

Les Registres de Boniface VIII: Recueil des bulles de ce pape publiées ou analysées d'après les manuscrits originaux des Archives du Vatican (*The Registers of Boniface VIII: Collection of Bulls of this Pope Published or Analyzed According to the Original Manuscripts of the Vatican Archives*)

by Pope Boniface VIII, 1297

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Lapsis Abscisus

Latin

Bulle de Boniface VIII. contre les Colonnas en confirmation de la premiere In excelso throno. Dans celle-ci il renouvelle toutes les peines aufquelles il les avoit soumis, & en ajoute de nouvelles. Raynaldus N. 35. ann. 1297.

BONIFACIUS &c. Ad perpetuam rei memoriam. LAPIS ABSCISSUS de monte sine manibus, ab ædificantibus reprobatus. & factus in caput anguli, duos & diversos parietes copulans, Pastores à Judæâ & Magos ab Oriente producens, in se reconcilians ima summis & ordinans in sancta Romana apostolica & catholica Ecclesia charitatem, ipsam sponsam statuit esse unam, sicut scriptum est, *Una est columba mea, electa mea, perfecta mea, una est matris sua, electa genitricis sua,* per inconsutilem tunicam Domini designatam, desuper contextam per totum.

English

Bull of Boniface VIII against the Colonnas in confirmation of the first In excelso throno. In this one he renews all the penalties to which he had subjected them, and adds new ones. Raynaldus N. 35, year 1297.

BONIFACE &c. For a perpetual memorial of the matter. THE STONE CUT OUT from the mountain without hands, rejected by the builders and made into the head of the corner, joining two diverse walls, bringing forth Shepherds from Judea and Magi from the East, reconciling in himself things below with things above and ordering charity in the holy Roman apostolic and catholic Church, established that same spouse to be one, as it is written, *My dove is one, my chosen one, my perfect one, she is the only one of her mother, the chosen of her who bore her,* designated by the seamless tunic of the Lord, woven from above throughout the

Hanc non diviserunt milites, sed sortiti sunt eam. Hanc impugnaverunt hæretici & schismatici, ac blasphemi à juventute sua. Sed non prævaluerunt adversus eam divinâ virtute protectam, & ut castrorum acies ordinatam. Sed nondum hæreticis, schismaticis ac blasphemis adeo est finis impositus, quin velut viperei filii natiq̃ue degeneres in senectute positum sabbatum ejus perturbare, & unitatem scindere moliantur. De quorum numero fore noscuntur Jacobus de Columna & Petrus nepos ejus, quondam dictæ Ecclesiæ Cardinales, quos, eorum culpis & demeritis exigentibus ac suorum, pridem VI. idus Maii, Pontificatus nostri anno III. ex rationabilibus causis moti, de fratrum nostrorum consilio Cardinalatibus privavimus perpetuò; & deposuimus ab iisdem, variis processibus & sententiis comminationes & pœnas continentibus contra ipsos habitis, necnon & contra natos quondam Joannis de Columna fratris dicti Jacobi, & patris Petri præfati, ac contra omnes qui per masculinam & fœmininam lineam descenderunt hactenus, & descendunt ab ipso Joanne.

Ipsi namque Jacobus & Petrus intraverunt Ecclesiam sub pelle ovinâ, operibus tamen & fructibus se exhibuerunt quasi lupos rapaces & graves, non parcentes gregi dominico, & in reprobum sensum dati, & oculis excœcati malitiâ, ita ut lumen cœli non viderent nec videant, descendentes in malorum profundum, & contemnentes, exurrexerunt loqui perversa, & acuentes ut gladium linguas suas, in blasphema verba & schismatica proruperunt, apertè monstrantes quod licet ex nobis prodierint, tamen non erant ex nobis; nam si ex nobis fuissent, utique permansissent nobiscum. Quibus verbis redactis in scriptis, ipsa scripta in diversarum Ecclesiarum urbis ostiis affixi, & super basilicæ Principis Apostolorum de urbe altari poni fecerunt: quæ quidem scripta eorum ab olim præcogitatam & præconceptam nequitiam patenter indicant, ipsosque Jacobum atque Petrum blasphemos atque schismaticos fore

whole. This the soldiers did not divide, but cast lots for it. This have heretics and schismatics and blasphemers assailed from her youth. But they have not prevailed against her, protected by divine power and set in order like an army of camps. But not yet has an end been imposed upon heretics, schismatics and blasphemers, such that, like viperous offspring and degenerate sons, they do not strive to disturb her sabbath placed in old age and to rend her unity. Among their number are known to be Giacomo (James) of Colonna and Pietro (Peter) his nephew, formerly Cardinals of the said Church, whom—their faults and demerits and those of their followers demanding it—we, moved by reasonable causes and with the counsel of our brother Cardinals, on the 6th day before the Ides of May, in the third year of our Pontificate, perpetually deprived of their Cardinalates and deposed from the same, with various processes and sentences containing threats and penalties held against them, and also against the sons of the late Giovanni (John) of Colonna, brother of the said Giacomo (James) and father of the aforesaid Pietro (Peter), and against all who have descended until now, and do descend, from that same Giovanni (John) through the male and female line.

For indeed, these men Jacobus and Petrus entered the Church in sheep's clothing, but by their works and fruits they showed themselves to be as ravening and burdensome wolves, not sparing the Lord's flock; and given over to a reprobate mind, and blinded in their eyes by malice, so that they did not see nor do they see the light of heaven, descending into the depth of evils, and scorning, they rose up to speak perverse things, and sharpening their tongues like a sword, they broke forth into blasphemous and schismatic words, openly showing that although they went out from us, nevertheless they were not of us; for if they had been of us, they would surely have remained with us. These words having been reduced to writing, they caused these writings to be affixed to the doors of various Churches of the city, and to be placed upon the altar of the basilica of the Prince of the Apostles in the city: which writings of theirs clearly indicate their malice long premeditated and preconceived, and manifestly

manifeste declarant, sanctæ Dei Ecclesiæ Romanæ catholicæ & apostolicæ molientes scindere unitatem, & columnam Dei viventis penè ad mutationem deducere, ac sagenam summi Piscatoris procellis intumescensibus ad naufragii profunda submergere, si, quod absit, eis facultas adesset. In hujusmodi namque scriptis, quæ universis eadem inspecturis cujuscunque præminentiae, dignitatis, status vel conditionis existunt, ecclesiasticæ vel mundanæ; à Jacobo & Petro prædictis mittuntur sub modo scribendi quo ante depositionem suam uti solebant, & sub sigillis quibus antea utebantur; inter cætera continentur, Nos divinâ providentiâ ad summi apostolatus apicem secundum scita canonum, licet immeritos, evocatos: & non solum ab omnibus fratribus nostris, & ab ipsis præviâ electione canonicâ, immo ab Ecclesia universali receptos in Papam, consecratos, eis assistentibus secundum approbatum morem Romanæ Ecclesiæ, & etiam coronatos, Papam non esse; hæc & alia contingentes quæ non solum sunt blasphema & schismatica, sed insana, prout eorum scripta indicant manifestè.

Post depositionem etiam & privationem, processus & sententias supradictos, Cardinales se nominant, & Cardinalitica portant insignia, anulis & rubeis capellis utentes, & Cardinaliticos actus exercent, sicut, antequam per nos de fratrum nostrorum consilio essent depositi, faciebant, & hactenus utebantur. Ut illud taceamus ad præsens, quod ferè ad triennium obedientiam nobis & reverentiam exhibuerunt ut Papæ, participantes unâ nobiscum reverendum dominici corporis & sanguinis sacramentum, ac ministrantes nobis in missarum solemnibus & divinis officiis, prout ab antiquo solent Cardinales supradictæ Romanæ Ecclesiæ Romanis Pontificibus ministrare; in Ecclesiarum provisionibus & diffinitionibus per nos factis consilia sua dantes, & se in concessis à nobis privilegiis subscribentes, alia

declare that these same Jacobus and Petrus are blasphemers and schismatics, endeavoring to rend the unity of the holy Catholic and Apostolic Roman Church of God, and to bring the pillar of the living God nearly to the point of collapse, and to submerge the net of the supreme Fisher into the depths of shipwreck amid swelling storms, if, which God forbid, they had the power to do so. For in writings of this kind, which are sent to all who shall inspect the same, of whatever preeminence, dignity, status or condition they may be, whether ecclesiastical or secular, by the aforesaid Jacobus and Petrus under the manner of writing which they were accustomed to use before their deposition, and under the seals which they formerly used; among other things there is contained: That We, called by divine providence to the summit of the supreme apostolate according to the canons, though unworthy, and not only received as Pope by all our brothers, and by them after a prior canonical election, but indeed by the universal Church, consecrated with them assisting according to the approved custom of the Roman Church, and also crowned, are not Pope; these and other related matters which are not only blasphemous and schismatic, but insane, as their writings manifestly indicate.

Even after the aforementioned deposition and deprivation, proceedings and sentences, the Cardinals call themselves [Cardinals], and wear the insignia of the Cardinalate, using rings and red hats, and exercise cardinalatial acts, just as they did before they were deposed by us with the counsel of our brethren, and as they have continued to do until now. Not to mention at present that for nearly three years they exhibited obedience and reverence to us as Pope, participating together with us in the reverend sacrament of the Lord's Body and Blood, and ministering to us in the solemnities of Masses and divine offices, just as the Cardinals of the aforementioned Roman Church have customarily ministered to Roman Pontiffs from ancient times; giving their counsel in the provisions and determinations of Churches made by us, and subscribing themselves to privileges granted by us, doing other things with us and receiving [from us]

faciebant nobiscum & recipiebant, quæ cum homine & ab homine qui non habuisset ingressum canonicum, nec fieri nec recipi debuissent. Nec possent supradicta metu proponere se fecisse, qui nos in scrutinio, more memoratæ Ecclesiæ Cardinalium, elegerunt & nominaverunt eligendum in Papam, quando de nobis timendum non erat; & post electionem, receptionem, consecrationem & coronationem, permissas factas de nobis in castro tunc ipsorum, quod Zagarolum dicitur, & quod per prædictum Jacobum tunc temporis tenebatur, cum pluribus ex fratribus nostris hospitati fuimus confiderenter, & ipsi ac sui tunc ibidem exhibuerunt nobis papalem reverentiam & honorem, ubi nulla aderat eis causa timoris.

Nos igitur super his & aliis quæ hujusmodi negotium contingunt vel contingere possunt, habitâ cum dictis fratribus nostris deliberatione maturâ, omnes processus omnesque sententias, comminationes & pœnas, & specialiter dictam sententiam depositionis & privationis Cardinalatum, & cætera alia quæ in nostris super hoc confectis litteris continentur, de eorumdem fratrum nostrorum consilio rata habentes & grata; confirmamus, ratificamus & approbamus, & etiam innovamus, & propter adauctam eorum contumaciam, schisma atquæ blasphemiam, de dictorum fratrum consilio ipsos Jacobum & Petrum sententiando pronunciamus esse schismaticos & blasphemos, & excommunicationis sententiâ innodamus; ipsosque in hujusmodi blasphemia & schismate perdurantes tanquam hæreticos puniendos; & tam dictam depositionis & privationis Cardinalatum sententiam, quàm omnia quæ contra ipsos & alios fecimus, & pronuntiavimus, de novo facimus, sententiamus, atque proferimus, & robur habere decernimus perpetuæ firmitatis. Omnibus insuper canonicatibus, præbendis, dignitatibus, personatibus, officiis & beneficiis cum curâ vel sine curâ, pensionibus, ecclesiasticis redditibus seu proventibus, quæ prædicti Jacobus & Petrus, & unusquisque eorum habebant,

what neither ought to have been done nor received with and from a man who had not had canonical entry [to the papal office]. Nor could they propose that they did the aforesaid things out of fear—they who elected us and nominated [us] to be elected as Pope in the scrutiny, according to the custom of the Cardinals of the aforementioned Church, when there was nothing to be feared from us; and after the election, reception, consecration and coronation, when we had been permitted to remain in their castle, which is called Zagarolo, and which at that time was held by the aforementioned Jacobus, we stayed there confidently with many of our brethren, and they and their men then and there exhibited to us papal reverence and honor, where there was no cause of fear present to them.

We therefore, having had mature deliberation with our said brothers concerning these matters and other things which touch upon or may touch upon a matter of this kind, holding as ratified and approved all processes, all sentences, censures and penalties, and especially the said sentence of deposition and privation of the cardinalates, and the other matters which are contained in our letters drawn up concerning this, by the counsel of these same brothers of ours; we confirm, ratify and approve, and also renew them, and on account of their increased contumacy, schism and blasphemy, by the counsel of the said brothers we pronounce by sentence that the same Jacobus and Petrus are schismatic and blasphemous, and we bind them with the sentence of excommunication; and that they, persisting in such blasphemy and schism, are to be punished as heretics; and we make anew, sentence, and pronounce both the said sentence of deposition and privation of the cardinalates, as well as all things which we have done and pronounced against them and others, and we decree that they shall have the force of perpetual firmness. Moreover, we entirely deprive the aforesaid Jacobus and Petrus, and each one of them, of all canonries, prebends, dignities, personates, offices and benefices with cure or without cure, pensions, ecclesiastical revenues or proceeds, which the aforesaid Jacobus and Petrus, and each one of them, had, held and possessed in whatsoever or from

tenebant & possidebant in quibuscumque seu à quibuscumque ecclesiis, monasteriis, hospitalibus, religionis & secularibus, vel specialibus personis, cujuscumque eminentiæ, conditionis, ordinis, dignitatis & statûs, ecclesiastici vel mundani, ipsos omnino privamus, ipsaque collationi Sedis Apostolicæ reservamus, decernentes irritum & inane, si secùs à quoquam super iis scienter vel ignoranter contigerit attentari.

Eosdem quoque Jacobum & Petrum quondam Cardinales, Joannem dictum de Sancto-Vito & Oddonem, filios quondam Joannis de Columna fratris dicti Jacobi, & patris Petri præfati, omnibus juribus & bonis mobilibus & immobilibus ecclesiasticis, & tam ipsos quam Agapitum, Stephanum & Jacobum dictum Sciarra, filios Joannis de Columna prædicti, & alios filios ejusdem Joannis, si qui alii sunt filii eorundem vel alicujus eorum, omnibus juribus & bonis & rebus mobilibus & immobilibus, hereditariis seu quomodolibet acquisitis, quibuscumque ratione, causa vel titulo ad eos vel ipsorum aliquem seu aliquos pervenerint, seu obvenierint, obvenire vel pervenire possent; necnon communitatibus, baroniis, comitatibus, civitatibus, suis castris, ubicumque illa habeant, teneant vel obtineant, vel quomodolibet ad ipsos pertineant, privamus omnino, illaque omnia & singula publicamus, & etiam confiscamus; ita quod ad ipsos vel eorum aliquem, heredes ipsorum vel alicujus eorum nullo unquam tempore revertantur, eosque ac unumquemque eorum activè & passivè intestabiles reddimus; ita quod eis & eorum unicuique ex testamento vel quâvis ultimâ voluntate, seu ab intestato nullus succedere possit, nec ipsi aut eorum aliquis ex testamento, vel quâvis ultimâ voluntate, seu ab intestato, succedere vel aliquod capere possint; nihilque eis vel eorum alicui ratione legati, institutionis vel substitutionis, seu quovis titulo valeat quomodolibet obvenire: eosque pronunciamus infames & legitimis actibus prorsus indignos; statuentes quod nulli

whatsoever churches, monasteries, hospitals, religious and secular, or special persons, of whatsoever eminence, condition, order, dignity and status, ecclesiastical or worldly; and we reserve these same to the collation of the Apostolic See, decreeing null and void if anything shall happen to be attempted otherwise by anyone concerning these matters, knowingly or unknowingly.

We also deprive the same James and Peter, formerly Cardinals, John called de Sancto Vito and Oddo, sons of the late John de Colonna, brother of the said James and father of the aforesaid Peter, of all rights and goods, both movable and immovable, ecclesiastical, and we deprive both them and Agapitus, Stephen, and James called Sciarra, sons of the aforesaid John de Colonna, and other sons of the same John, if there be any other sons of these or of any of them, of all rights and goods and things movable and immovable, hereditary or however acquired, by whatever reason, cause, or title they may have come or shall come to them or to any one or more of them, or could come or accrue; and also the communities, baronies, counties, cities, their castles, wherever they may have, hold, or obtain them, or in whatever manner they pertain to them, we deprive them entirely, and we declare and also confiscate all and singular these things; so that they shall never at any time revert to them or to any of them, or to the heirs of them or of any of them, and we render them and each one of them incapable of making or receiving testamentary dispositions, whether actively or passively; so that no one can succeed to them or to any one of them by testament or by any last will, or by intestacy, nor can they or any of them succeed by testament or by any last will, or by intestacy, or receive anything; nor shall anything accrue by any means to them or to any of them by reason of legacy, institution, or substitution, or by any title whatsoever: and we pronounce them infamous and utterly unworthy of legitimate acts; establishing that to none of them shall the door of any ecclesiastical or worldly dignity stand open, and if it should be done otherwise, it shall have no force; and we utterly

eorum portæ alicujus pateant dignitatis ecclesiasticæ vel mundanæ, & si secus fieret, nullum robur habere; ipsique civilitatem & incolatum & habitationem Urbis, circumpositæ regionis & quarumvis civitatum, castrorum, terrarum atque locorum dictæ Ecclesiæ subjectorum prorsus interdicimus; eosque omnes & singulos ab Urbe, ejusque territorio & districtu, & ab omnibus civitatibus, castris, terris sive locis subjectis eidem Romanæ Ecclesiæ forbannimus; ipsosque Agapitum, Stephanum, Jacobum dictum Sciarra, Joannem de Sancto Vito & Oddonem excommunicationis sententiâ innodamus, statuentes firmiter & mandantes ut nullus dictos Jacobum & Petrum & præfatos Agapitum, Stephanum, Jacobum dictum Sciarra & Joannem & Oddonem fratres, eos & eorum aliquem aut aliquos recipiat vel receptet; nullusque eis aut ipsorum alicui aut aliquibus præstet auxilium, consilium & favorem; eos qui secus fecerint, excommunicationis sententiâ innodantes. Præcipimus etiam sub excommunicationis sententiâ, quam contrarium facientes incurrere volumus ipso facto, ut nullus ab ipsis Jacobo & Petro & prædictis fratribus, vel eorum altero in schismate vel rebellione existentibus, nunciûm vel literas recipiat aut mittat ad alterum eorundem.

Reddimus quoque prædictos Jacobum & Petrum, Agapitum, Stephanum & Jacobum dictum Sciarra, Joannem de Sancto Vito & Oddonem & alios, si qui sint filii dicti Joannis de Columna, & filios eorundem inhabiles ad honorem seu regimen vel officium publicum, ecclesiasticum vel mundanum, quolibet & quocumque nomine censeantur, per se vel per alium aut alios quomodolibet exercenda; ita quod nec ad illa vocari, eligi, vel assumi valeant, vel ad aliquod eorundem, nec ipsi vel aliquis eorum, seu aliqui ea valeant exercere: & si secus factum fuerit, illud decernimus irritum & inane. Si qui verò ex eis vel ipsorum aliquis, vel quivis per eos vel pro eis, vel ipsorum aliquem vel aliquos in potestariæ, capitaniæ, consulatûs

forbid them citizenship and residence and habitation in the City [of Rome], the surrounding region, and any cities, castles, lands, and places subject to the said Church; and we banish all and each of them from the City, its territory and district, and from all cities, castles, lands, or places subject to the same Roman Church; and we bind the same Agapitus, Stephen, James called Sciarra, John de Sancto Vito, and Oddo with the sentence of excommunication, firmly establishing and commanding that no one receive or harbor the said James and Peter and the aforesaid Agapitus, Stephen, James called Sciarra, and John and Oddo, brothers, them or any one or more of them; and that no one give aid, counsel, or favor to them or to any one or more of them; binding those who do otherwise with the sentence of excommunication. We also command under sentence of excommunication, which we will that those doing the contrary incur ipso facto, that no one receive from or send to the same James and Peter and the aforesaid brothers, or to either of them while they exist in schism or rebellion, any messenger or letters.

We also render the aforesaid Jacobus and Petrus, Agapitus, Stephanus, and Jacobus called Sciarra, Joannes de Sancto Vito and Oddo, and others, if there be any sons of the said Joannes de Columna, and the sons of the same, incapable of honor or rule or public office, whether ecclesiastical or secular, by whatever name they may be called, to be exercised by themselves or through another or others in any manner whatsoever; such that they cannot be called, elected, or assumed to those offices, or to any of them, nor can they themselves or any of them, or any persons, have the capacity to exercise them: and if anything shall have been done otherwise, we decree it null and void. If truly any of them or any one of them, or anyone whomsoever through them or on their behalf, or for any one or some of them, shall have been hitherto placed,

regimine vel quovis officio publico hactenus, ubicumque positi, electi, assumpti fuerint vel recepti, præsertim quorumcumque provinciæ, civitatum, castrorum, terrarum atque locorum memoratæ Ecclesiæ subsectorum, illos ab eis penitus amovemus, executionibus ipsis penitus interdictis, eosque præcipimus nullatenus reassumi: & si secus factum fuerit, illud decernimus nullius existere firmitatis.

Civitates verò, castra seu loca quæ scienter dictos Jacobum & Petrum & prædictos fratres receperint, receptaverint sive tenuerint, aut in quibus publicè moram contraxerint, quamdiu ipsi vel alter eorum inibi morabuntur, ecclesiastico supponimus interdicto: & personam ipsorum Jacobi & Petri & fratrum capiendas exponimus quibuscumque fidelibus, detinendas & custodiendas diligenter, quousque per dictam Sedem aliud fuerit ordinatum, &c. [Incussæ etiam pœnæ à Pontifice præcipuis Jacobi & Petri ex Cardinalium administris & aliis qui in ipsorum post conflatum schisma obsequiis perstitissent: tum vetitum laicis vel ecclesiasticis religiosive, ne iis præstanda Cardinalibus officia deferant. Columnensis etiam familiæ clientes sacramenti cujusvis vel obsequii clientelaris religione soluti, omnesque cum iis initæ pactiones rescissæ.] Actum Romæ in basilica supradicta, nimirum S. Petri, in die Ascensionis Domini, Pontificatûs nostri anno III.

elected, assumed, or received anywhere in the governance of a podestà, captaincy, consulate, or any public office, especially of any provinces, cities, castles, lands, and places subject to the aforesaid Church, we utterly remove them from these offices, with their executions entirely prohibited, and we command that they not be reassumed in any way: and if anything shall have been done otherwise, we decree it to be of no validity.

Moreover, cities, fortresses, or places which knowingly shall have received, or shall receive, or shall have held the said Jacobus and Petrus and the aforesaid brothers, or in which they shall have publicly sojourned, as long as they themselves or either of them shall remain there, We subject to ecclesiastical interdict: and We expose the persons of these same Jacobus and Petrus and their brothers to be apprehended by any of the faithful whatsoever, to be detained and guarded diligently until something else shall have been ordained by the said See, etc. [Penalties were also inflicted by the Pontiff upon the principal administrators of Jacobus and Petrus from among the Cardinals and upon others who had persisted in their service after the schism was established: also, it was forbidden to laymen or ecclesiastics or religious to render to them the offices that ought to be rendered to Cardinals. Also, the clients of the Colonna family were released from the obligation of any oath or cliental obedience, and all pacts entered into with them were rescinded.] Done at Rome in the aforementioned basilica, namely St. Peter's, on the day of the Ascension of the Lord, in the third year of Our Pontificate.