinis clericali ad quod facit quod no. s. de renuncia. in fi. ager autem contra archidiaconum primo loco: quia volus eius culpe ordinatis preponderat. ff. ad. l. a. quil. Item si obstrit. sed i. subdidium ptra episcopu fm gof. ar. ff. de volo eleganter. §. penul. ff. de co per quem factam est. l. vl. R. j.

TERMS AND CONDITIONS OF SALE

- Books will be sent after your cheque or bank transfer has been received.
- Postage and insurance are charged on all parcels unless otherwise specified.
 - Payment is due within 14 days of the invoice date.
- If payment is to be made in a currency other than pounds sterling, please add €15 or \$15 to cover bank transfers.
 - Books may be returned within 14 days.
- All books remain our property until paid for in full. We reserve the right to charge interest on outstanding invoices at our discretion.

Sokol Books Ltd

239a Fulham Road London SW3 6HY

Tuesday to Saturday, 11am to 7pm

books@sokol.co.uk

www.sokol.co.uk

Tel: 0207 499 5571 or 0207 351 5119

