

## PANORMIA III

### *Tertia pars*<sup>1</sup>

Tertia pars continet, De electione et consecratione pape<sup>2</sup>, archiepiscoporum<sup>3</sup>, episcoporum<sup>4</sup>. De ordinibus. De clericis et laicis ordinandis et de non ordinandis<sup>5</sup>. De mutatione episcoporum. De ordinatis non reordinandis. De continentia ordinatorum. De simoniace ordinatis et ordinatoribus, qui omnino sunt<sup>6</sup> deponendi et qui misericorditer<sup>7</sup> reconciliandi. De professione hereticorum. De lapsis in sacris ordinibus qui non debeant ministrare et qui misericorditer ad ministrandum possunt<sup>8</sup> accedere. De clericis homicidis qui non debeant et qui debeant ministrare. De usurariis. De servis per ignorantiam ordinatis, qui debeant manere in ordine, qui non. De clericis ebriosis scurrulatoribus. De monachis. De etate qua possint parentes contradicere religioni filiorum et qua non possunt. De viduis et virginibus<sup>9</sup> velatis. De abbatissis.<sup>10</sup>

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<sup>1</sup> Tertia pars QeTb; Incipit tertius Ph; *om.* PrVm

<sup>2</sup> et *add.* PrVm, *om.* PhQeTb

<sup>3</sup> et *add.* Pr

<sup>4</sup> episcoporum PhPrQeTb; *om.* Vm

<sup>5</sup> et de non ord. PhQeTb; et non ord. Pr; *om.* Vm

<sup>6</sup> sunt *add.* PrVm, *om.* PhQeTb

<sup>7</sup> sunt *add.* PrQeVm, *om.* Tb

<sup>8</sup> possunt PhPrQeTb; possint Vm

<sup>9</sup> vid. et virg. PrTbVm; virg. et vid. Ph

<sup>10</sup> Tertia - abbatissis LaPhQeTbVm; *om.*

AaAdBdBcCaCbCcCeDaDbEaEgFcGaGbGcHaLcLdLfLgLjLkLnMfMgMhMjMkMmMoMqOaObOd  
OeOfPaPcPdPfPkPqPrPtPwRaRfSbSgSlTcTdTfVpVqWc. Vo has here a complete list of rubrics,  
numbered from i to ccviii

### Incipit liber tertius<sup>1</sup>

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<sup>1</sup> Inc. lib. tert. BePfPk(*after insc. to c 1*)RfTbVoWd; Incipit liber iiii Aa; Incipit tertius de electione et consecratione pape Db; Incipit tertius de electione et consecratione pape et archiepiscoporum (et episcoporum Of) OfTc; Incipit tertius AdBdCaCbEaFcHaLdLjMgMkMqOaObOdPcPqRaSbSl; Incipit tertia pars Ce(*mg.*)EgGcMfVmWc; Tertius Lc *mg.* Incipit tertia pars de electione et consecratione summi pontificis Lm; Liber tertius OePt; Incipit tertia pars et liber quintus Pa; Incipit quartus Sg; *om.* DaPhPkPwQeVp (Pw does not break here)

### 1

[*Quomodo et a quibus personis facienda sit electio summi<sup>1</sup> pontificis*]<sup>2</sup>. *Ex*<sup>3</sup> decretis

*Nicolai pape*<sup>4</sup>, *cap. i*<sup>5</sup>

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<sup>1</sup> *ss after pont.* Ad<sup>2</sup>

<sup>2</sup> Quomodo – summi pont. (pont. summi Ad) *in text* DbMq(*before Expl. lib. ii*)PaVm; *in mg.* AdBeCeDaGa(*lower down*)MgMPfPr; *as heading to whole book* Pk; Quomodo et a quibus personis electio summi pontificis facienda sit *in mg.* Ca, *in text* QeTb; Tercius liber. i. De electione et consecratione pape, archiepiscoporum, episcoporum *in mg.* Bd<sup>2</sup>; De electione et consecratione pape et archiepiscoporum et episcoporum Mg *mg.*; De electione et consecratione pape Oe(*head of leaf*)Sg *mg.*; De electione pape quomodo fiat Pt; Qualiter Romanus pontifex eligendus sit Vo; In nomine Domini Vp; *om.* PhRfSbTcWc. i *add. in mg.* Be<sup>2</sup>

<sup>3</sup> Ex BdCaLkPfTc; *om.* CeDaGcPcPhPkRfSbVmVoVp; *insc. in mg.* Ha

<sup>4</sup> decr. Nicolai pape PfVo; decr. Nich. AdCa; Nich. pape decr. DaFcCb; Nich. pape PcRf; Nicholai dec. PhPrVm; decr. pape Pt; dictis Leonis Tc; In nomine Domini. Nicolai pape decr. Vp

In nomine Domini Dei Salvatoris nostri<sup>6</sup> Iesu Christi<sup>7</sup>, anno ab Incarnatione eius MLIX<sup>8</sup>, mense Aprili<sup>9</sup>, indictione xii, prepositis<sup>10</sup> sacrosanctis evangeliiis, presidente quoque reverendissimo ac beatissimo Nicolao apostolico<sup>11</sup> papa, in basilica Lateranensi<sup>12</sup> patriarchii<sup>13</sup> que cognominatur<sup>14</sup> Constantiniana<sup>15</sup>, considentibus etiam reverendissimis archiepiscopis, episcopis, abbatibus, seu venerabilibus presbiteris atque<sup>16</sup> diaconibus, isdem<sup>17</sup> venerabilis pontifex, auctoritate apostolica decernens, de electione summi pontificis inquit, Novit beatitudo vestra, dilectissimi fratres et coepiscopi, inferiora quoque membra non latuit, defuncto pie memorie domino Stephano decessore<sup>18</sup> nostro, hec apostolica sedes cui, auctore Deo deservio, quot<sup>19</sup> adversa pertulerit, quot<sup>20</sup> denique per Simoniace heresis trapezitas<sup>21</sup> malleis crebrisque tunsionibus subiacuerit, adeo ut columna Dei viventis iam iam<sup>22</sup> pene videretur nutare<sup>23</sup>, et sagena summi piscatoris procellis intumescentibus cogeretur in naufragii profunda submergi. Unde, si placet fraternitati vestre, debemus, auxiliante Deo, futuris casibus prudenter occurrere<sup>24</sup>, et ecclesiastico statui ne rediviva quod absit mala prevaleant<sup>25</sup>, in posterum providere. Quapropter instructi predecessorum nostrorum aliorumque sanctorum patrum<sup>26</sup> auctoritate decernimus atque statuimus ut, obeunte huius Romane universalis ecclesie pontifice, inprimis cardinales episcopi diligentissima simul consideratione tractantes mox sibi clericos cardinales adhibeant, sicque reliquus clerus<sup>27</sup> et populus ad consensum nove electionis accedant, ut nimirum

<sup>5</sup> cap. i AdBeDaOaPfPhPrPtTcVmVoVp; cap. ii Ca; om. PcRf. Ex - i om. MgMqPwTb

<sup>6</sup> Dei Salv. nost. GcPfTcVmVo; nost. Dei Salv. BeCaMgVp; nost. Oa; Salv. nost. PhTb

<sup>7</sup> I. Chr. CaMgPfTcVmVp; om. Tb

<sup>8</sup> MLX Vp

<sup>9</sup> -ili CaGcMgTbTc; -ilis PfVp

<sup>10</sup> prep- AaAdBeCaPfTc; prop- MgTbVmVp

<sup>11</sup> ap. CaMgPfTbVp; om. Tc

<sup>12</sup> -anensi CaPfTbVm; -anensis MgTcVp

<sup>13</sup> -archii BePfVmVp; -arche AaGc; -archi AdMgVo; -archali Ca; -archiali Tc

<sup>14</sup> cognom- MgPfTbTcVp; nom- Ca

<sup>15</sup> -tiniana CaMgTbTcVmVp; -tiana Pf

<sup>16</sup> atque MgPfTbTc; ac Ca; om. Vp

<sup>17</sup> isdem BeCaMgPfVo; idem TbTc; eiusdem, id est Vp

<sup>18</sup> dec- CaPfTb; predec- MgTcVp

<sup>19</sup> quot CaPfTbTc; quod Mg

<sup>20</sup> quot CaPfTbTc; quod Mg

<sup>21</sup> trap- CeDaGcPaPfPhPkPqPrSbVmVo; repetitis AaAdBdLk; trap. (trapegetas Ca) repetitis BeCaMg Pc(corr. fr. trapeatas)PwRfTcVp; tap- Tb

<sup>22</sup> iam PfTbVoVp; om. CaMg; iamque Tc

<sup>23</sup> nutare MgPfTbTc; militare Ca

<sup>24</sup> occ- CaMgPfTc; conc- PhTb

<sup>25</sup> preleant Tc

<sup>26</sup> patrum CaMgTbTc; lacuna Pf

<sup>27</sup> rel. cl. MgPfTbTc; cl. rel. Ca

ne venalitatis morbus<sup>28</sup> qualibet occasione subripiat<sup>29</sup>, religiosi<sup>30</sup> viri preduces sint in promovendi<sup>31</sup> pontificis electione, reliqui autem sequaces. Et certe rectus<sup>32</sup> atque legitimus hic electionis<sup>33</sup> ordo perpenditur, si perspectis diversorum patrum regulis sive gestis, etiam illa<sup>34</sup> beati predecessoris<sup>35</sup> Leonis sententia recolatur. Nulla, inquit, ratio sinit ut inter episcopos habeantur qui nec a clericis sunt electi<sup>36</sup>, nec a plebibus expetiti<sup>37</sup> nec a comprovincialibus<sup>38</sup> episcopis<sup>39</sup>, cum metropolitani iudicio consecrati. Quia vero sedes<sup>40</sup> apostolica cunctis in orbe terrarum prefertur ecclesiis, atque ideo super se metropolitanum habere non potest<sup>41</sup>, cardinales episcopi procul dubio metropolitani vice funguntur, qui videlicet electum antistitem<sup>42</sup>, ad apostolici culminis apicem provehunt<sup>43</sup>. Eligatur autem de ipsius ecclesie gremio, si reperitur idoneus, vel si de ipsa non invenitur ex alia assumatur, salvo debito honore et reverentia<sup>44</sup> dilecti filii<sup>45</sup> nostri Henrici<sup>46</sup> qui inpresentiarum rex habetur et futurus imperator, Deo concedente, speratur, sicut iam sibi concessimus et successoribus illius qui ab hac apostolica sede personaliter hoc ius impetraverint<sup>47</sup>. Quod si pravorum atque iniquorum hominum ita perversitas invaluerit, ut pura, sincera atque gratuita electio<sup>48</sup> fieri in urbe non possit, cardinales episcopi cum religiosis clericis catholicisque<sup>49</sup> laicis<sup>50</sup>, licet paucis, ius potestatis obtineant eligere apostolice sedis pontificem, ubi congruentius iudicaverint. Plane postquam electio fuerit facta, si bellica tempestas, vel qualiscumque hominum conatus, malignitatis studio restiterit, ut is<sup>51</sup> qui electus est, in apostolica sede iuxta consuetudinem intronizari non valeat, electus tamen sicut papa

<sup>28</sup> morbus CaMgPfPhTc; moribus Tb

<sup>29</sup> -ipiat PfPhTb; -epat CaMgTcVp

<sup>30</sup> -iosi PfPhTb; -iosissimi CaMgTcVp

<sup>31</sup> -endi CaPfPhTb; -enda MgTcVp. summi *add.* Tc, *om.* CaMgPcPfPhTb

<sup>32</sup> certe rectus BdCaMgPaPcPfPkPwSbTcVmVp; certus PhTb

<sup>33</sup> ele- CaMgPfPhTcVm; le- Tb

<sup>34</sup> illa MgPfTbTc; *om.* Ca

<sup>35</sup> nostri *add.* TcVp, *om.* CaMgPfTb

<sup>36</sup> sunt el. CaMgPfTb; el. sunt Tc

<sup>37</sup> expet- MgPfTb?Tc; exped- Ca

<sup>38</sup> compr- CaMgPfTc; pr- PhTb

<sup>39</sup> -opis MgPfTbTc; -opi Ca

<sup>40</sup> sedes MgPfTbTc; sede Ca

<sup>41</sup> hab. non pot. PfTbTc; non pot. hab. CaMgVp

<sup>42</sup> el. ant. CaPfPh; ant. el. MgTbTc

<sup>43</sup> -unt PfPhTb; -ant CaMgTc

<sup>44</sup> rev. *after* Henrici Tc

<sup>45</sup> *obsc. corr.* Ca

<sup>46</sup> *corr. fr.* eHen- Tb

<sup>47</sup> -int CaMgPfPhTcVm; -unt Tb. Hinc usque ad alium titulum *add. in mg.* Cb

<sup>48</sup> elictio Tc

<sup>49</sup> catholicisque CaPfTbTc; et catholicis Mg

<sup>50</sup> *obsc. corr.* Ca

auctoritatem obtineat regendi sanctam Romanam ecclesiam, et disponendi omnes facultates illius, quod beatum Gregorium ante suam consecrationem<sup>52</sup> fecisse cognoscimus<sup>53</sup>. Quod si quis contra hoc<sup>54</sup> nostrum decretum<sup>55</sup> sinodali sententia promulgatum per seditionem vel presumptionem aut quodlibet ingenium electus, aut etiam ordinatus seu intronizatus fuerit, auctoritate divina, et sanctorum apostolorum Petri et Pauli<sup>56</sup> perpetuo anathemate cum suis auctoribus<sup>57</sup>, fautoribus, sequacibus, a liminibus sancte Dei ecclesie separatus subiiciatur, sicut antichristus et invasor atque<sup>58</sup> destructor totius christianitatis, nec aliqua super hoc audientia aliquando ei<sup>59</sup> reservetur, sed ab omni ecclesiastico gradu in quocumque prius fuerat, sine retractatione deponatur. Cui quisquis<sup>60</sup> adhererit, vel qualemcumque tanquam pontifici reverentiam<sup>61</sup> exhibuerit, aut in aliquo illum<sup>62</sup> defendere presumpserit, pari sententia sit mancipatus. Quisquis huius nostre decretalis sententie temerator extiterit, et Romanam ecclesiam sua presumptione confundere et perturbare contra hoc statutum tentaverit, perpetuo anathemate atque excommunicatione dampnetur, et cum impiis qui non resurgent<sup>63</sup> in iudicio reputetur. Omnipotentis scilicet<sup>64</sup> Dei Patris et Filii et Spiritus sancti contra se iram sentiat, et sanctorum apostolorum Petri et Pauli, quorum presumit confundere ecclesiam, in hac vita et in futura furorem sentiat. Fiat habitatio eius deserta, et in tabernaculis eius non sit qui inhabitet. Fiant filii eius orphani et uxor eius vidua. Commotus amoveatur<sup>65</sup> ipse atque eius filii<sup>66</sup>, et mendicent<sup>67</sup> et eiciantur de habitationibus suis. Scrutetur fenerator omnem substantiam eius et diripiant<sup>68</sup> alieni<sup>69</sup> labores eius. Orbis terrarum pugnet contra eum, et cuncta elementa sint ei contraria et omnia<sup>70</sup> sanctorum quiescentium merita illum

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<sup>51</sup> is MgPhTbTc; his CaPfVp

<sup>52</sup> suam cons. CaMgPfPhTcVm; ordinationem suam Tb

<sup>53</sup> -oscimus PfPhTbVm; -ovimus CaMgTc

<sup>54</sup> hoc MgPfTbTc; *om.* Ca

<sup>55</sup> nost. dec. CaMgPfTb; dec. nost. Tc

<sup>56</sup> et *add.* Tc, *om.* CaMgPfTb

<sup>57</sup> auct- CaMgPfTc; act- Tb. et *add.* Ca, *om.* MgPfTbTc

<sup>58</sup> atque CaMgPfTc; et TbVp

<sup>59</sup> ss Tb

<sup>60</sup> quisquis CaMgPfTb; si quis Tc

<sup>61</sup> -iam CaMgTbTc, -ia Pf

<sup>62</sup> illum CaMgPfPhTc; ipsum Tb

<sup>63</sup> ad vitam *add.* Tc, *om.* CaMgPfTb

<sup>64</sup> scilicet CaMgPfTb; *om.* Tc

<sup>65</sup> Comm. am. CaMgPfPhTc; Commoveatur Tb

<sup>66</sup> eius filii MgPf; fil. eius CaTbTc

<sup>67</sup> -ent CaPfTbTc; -et Mg

<sup>68</sup> -iant PfPhTb; -ient Mg; d. CaTc

<sup>69</sup> omnes *add.* MgVp, *om.* CaPfTbTc

<sup>70</sup> omnia CaMgPfTb; omnium BeGcTcVp

confundant, et in hac vita super eum apertam<sup>71</sup> vindictam ostendant<sup>72</sup>. Observatores autem huius nostri decreti<sup>73</sup> Omnipotentis gratia protegat, et auctoritate<sup>74</sup> beatorum apostolorum<sup>75</sup> Petri et Pauli ab omnium peccatorum<sup>76</sup> vinculis<sup>77</sup> absolvat<sup>78</sup>.

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<sup>71</sup> *corr. fr. op-* Mg

<sup>72</sup> et in hac – ostendant *in mg* Ps<sup>2</sup>

<sup>73</sup> nostri dec. CaPfPhTcVoVp; modi dec. Mg; dec. nostri Dei Tb

<sup>74</sup> -tate] –tas Vp

<sup>75</sup> apost. CaMgPcPfTb; *om.* Tc

<sup>76</sup> pecc. CaMgPfTb; delictorum Tc

<sup>77</sup> -ulo Pa

<sup>78</sup> -at CaMgPfTb; -antur Aa; -atur Tc

<sup>1</sup>Nicolaus episcopus sancte<sup>2</sup> catholice et apostolice Romane ecclesie<sup>3</sup> huic decreto a nobis promulgato sicut superius legitur subscripsi<sup>4</sup>. <sup>5</sup>Bonifacius Dei gratia Albanensis episcopus subscripsi<sup>6</sup>. <sup>7</sup>Humbertus<sup>8</sup> sancte<sup>9</sup> ecclesie<sup>10</sup> Silve Candide subscripsi<sup>11</sup>. <sup>12</sup>Petrus Ostiensis ecclesie episcopus<sup>13</sup> subscripsi. Et ceteri episcopi numero lxxvi<sup>14</sup> cum presbiteris et diaconibus subscripserunt.

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<sup>1</sup> Item *add.* Tb, *om.* CaMgPfPhTcVp. Aa *omits rest of cap.*

<sup>2</sup> sedis Pa

<sup>3</sup> eccl. *after* cath. Ph, *before* cath. Tb; et Rom. eccl. Be; eccl. Rom. CaPa; et Rom. Gc; Rom. eccl. MgPfTcVp; Rom. Vm

<sup>4</sup> -ipsi CaMgPfTb; -ipsit Tc

<sup>5</sup> Item *add.* Tb, *om.* CaMgPfTc

<sup>6</sup> -si CaPfMg; -sit TbTc

<sup>7</sup> Item *add.* Tb, *om.* CaMgPfPhTc

<sup>8</sup> Humb- CaMgPaVp; Himb- Be; Gumb- DaVo; Gunb- GcPrVm; Ymb- LkPf; Amb- Mq; Hinb- Oa; Umb- PhQeTb; Hub- Rf; Hump- Tc

<sup>9</sup> Dei *add.* Mg, *om.* CaPfTbTc

<sup>10</sup> Dei *add.* Vp

<sup>11</sup> -si CaPfMg; -sit TbTc

<sup>12</sup> Item *add.* Tb, *om.* CaMgPfPhTc

<sup>13</sup> eccl. ep. PfPrTbTc; ep. eccl. CaMgVp; eccl. <ep.> Gc; ep. Ph

<sup>14</sup> lxxvi CaGcMgPfPhQeRfTc; lxxvii Tb

### <sup>1</sup>Stephanus papa<sup>2</sup>

Quia sancta Romana ecclesia cui Deo auctore<sup>3</sup> presidemus a plurimis<sup>4</sup> patitur violentias, pontifice obeunte, que ob hoc inferuntur<sup>5</sup> quia absque imperiali notitia et

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<sup>1</sup> Stephanus – minuatur *om.* CePaPkOa

<sup>2</sup> Stephanus papa AdCaCbCcDaGcMgOdPcPhPrPtRfTb(*mg.*)Tc; Ex decr. Steph. Pf; De eadem re (Steph. papa *as first words of text*) Vo

<sup>3</sup> *ss* Ra<sup>2</sup>

<sup>4</sup> plurimis CaMgPfPhTc; pluribus Tb

<sup>5</sup> inf-] off- Vp

suorum legatorum presentia pontificis fit consecratio nec<sup>6</sup> canonico ritu et consuetudine ab imperatore directi intersunt nuntii, qui scandala vetent fieri, volumus ut cum instituendus est<sup>7</sup> pontifex, convenientibus episcopis et universo clero eligatur, ex<sup>8</sup> presente<sup>9</sup> senatu et populo, qui ordinandus est, et sic electus<sup>10</sup> ab omnibus<sup>11</sup> presentibus legatis imperialibus consecratur, nullusque sine sui<sup>12</sup> periculo iuramenta vel promissiones<sup>13</sup> aliquas, nova adinventione audeat extorquere, nisi que antiqua exigit consuetudo, ne vel ecclesia scandalizetur vel<sup>14</sup> imperialis honorificentia minuatur.

*D 23 c 1 to vinculis peccatorum absolvat, D 63 c 28: Stephanus papa. Quia sancta to end*

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<sup>6</sup> nec CaMgPf<sup>2</sup>PhTc; necnon PFTb

<sup>7</sup> est CaMgPfTc; sit PhTb

<sup>8</sup> ex CaPfTb; *om.* MgTc

<sup>9</sup> -ente CaMgPfPhTc; -enti Tb

<sup>10</sup> *corr. fr.* elatus Ra<sup>2</sup>

<sup>11</sup> vel hominibus *in mg.* Ra<sup>2</sup>

<sup>12</sup> sui CaMgPfTc; sive Tc

<sup>13</sup> promissiones Tc

<sup>14</sup> vel MgPfTbTc; ex Ca; et Vp

## 2

*[Quorum vota debeant prevalere in electione Romani<sup>1</sup> pontificis]<sup>2</sup>. In decretis  
Simmachi<sup>3</sup>, cap. iii<sup>4</sup>*

Si quod absit transitus pape inopinatus evenerit, ut de sui electione successoris non possit<sup>5</sup> ante decernere<sup>6</sup>, siquidem in unum se<sup>7</sup> totius inclinaverit ecclesiastici ordinis electio, consecratur electus episcopus. Si tamen, ut fieri solet, studia ceperint esse diversa, eorum de quibus certamen emerserit convincat<sup>8</sup> sententia plurimorum, sic tamen ut sacerdotio careat qui captus promissione non recto iudicio de electione decreverit.

*4L 2.3] D 79 c 10*

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<sup>1</sup> Romani BeGcLcMgPfVm; summi CePaTc

<sup>2</sup> *in mg.* AdBeCeDaGcPfPrSbTc; *in text* MgMqPaVmVo; Quorum vota in electione Romani pontificis debeant prevalere *in mg.* Ca; *om.* OaPcPtRfTbVp

<sup>3</sup> pape *add.* CaMgTbTdVo, *om.* BeDaGcPcPfPhPrTcVmVp

<sup>4</sup> cap. iii *om.* PcRf

<sup>5</sup> possit BeCaPfTbTc; possint MgVp

<sup>6</sup> -ernere CaCbCcMgPfVm; -erni Tc; ut super placuit *add.* Brant

<sup>7</sup> se Da<sup>2</sup>MgPfTbTc; *om.* CaDa

<sup>8</sup> convincat GcOaPfTbTcVmVoVp; vincat AdCaMg

## 3

<sup>1</sup>*Ex libro Romanorum<sup>2</sup> pontificum qui dicitur diurnus<sup>3</sup>*

Profiteor diligentius et vivacius<sup>4</sup> omnia decreta canonica predecessorum apostolorum<sup>5</sup> nostrorum<sup>6</sup> pontificum, que vel sinodaliter statuerunt et probata<sup>7</sup> sunt confirmare<sup>8</sup>, et indiminuta conservare, et sicut ab eis statuta sunt in sui vigoris stabilitate custodire. Queque vel quosque condempnaverunt vel<sup>9</sup> abdicaverunt, simili sententia condempnare et<sup>10</sup> abdicare.

*Ars. 713 fo. 139v] C 25 q 1 c 12 widely var.*

<sup>1</sup> Professio apostolici consecrati *add. in mg.* Ca; Quid profiteri debeat apostolicus vel episcopus (vel presb' *add. and canc.* Pr) in consecratione *add. as rubric in mg.* Pr, *in text* Vm; Quod decreta canonica nostrorum predecessorum sint indiminuta *in mg.* Sb

<sup>2</sup> *corr. fr.* regum Ra<sup>2</sup>

<sup>3</sup> Ex - (regum *add.* Vp) Romanorum pont. qui dicitur diurnus (divernus Vp) CaGcLnPcRfTcVmVpA; Ex libro pontific. Ad; Ex - Rom. pont. BeCbCeDaFcPaPf Ra<sup>2</sup>Tb; Ex - Romanorum episcoporum Mg; Ex libris Rom. pont. Mq; Ex libro Ro. pontificis PtSb; De professione Romani pontificis Vo; *om.* Ld

<sup>4</sup> firmius Vp

<sup>5</sup> -lorum BeGcPfTbTcVm; -olicorum CaMg; *om.* Vp

<sup>6</sup> ap. nost. CaMgPfTbA; nost. ap. Tc

<sup>7</sup> -ata CaMgPfTbA; -ati Tc

<sup>8</sup> confirmare CaMgPfTcVmA; firmare PhTb

<sup>9</sup> vel BeCaGcMgTbTcVmVoA; et RfPfQa

<sup>10</sup> vel Pa

## 4

<sup>1</sup>*Ex libro pontificum qui dicitur diurnus<sup>2</sup>*

Nihil de traditione<sup>3</sup> quam a probatissimis predecessoribus<sup>4</sup> meis traditam et<sup>5</sup> servatam<sup>6</sup> reperi, diminuere vel mutare aut<sup>7</sup> aliquam novitatem admittere, sed ferventer ut eorum vere discipulus et sequipeda totis<sup>8</sup> mentis mee<sup>9</sup> conatibus que tradita canonice comperio<sup>10</sup>, observare<sup>11</sup> ac venerari profiteor.

*ID 4.197]*

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> Ex - diurnus \*AdBeCbCeDaGcMgPaPfPhPrPtPwSbTbVmVo; Ex libro Romanorum pont.- diurnus Ca; Ex libris pont. Mq; Ex eodem libro Pc; Item ex eodem Ra; Ex eodem libro i. ro. Rf; Item in eodem Tc; Ex libro pont. Vp. Urbanus papa cap. i (*cf c5*) *add. in text* Ca, *in mg.* Mg; Urbanus papa capit. i *in mg.* Ra<sup>2</sup>

<sup>3</sup> de trad.] detractio RfSb

<sup>4</sup> viris *add.* Mg, *om.* \*CaPfTbTc

<sup>5</sup> vel Vp

<sup>6</sup> serv- \*CaMgPfTbVo; observ- Tc; conserv- Vp

<sup>7</sup> aut \*GcPfTb; vel BeCaMgTc; ad PrVm; an Vo

<sup>8</sup> totis \*CaMgPfTb; *om.* PcTc

<sup>9</sup> mee \*CaCbMgPfPhVm; mee totius PcTc; *om.* Tb

<sup>10</sup> -erio \*CaPfTbTc; -erior Mg

<sup>11</sup> observatione Ca (observare *in mg.* Ca<sup>3</sup>)

## 5

*[In quibus ordinibus debeant eligi quilibet episcopi]<sup>1</sup>. Ex Beneventana<sup>2</sup> sinodo,  
Urbanus papa<sup>3</sup> cap. i<sup>4</sup>*

Nullus in episcopatum<sup>5</sup> eligatur<sup>6</sup>, nisi qui in sacris ordinibus religiose vivens inventus est. Sacros autem ordines dicimus, diaconatus, presbiteratus. Hos siquidem<sup>7</sup> solos primitiva legitur ecclesia<sup>8</sup> habuisse. Super his solis preceptum apostoli habemus<sup>9</sup>. Subdiacones vero quia<sup>10</sup> et ipsi altaribus administrant<sup>11</sup>, opportunitate exigente, concedimus, sed rarissime si tamen spectate sint religionis et scientie. Quod ipsum non sine Romani pontificis vel metropolitani licentia<sup>12</sup>.

ID 5.72b] D 60 c 4

<sup>1</sup> in mg. AdBeCaCeDaGaGcLdLjLnMgPfPrSbTc, in text LmMqPaVmVo (adding v); om.

CbLcLfOaPcPtTbVp. ii add. in mg. Be

<sup>2</sup> -ana \*BeMgOaPfTbTcVm; -ano CaLd; -endata Rf

<sup>3</sup> Urb. papa (II add. Vp) BeCbLdLjLnMgPfRfTbVmVoVp; Urbani pape MqPt; om. Tc

<sup>4</sup> Ex - i CbGcMqOaPfPtRaRfTbTcVmVp; om. CaCcMg(cf c 4); Ex - sin. Ca; Ex Ben. - papa BeLd. ii add. in mg. Be<sup>2</sup>

<sup>5</sup> episcopatum CaMgPfRfTbTc; episcopum CaDaVp; vel episcopum add. ss Mg<sup>2</sup>

<sup>6</sup> eli- \*BeCaCbCcLdLjLnMgPh<sup>2</sup>PtTcVmVoVp; deli- LmPfQeTb

<sup>7</sup> siquidem \*BeCaCbMgPfPtTbTcVmVp; quidem Lf

<sup>8</sup> prim. leg. eccl. \*BeCaCbGcLdLjLnMgPfPtTbVmVo; prim. eccl. Cc; leg. prim. eccl. Tc; prim. et leg. Vp

<sup>9</sup> ap. hab. \*BeCaCbCcLdLjLnMgPfTbVm; hab. ap. Tc

<sup>10</sup> ss Cc

<sup>11</sup> ministrant \*CaCbGcMgPfPtTbTcVo; ministrant BeLfVp

<sup>12</sup> vel met. lic. AdBdCaCbEgLgMgOaPfPkPwSeSITcVmVoVp; vel met. lic. fiat BePtTf; lic. vel met. PhQeTb; vel met. fiat lic. Ra; firmiter fieri permittimus add. Brant, cf Gratian

## 6

*[Si plures eligantur, quis cui<sup>1</sup> debeat preponi]<sup>2</sup>. In decretis Leonis pape<sup>3</sup>, cap. v*

Cum de summi sacerdotis<sup>4</sup> electione tractabitur, ille omnibus preponatur quem cleri plebisque consensus concorditer postularint<sup>5</sup>, ita ut si in alium fortasse partium<sup>6</sup> se vota dividerint, metropolitani iudicio, is alteri preferatur qui maioribus et<sup>7</sup> studiis iuvatur et meritis, tantum<sup>8</sup> ut nullus invitis et non petentibus ordinetur, ne plebs invita

<sup>1</sup> cui CaPfTc; om. Mg

<sup>2</sup> in mg. AdBeCaCeDaGaGcLdLn(partly illeg.)MgPfPrSbTc; in text MqPaVmVo; om. PcPtTb

<sup>3</sup> pape CaPfRfVo; om. AdBeCbGcMgPaPrTbTcVm

<sup>4</sup> sacerdotis \*BdCeGcPaPc<sup>2</sup>PfPhPkPqPrRfSbTbTcVm; pontificis AdBeCaDaMgPcPwTf

<sup>5</sup> -arint \*PfTc; -averint BeCaGcPrVmVo; -averit MgPhTb

<sup>6</sup> alium (aliam GcPhPr) fort. partium AdBeCbCeGcMgMqPaPfPhPrRa<sup>2</sup>TcTfVo; alium partium Ca; aliam fort. partem Tb; aliam forte partium RaVm; aliam fort. personam ID

<sup>7</sup> et \*Gc<sup>2</sup>PfPhTb; om. CaMgTc

<sup>8</sup> tantum \*GcPfTbTc; tamen CaMg



episcopum non optatum aut contempnat aut oderit et fiat minus religiosa quam  
convenit, cui non licet habere quem<sup>9</sup> voluit<sup>10</sup>.

*4L 2.27; ID 5.347] D 63 c 36 begins* Si forte quod nec reprehensibile nec inreligiosum iudicamus vota  
*and ends at* aut oderit.

<sup>9</sup> quem CaGcMgPfTcVm; quod PhQeTb

<sup>10</sup> nol- Pa

## 7

*[Quod<sup>1</sup> clerus episcopum sibi<sup>2</sup> non de altera, sed de sua eligat ecclesia, nisi dignus in  
sua<sup>3</sup> non inveniatur]<sup>4</sup>. In decretis Celestini, cap. v<sup>5</sup>*

Nullus invitis detur episcopus, cleri, plebis et ordinis consensus et desiderium  
requiratur. Tunc alter de<sup>6</sup> altera eligatur ecclesia si de civitatis ipsius<sup>7</sup> clero cui<sup>8</sup> est  
episcopus ordinandus<sup>9</sup> nullus dignus, quod evenire non credimus, potuerit<sup>10</sup> reperiri.  
Primum<sup>11</sup> enim illi reprobandi sunt, ut aliqui de alienis<sup>12</sup> ecclesiis merito<sup>13</sup>  
preferantur. Habeat unusquisque sue fructum militie in ecclesia, in<sup>14</sup> qua suam per  
omnia officia transegit etatem. In aliena stipendia minime alter obrepat, nec alii<sup>15</sup>  
debitam alter sibi<sup>16</sup> audeat vendicare mercedem. Sit facultas clericis renitendi si se  
viderint pregravari, ut<sup>17</sup> quem sibi ingeri ex transverso agnoverint<sup>18</sup>, non timeant  
refutare. Qui si<sup>19</sup> non debitum premium vel liberum de eo qui eos rector est, debent  
habere iudicium.

*4L 2.23, cf ID 5.61] D 61 c 13*

<sup>1</sup> De Vo

<sup>2</sup> sibi CaMgPfVm; om. PaTc

<sup>3</sup> in sua CaPfTcVm; om. Be; infra Mg

<sup>4</sup> in mg. AdBeCaDaGaGcLdLn(*partly illeg.*)PfPrMgSbTc; in text MqPaVmVo; om. CeOaPcPtTbVp

<sup>5</sup> cap. v BeCaCbGcPfPhVmVoVp; pape cap. xvii Mg; pape cap. v OaTb; cap. cv Rf; pape Tc

<sup>6</sup> ss Ca

<sup>7</sup> civ. ips. \*MgPfTbTc; ips. civ. Ca

<sup>8</sup> cui \*Be<sup>2</sup>CaPfTbTc; cuius Mg

<sup>9</sup> est ep. ord. GcTcRaVm; ep. est ord. AdBeCaMgPfVp; ep. ord. Oa; est ord. ep. PhTb; ep. est ordinatus  
Vo

<sup>10</sup> potuerit CaMgPfTb; poterit Tc

<sup>11</sup> Primum \*CaMgPfTc; Primo PhTb

<sup>12</sup> alienis \*CaMgPfTb; aliis Tc

<sup>13</sup> merito \*CaMgPfTb; om. Tc

<sup>14</sup> in \*MgPfTbTc; om. Ca

<sup>15</sup> alii \*CaMgPfPhTc; alteri Tb

<sup>16</sup> alter sibi \*MgPfTbTc; sibi alter Ca

<sup>17</sup> *after corr.* Mg

<sup>18</sup> agn- AdBdBeCaCeDaGcLkMgOaPaPcPfPhPkPrPw Ra<sup>2</sup>SbTbTfVmVoVp; cogn- \*RaTc

<sup>19</sup> in ecclesia sua *add.* Vp

## 8

*[Quod laica persona nullam habeat vocem in electione<sup>1</sup> episcopi]<sup>2</sup>. Ex<sup>3</sup> canone apostolorum<sup>4</sup>, octava<sup>5</sup> sinodus, cap. xi*

Promotiones et consecrationes<sup>6</sup> episcoporum concordans prioribus conciliis clericorum electione ac decreto et episcoporum collegio fieri hec sancta et universalis sinodus definivit et statuit atque iure promulgavit, neminem laicorum principum vel potentum semet inserere electioni vel promotioni<sup>7</sup> patriarche vel metropolitani aut<sup>8</sup> cuiuslibet episcopi, ne videlicet inordinata et incongrua hinc fiat contentio vel confusio, presertim cum nullam in talibus potestatem quemquam potestativorum<sup>9</sup> vel ceterorum laicorum habere conveniat sed silere et attendere sibi usquequo regulariter a collegio ecclesie<sup>10</sup> suscipiat finem electio futuri pontificis. Si vero quis<sup>11</sup> laicorum ad concertandum et cooperandum invitatur ab ecclesia, licet huiusmodi cum reverentia, si forte voluerit obtemperare se asciscentibus. Taliter enim dignum pastorem<sup>12</sup> sibi regulariter ad suam ecclesie salutem promovet<sup>13</sup>. Quisquis autem secularium principum vel potentum, vel alterius dignitatis laicus adversus communem ac<sup>14</sup> consonantem atque canonicam electionem ecclesiastici ordinis agere temptaverit, anathema sit, donec obediat et consentiat quod ecclesia de electione et ordinatione proprii presulis<sup>15</sup> se velle monstraverit.

*ID 5.122] D 63 c 2b to salutem promovet, c 1b from Quisquis secularium principum to end*

<sup>1</sup> -ione CaMgPfTc; -ionem Vm

<sup>2</sup> *in mg.* AdBeCaCeDaGcLdLn(*partly illeg.*)MgPfPrSbTc; *in text* MgPaVmVo; *om.* OaPcPtRfTbVp

<sup>3</sup> Ex CaMgPfTcVm; *om.* Tb

<sup>4</sup> Ex can ap. *is the inscr. to ID 5. 119; om.* Vp

<sup>5</sup> octava \*BeCaCbFcOaPcPfPtPwRfSbTbVmVo; viiii Da; septima MgTc; viii Sb<sup>2</sup>

<sup>6</sup> congreg- Vp

<sup>7</sup> *corr. fr.* -ione Mg

<sup>8</sup> aut \*MgPfTbTc; vel Ca

<sup>9</sup> potestativorum \*CaPfTbTc; potestivorum Mg

<sup>10</sup> coll. eccl. \*CaFcMgPfTb; *om.* Tc

<sup>11</sup> vero quis \*CaMgPfTb; quis vero Tc

<sup>12</sup> pastorem \*Ph(*obsc. letter added*)PrTbVpBrant, *om.* CaMgPfTc

<sup>13</sup> ad suam (sue CaMg) ecclesie (-siam Tb) salutem prom. CaMgPfTb; prom. ad salutem sue ecclesie Tc

<sup>14</sup> ac CaMgPfTb; et Tc

<sup>15</sup> presulis \*CaMgPfPrTc; episcopi PhTb

## 9

*[Quod<sup>1</sup> quilibet<sup>2</sup> electus regia vi<sup>3</sup> vel potestate careat episcopi dignitate]<sup>4</sup>. Canones Parisiaci<sup>5</sup> sub Ludovico imperatore*

<sup>1</sup> Quod AdCaMgPfTc; *om.* PrVm

Si per ordinationem<sup>6</sup> regiam honoris istius culmen pervadere aliquis nimia temeritate presumpserit a comprovincialibus loci ipsius<sup>7</sup> episcopis recipi penitus nullatenus mereatur, quem indebite<sup>8</sup> ordinatum agnoscunt<sup>9</sup>. Si quis<sup>10</sup> de comprovincialibus<sup>11</sup> recipere contra interdicta presumpserit sit a fratribus omnibus segregatus, et<sup>12</sup> ab ipsorum omnium caritate semotus<sup>13</sup>.

ID 5.123 med.] +D 63 c 5

<sup>2</sup> corr. fr. libet Mg

<sup>3</sup> reg. vi CaCeMgPfVm; reg. (pc) vi et dignitate Pa; vi reg. Tc

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text MqPaVmVo(adding viii); om. PcPtTbVp

<sup>5</sup> -iaci \*CaMgPfTc; Darisiaci Pa; -isii Tb

<sup>6</sup> per ord.] per ordinem Pa; pro ordinatione Ph after corr.

<sup>7</sup> ipsius BeGcPfTbVmVo; illius CaMgTc

<sup>8</sup> honoratum vel add. PhTb, om. \*CaCeMgPaPfRfTcVm

<sup>9</sup> agn- \*CaMgPfTcVm; cogn- Tb

<sup>10</sup> talem add. Tc, om. \*CaMgPfTb

<sup>11</sup> comprov- \*BeCaGcMg; prov- PfPrTbTcVmVo

<sup>12</sup> et \*CaMgTbTc; etiam Pf

<sup>13</sup> submotus Aa

## 10

[Quo ordine et<sup>1</sup> a quibus vel quot<sup>2</sup> personis sit consecrandus archiepiscopus<sup>3</sup>]<sup>4</sup>. In decretis Annicii<sup>5</sup>, cap. i<sup>6</sup>

Anicius<sup>7</sup> episcopus omnibus episcopis<sup>8</sup>. Si archiepiscopus obierit<sup>9</sup>, et alter ordinandus archiepiscopus<sup>10</sup> electus fuerit, omnes<sup>11</sup> eiusdem provincie episcopi ad sedem metropolitanam<sup>12</sup> conveniant, ut ab omnibus ipse ordinetur. Oportet autem ut ipse qui<sup>13</sup> illis omnibus preesse debet ab omnibus illis eligatur et ordinetur<sup>14</sup>. Reliqui vero comprovinciales episcopi, si necesse fuerit, ceteris consentientibus a tribus iussu archiepiscopi consecrari possunt episcopi<sup>15</sup>. Sed melius est si ipse<sup>16</sup> cum omnibus eum

<sup>1</sup> et CaMgTcVm; om. Pf

<sup>2</sup> vel quot MgPaPfTcVm; om. CaSb

<sup>3</sup> archiep. AdBe<sup>2</sup>CeDaMgMqPaPfPrSbTcVm; episcopus BeCaVo

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text MqPaVmVo (adding x); A quot episcopis episcopus debeat ordinari Vp; om. OaPcPtRfTb

<sup>5</sup> pape add. Oa

<sup>6</sup> no insc. Pt

<sup>7</sup> Ean- Vp

<sup>8</sup> omn. ep. GcPfTcVmVo<sup>2</sup>; ep. omn. CaMgPhTbVo; Ancius – ep. om. Py

<sup>9</sup> arch. ob. \*BeCaMgRaTcVp; arch. diem ob. CeGcOaPaPfPhPrTfVmVo; die ob. Pc; archiepiscopi dies obitus evenierit Tb

<sup>10</sup> arch. \*CaMgPcPfTb; om. Tc

<sup>11</sup> quidem add. Tb, om. \*CaMgPfTc

<sup>12</sup> -itanam \*PcTc; -im BeCaGcLkMgPfPrTbVm; -im Ph; -ani RaVp

<sup>13</sup> ut ipse qui BeCaMgOaVmVp; qui PcTcBrant; qui in Pf; ut ipse qui in PhTb

<sup>14</sup> Oportet - ordinetur suppl. at foot of leaf Ce<sup>2</sup>; it is in IDm, but not in IDcpbd

<sup>15</sup> -opi CaMgPfTcVm; -opis Tb

<sup>16</sup> om. Ca, add. in mg. Ca<sup>3</sup>

qui dignus est elegerit, et eum pariter consecraverit<sup>17</sup> pontificem. Et licet<sup>18</sup> istud necessitate cogente concessum sit, illud autem quod de archiepiscopi<sup>19</sup> consecratione<sup>20</sup> preceptum atque predictum est<sup>21</sup>, id est ut omnes suffraganei eum ordinent, nullatenus immutari licet, quia qui<sup>22</sup> illis preest, ab omnibus episcopis quibus preest debet constitui. Sin autem aliter presumptum fuerit<sup>23</sup>, viribus carere non dubium est, quia irrita erit eius<sup>24</sup> secus acta ordinatio.

*4L 1.113; ID 5.139b] D 64 c 4 has Comprovinciales episcopi si – consecrari possunt only; D 66 c 1 has short paraph. at beginning, then more or less as here from autem quod de archiepiscopi*

<sup>17</sup> cons. \*PhSb<sup>2</sup>TbTc; sacraverit BdCaCeDaGcMgPaPcPfPkPrPwSbTfVm. Da mg. add. al.... et cuncti pariter consecraverint

<sup>18</sup> licet \*MgPfTbTc; libet Ca

<sup>19</sup> -opi CaMgPfTbTc; -opis PrVm

<sup>20</sup> cons. \*MgPfTb; sacratione Ca; om. Tc

<sup>21</sup> atque pred. est MgPfTbVm; est atque pred. Ca; et pred. est Tc

<sup>22</sup> in add. CaMg, om. \*GcPfTbTcVm

<sup>23</sup> fuerit \*CaMgTbTc; om. Pf

<sup>24</sup> eius \*CaMgPfTb; om. Tc

## 11

*[Quod archiepiscopus post suam consecrationem ab<sup>1</sup> apostolico<sup>2</sup> pallium debeat<sup>3</sup> suscipere, et fidem suam ibidem exponere]<sup>4</sup>. Ex<sup>5</sup> decretis Damasi pape, cap. i<sup>6</sup>*

Quoniam quidam metropolitanorum fidem suam secundum priscam consuetudinem sancte sedi apostolice exponere<sup>7</sup> detrectantes, usum pallii neque expetunt<sup>8</sup>, neque percipiunt, ac per hoc episcoporum consecratio viduatis ecclesiis non sine periculo protelatur, placuit ut quisquis metropolitanus ultra tres menses consecrationis sue<sup>9</sup> ad fidem suam exponendam, palliumque suscipiendum ad apostolicam sedem non miserit, commissa sibi careat dignitate, sitque licentia metropolitanis aliis post secundam et tertiam commonitionem<sup>10</sup> viduatis ecclesiis cum consilio<sup>11</sup> Romani pontificis<sup>12</sup> ordinando episcopos<sup>13</sup> subvenire. Si vero consecrandi

<sup>1</sup> ss Mg

<sup>2</sup> apostolico CaDaMgPfVo; apostolica sede BeCeGcMqPaPrTcVm

<sup>3</sup> pal. deb. CaPfTcVm; deb. pal. Mg

<sup>4</sup> Quod – exponere ibidem (ib. exp. Vo) in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text MqPaVmVo; om. OaPcPtRfTbVp

<sup>5</sup> Ex \*CaMgPfTbVm; In Tc

<sup>6</sup> i \*CaPfTbTcVm; ii Mg

<sup>7</sup> sed. ap. exp. \*CaMgPfTb; apostolice sedis Tc

<sup>8</sup> neque exp. in mg. Sb

<sup>9</sup> cons. sue \*CaMgPfTb; sue cons. Tc

<sup>10</sup> comm- CaPfPhTcVm; amm- Mg; admon<it>ionem Tb

<sup>11</sup> -ilio \*CaMgPfTb; -iliis Tc

<sup>12</sup> in add. Tc, om. \*CaMgPfTb

<sup>13</sup> -opos BeMg<sup>2</sup>PfTbVmVo; -opus Ca; -opo GcRaTc; -opis Mg

episcopi negligentia provenierit, ut ultra tres menses ecclesia viduata<sup>14</sup> consistat, communione privetur quousque aut loco cedat, aut se consecrandum prebere non differat. Quod si ultra quinque menses per suam negligentiam retinuerit viduatam ecclesiam, neque ibi neque alicubi consecrationis donum percipiat, immo metropolitani sui iudicio cedat.

ID 5.136] D 100 c 1

<sup>14</sup> eccl. vid. \*CaMgPfTb; vid. eccl. Tc

## 12

*[Quo<sup>1</sup> die, qua<sup>2</sup> hora, quo ritu fieri debeat consecratio<sup>3</sup> non archiepiscopi sed episcopi]<sup>4</sup>. In decretis Anacleti<sup>5</sup>, cap. i<sup>6</sup>*

Ordinationes<sup>7</sup> episcoporum auctoritate apostolica, ab omnibus qui in eadem fuerint provincia<sup>8</sup> episcopis sunt celebrande, qui simul convenientes, scrutinium diligenter agant, ieiuniumque cum convenientibus<sup>9</sup> precibus celebrent, et manus cum sanctis evangeliis que predicaturi sunt imponentes, dominica die, hora tertia<sup>10</sup> orantes, sacraque unctione more prophetarum et regum capita eorum more apostolorum<sup>11</sup> et Moisi ungentes<sup>12</sup>, quia omnis sanctificatio constat in Spiritu sancto, cuius virtus invisibilis sancto est chrismati permixta, et hoc ritu solempnem celebrent ordinem<sup>13</sup>.

4L 1.112a; ID 5.69a] D 75 c 1

<sup>1</sup> corr. fr. Quada to Qua Ca

<sup>2</sup> qua CaMgPfTcVo; vel GcVm

<sup>3</sup> cons. here BeFcPfPrSbVmVo, after episcopi AdCaDaMgTc

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text PaVmVo; part in text, part ss Mq; om.

OaPcPtPwRfTbVp

<sup>5</sup> pape add. BeTc, episcopi add. GcPrVm, om. CaMgPfPhRfTb

<sup>6</sup> i \*CaPfTbTcVm; ix MgVp

<sup>7</sup> Ordinatos Rf

<sup>8</sup> fuer. prov. \*CaMgPfTb; prov. fuer. Tc

<sup>9</sup> conv. \*MgTcVp; omnibus BeCaGcOaPfPrSbTbVmVo

<sup>10</sup> hor. tert. \*CaMgTbTc; tert. hor. Pf

<sup>11</sup> obsc. corr. Ca

<sup>12</sup> unge- PfTbTc; ungue- CaMg

<sup>13</sup> sollempnem celebrent ordinem (ordinationem Pa<sup>2</sup>PcID) CaDaMgPaPcPfTbVm; sol. cel. ordina<tionem> Sb; celebrent sollempne consecrationem Tc

## 13

*[Qua auctoritate pontificum<sup>1</sup> benedictio die dominico fieri debeat.<sup>2</sup> Ut in die Resurrectionis levitica et sacerdotalis fiat ordinatio]<sup>3</sup>. Ex epistola Leonis<sup>4</sup> ad Dioscorum*

Quod die dominico ordinationes sacerdotum celebrantur, non tantum ex consuetudine, sed etiam ex apostolica novimus venire doctrina, scriptura manifestante, quod<sup>5</sup> cum apostoli Paulum et Barnabam ex Spiritus sancti precepto ad evangelium gentibus<sup>6</sup> mitterent predicandum<sup>7</sup>, ieiunantes et orantes imposuerunt eis manus, ut intelligamus quanta et dantium et accipientium devotione curandum sit, ne<sup>8</sup> tante benedictionis sacramentum negligenter videatur<sup>9</sup> impletum. Et ideo pie et laudabiliter apostolicis morem gesseris<sup>10</sup> institutis. Si hanc ordinandorum sacerdotum formam per ecclesias quibus Dominus preesse te voluit<sup>11</sup> etiam ipse reservaveris<sup>12</sup>, ut his qui consecrandi sunt, nunquam benedictio nisi in die resurrectionis dominice tribuatur. Cui a vespere Sabbati initium<sup>13</sup> constat<sup>14</sup> ascribi que tantis divinarum dispensationum misteriis est consecrata, ut quicquid a Domino est insignis constitutum<sup>15</sup>, in huius diei dignitate sit gestum. In hoc mundus sumpsit exordium, in hac<sup>16</sup> per resurrectionem<sup>17</sup> Christi et mors interitum et vita accepit principium<sup>18</sup>.

ID 6.71] +D 75 c 5

<sup>1</sup> -icum CaMgTc; -icis Pf

<sup>2</sup> Qua – debeat in mg. here AdCaCeDaGcLdLnMgPfPrSbTcWc, against Et ideo pie below Vo; in text MqVm; Qua auct. pont. benedictio fieri debeat die dominico Be mg.; om. BdOaPaPcPtTbVp

<sup>3</sup> Ut (Quod Ad) in die Resurrectionis (Res. die PhTb) levitica et sacerdotalis (sac. et lev. Pa) fiat (sit Tb) ordinatio \*AdBdCaCbCeGcMgMqOaPaPcPhPrRfSbTbVmVoWc (MqPaPr after insc.); om. BeDaPfVp; Tc here repeats in text marg. rubr. from c 12: Quo die – episcopi; for Vo see later in cap.

<sup>4</sup> pape add. PcTcVp, om. \*BeCaCbGcMgPfTb

<sup>5</sup> quod \*CaMgPfTb; quia Tc

<sup>6</sup> in mg. Ra

<sup>7</sup> mitt. pred. CaMgPfTc; pred. mitt. Tb

<sup>8</sup> ne \*CaPfTbTc; nec Mg

<sup>9</sup> neg. vid. \*CaMgTbTc; vid. neg. Pf

<sup>10</sup> mor. gess. CaMgPfTb; gess. mor. Tc

<sup>11</sup> voluit \*MgPfTbTc; voluerit Ca; noluit Oa

<sup>12</sup> etiam ipse reservaveris CaGcMgPfTcTfVmVo; etiam ipse serv- OaRa; ipse etiam servaveris Ph; etiam te serv. TbVp; et ipse serv. ID

<sup>13</sup> usque hic add. in mg. Cb<sup>2</sup>

<sup>14</sup> Cc ends c here, then leaves half blank line (for rubric) and begins 4.65 Statuimus

<sup>15</sup> const- \*CaMgPfTb; inst- Tc

<sup>16</sup> hac \*GcMgVm; hoc CaPfTbTc

<sup>17</sup> et add. Ca, om. \*MgPfTbTc

<sup>18</sup> exordium Vp

## 14

*[Quid<sup>1</sup> pontifex<sup>2</sup>, quid diaconus, quid notarius<sup>3</sup> facere debeant<sup>4</sup> in<sup>5</sup> ordinatione  
episcopi<sup>6</sup>]*

Ordinando episcopo pontifex manum imponit, evangelicam vero lectionem  
minister legit, confirmationis vero epistolam notarius scribit.

*ID 5.109 med.] + C 1 q 2 c 3b, Palea*

<sup>1</sup> Quod Pa; De Vo

<sup>2</sup> et *add.* Db

<sup>3</sup> quid not. *om.* Ad (*text*)

<sup>4</sup> -eant CaPfTbVo; -eat GcMgTcVm

<sup>5</sup> ex Rf

<sup>6</sup> *in mg.* BeCaCeDaGcLdLnMgPfPrSbTc, *in text* DbPaRaVmVo, *in mg. and text* Ad. Quid -  
ordinatione, *in mg* FcOe, *in text* RfTb; Tc also has Quid - debeant *in text before insc.; om.*  
BdOaOePcPhPkPqPtPwVp. Ex concilio Aurelianensi, cap. v LdLf (*marked for moving to c 15*) *add.*  
LdLnPt, *cf c 15*, Gregorius *add.* Lk, Item idem *add.* Pf, Gregorius (magnus *add.* ss Sb) in concilio  
Romano cap. vi *add.* DaSb, *cf XP 3.10.3*; Gregorius de eodem *add.* Tc, Idem *add.* Vp, *om.*  
AdBdBcCa (*with lacuna*) CeDbFcGcMgOaPaPcPhPkPqPwRaTbVmVo

## 15

*[Quod nullum episcopum metropolitanus consecrat<sup>1</sup> sine tribus episcopis, ad minus,  
aliis episcopis<sup>2</sup> assensum dantibus<sup>3</sup>].<sup>4</sup> Ex concilio Aurelianensi<sup>5</sup>, cap. v<sup>6</sup>*

Nullus episcopus sine metropolitani permissu<sup>7</sup>, nec episcopum<sup>8</sup>  
metropolitanus, sine tribus episcopis comprovincialibus presumat episcopum<sup>9</sup>  
ordinare, ita ut alii comprovinciales episcopi<sup>10</sup> admoneantur, ut se suo responso  
consensisse significant. Quod si inter partes aliqua fuerit dubitatio, maiori<sup>11</sup> numero  
metropolitanus in electione consentiat<sup>12</sup>.

*ID 5.138] X 1.11.7*

<sup>1</sup> *corr. fr.* ordinet Be<sup>2</sup>, ss Vm

<sup>2</sup> ad minus - episcopis (*om.* Pa) Ad<sup>2</sup>BeCaPaPfTcVm; *om.* AdGcMg

<sup>3</sup> ass. dant.] consentientibus Pa

<sup>4</sup> *in mg.* AdBeCaDaGcLdMgPfPrSbTc, *in text* DbLmMqPaVmVo (*adding xvi*); *om.*  
CbCeLdLfLjLnMjMoOaPcPtRfTbVp

<sup>5</sup> Aurel. LnMgPfRfTbTc; Arelatensi \*DaSb (*also XP 3.9.2(1)*, Burchard, ID *etc*)

<sup>6</sup> Ex - v CaDbLnMgMjPfTbTcVmVo; In decretis Gregorii, cap. vi Ld (*cf cc 14, 16*); Item Pt

<sup>7</sup> *corr. fr.* iussu Be<sup>2</sup>

<sup>8</sup> -pum BeCaCbCeLdLjLnMfMhMkMoPaPdPfPhPrPtRaTbVm; -pus DaGcLd<sup>2</sup>MgPtTcVoVp

<sup>9</sup> episcopum \*BeDa<sup>2</sup>GcMfMgMhMjMkMoPdPfPhPrPtTcVmVo; *om.* CaDaLfRaTb

<sup>10</sup> com. ep. \*BeCaPfPtTbVo; ep. com. LfVp; com. ep. epistolis MgTc

<sup>11</sup> maiori \*BeCaCeLdLfLgLnMgObOfPa<sup>2</sup>PtPhVmBrant; maiora Pa; a maiori Tb; maiorum Tc

<sup>12</sup> \*Quod - consentiat (cons. in el. Oa) Bd (in el. cons. *in*  
*mg.*) BeCaCbCeGcLdLfLgLnMgOaObOdOfPaPcPhPtPwRfSgTbTcVmVpWc; Quod - dubitatio *in*  
*mg. to c 16*, rest *om.* Pf; *om. all* FcOe; Vo has the text twice, first as a rubric and then as a separate  
canon

## 16

<sup>1</sup>*In decretis Gregorii pape<sup>2</sup>, cap.vi<sup>3</sup>*

Gregorius papa Augustino Anglorum episcopo<sup>4</sup>. Fraternalitatem tuam<sup>5</sup> ita volumus episcopos ordinare, ut ipsi sibi<sup>6</sup> episcopi longo intervallo minime<sup>7</sup> disiungantur, quatenus nulla sit necessitas ut in ordinatione episcopi convenire non possint. Nam episcoporum<sup>8</sup> ordinatio sine aggregatis tribus aut quatuor episcopis fieri nullatenus debet.

4L 1.115] +D 80 c 6

<sup>1</sup> Quod si inter partes aliqua fuerit dubitatio, maiori numero metropolitanus in electione consentiat *add.* in mg. Sb, De eodem *add.* Vo

<sup>2</sup> pape CeRfTbTcVmVp; *om.* BeCaDaGcMgOaPaPfPhVo

<sup>3</sup> v Pt

<sup>4</sup> Greg. - episcopo BeCaMgOePaPfTbTcVmBrant; Gregorius Cb; *om.* Migne

<sup>5</sup> -itatem tuam CaPfTbTc; -itate tua Mg

<sup>6</sup> ipsi sibi CaMgPcPfTb; sibi ipsi Tc

<sup>7</sup> minime CaMgPfTb; non PcTc

<sup>8</sup> episc. CaMgPfTb; ipsorum Tc

## 17

<sup>1</sup>*In decretis Anacleti<sup>2</sup>, cap. i<sup>3</sup>*

Si omnes simul convenire non potuerint<sup>4</sup> assensum<sup>5</sup> tamen suis precibus prebeant ut ab ipsa ordinatione animo<sup>6</sup> non desint. Porro et<sup>7</sup> Hierosolimitarum primus episcopus beatus Iacobus, qui iustus dicebatur et<sup>8</sup> secundum<sup>9</sup> carnem Domini<sup>10</sup> nuncupatus est frater, a Petro, Iacobo et Iohanne apostolis est ordinatus, successoribus<sup>11</sup> videlicet dantes formam eorum, ut<sup>12</sup> minus quam<sup>13</sup> a tribus episcopis, reliquisque omnibus assensum prebentibus, nullatenus ordinetur, et communi voto ordinatio celebretur.

4L 1.112b; ID 5.69b] D 66 c 2 from Porro et Ierosolimitarum

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> episcopis Italie *add.* Da (*not* Sb), *cf* XP 3.9.2 (3); episcopi *add.* Ln; pape *add.* Tb, *om.* CaLdMgPfRfTcVm

<sup>3</sup> xviii *add.* Vo

<sup>4</sup> -uerint \*CaLfMg; -erint BeGcPfTbTcVmVoVp; -uerit Oa

<sup>5</sup> -sum \*CaMgPfTc; -sus Tb

<sup>6</sup> -imo \*CaMgPfTbTc; -ima Lf

<sup>7</sup> et \*CaMgPfTbTcVm; *om.* CbLj

<sup>8</sup> *obsc. corr.* Pf

<sup>9</sup> *corr. fr.* scilicet Vo

<sup>10</sup> *suppl ss* Mk

<sup>11</sup> -ibus \*MgPfTbTc; -ibusque Lf

<sup>12</sup> *ss* Da<sup>2</sup>. *non add.* Bb<sup>2</sup>LdMgTc, *om.*

\*AdBbBeBdCaCeDaGcLkMfMjMkMkMoMqPaPcPfPhPkPrPtRaSbTbTfVmVo

<sup>13</sup> ut minus quam *suppl ss* Mh; quamquam Mq



## 18

*[Quid faciant episcopi in ordinatione alterius episcopi]<sup>1</sup>. Ex concilio Cartaginiensi  
IV<sup>2</sup>, cap. ii*

Episcopus, cum ordinatur<sup>3</sup>, duo episcopi ponant et teneant evangeliorum  
codicem, super caput et super<sup>4</sup> cervicem<sup>5</sup> eius, et uno super eum fundente  
benedictionem, reliqui omnes episcopi qui adsunt, manibus suis caput eius tangant.  
ID 5.124] D 23 c 7

<sup>1</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text MqPaVmVo (adding xx); om. OaPcPtRfTbVp

<sup>2</sup> III Rf

<sup>3</sup> Ep. cum ord.] Et cum ordinatus episcopus Oa

<sup>4</sup> ss Mq

<sup>5</sup> cervicem BdBeCeDa(? over  
erasure)DbLgLkMfMhMkMmMq<sup>2</sup>OaObOfPaPdPfPhPkPrPtPwTbTdTfVmVoVp; verticem  
AaAdBbCaGcMgMjMoMqOdOePcRaSbTcWcBrant; cervicum Pq

## 19

*[Quid ordinator et<sup>1</sup> quid ordinatus debeat facere<sup>2</sup>]<sup>3</sup>. Ex dictis<sup>4</sup> Theodori<sup>5</sup>  
archiepiscopi<sup>6</sup>*

In ordinatione episcopi ipse qui ordinat missam celebrare debet, et qui  
ordinatur similiter.

ID 5.338]

<sup>1</sup> et AdPfVm; om. BeCaGcMgTc

<sup>2</sup> deb. fac. AdCaDaMgPfVm; fac. deb. Tc

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text MqPaVmVo (adding xxi); om. OaPcPtRfTbVp

<sup>4</sup> dictis \*CaMgPcPfRfTbVm; decretis Aa; decreto Tc

<sup>5</sup> Theodosiani Gc; Theodoci Vm

<sup>6</sup> Ex – arch.] Ex concil' Arausico cap. xx Mq

## 20

<sup>1</sup>Ex concilio Arausico, cap. xx<sup>2</sup>

De abiectio<sup>3</sup> eius quem duo presumpserint ordinare episcopi<sup>4</sup> in<sup>5</sup> nostris<sup>6</sup>  
provinciis placuit<sup>7</sup> de presumptoribus ut sicubi contigerit duos episcopos tertium

<sup>1</sup> De abiectio<sup>3</sup> eius quem duo presumpserunt ordinare episcopi in mg. Sb

<sup>2</sup> xx CaOaPfRfTbTcVm; iii Mg; Ut is (Vis Vo) episcopus qui a duobus tantum ordinatus est, ipse et  
ipsi condempnentur xxii TdVo, xxii add. Vo; conc. – xx] eodem Theodori Mq

<sup>3</sup> subiect- Pa

<sup>4</sup> ord. ep. CaMgPfTbTc; ep. ord. GcVm

<sup>5</sup> om. Gc

<sup>6</sup> nostris CaGcMgPfPrTbTc; vestris Vm

<sup>7</sup> prov. plac. \*CaMgPfTb; plac. prov. Tc

consecrare<sup>8</sup>, et ipse et auctores dampnabuntur<sup>9</sup>, quo cautius ea que sunt antiquitus statuta servantur.

*ID 5.141] +D 64 c 3, Palea*

<sup>8</sup> consecrare \*CaMgPfTc; ordinare Tb

<sup>9</sup> dampn- \*CaMgPfPhTb; condempn- Tc

## 21

*[Quod clerici ordinandi debeant convenire in civitate<sup>1</sup> quarta feria ante ordinationem]<sup>2</sup>. Ex concilio Nannetensi<sup>3</sup>, cap. iii<sup>4</sup>*

Episcopus<sup>5</sup> quando ordinationes<sup>6</sup> facere disponit, omnes qui ad sacrum ministerium accedere volunt, feria quarta ante ipsam ordinationem evocandi sunt ad civitatem, una cum presbiteris qui eos representare<sup>7</sup> debent. Et tunc episcopus e latere suo eligere debet<sup>8</sup> sacerdotes et alios prudentes viros<sup>9</sup> gnaros legis divine<sup>10</sup> et exercitatos in ecclesiasticis sanctionibus, qui ordinandorum vitam, genus, patriam, etatem, institutionem, locum ubi educati sunt, si sint<sup>11</sup> bene litterati, si in lege Domini<sup>12</sup> instructi, diligenter investigent, ante omnia, si fidem catholicam firmiter<sup>13</sup> teneant, et verbis simplicibus asserere queant. Ipsi autem quibus committitur, cavere debent ne aut favoris gratia, aut cuiuscumque muneris cupiditate illecti a vero deviant, ut<sup>14</sup> indignum et minus idoneum ad sacros gradus<sup>15</sup> suscipiendos, episcopi manibus applicent. Quod si fecerint, et ille qui indigne accesserit ab altari removebitur, et illi qui donum sancti Spiritus<sup>16</sup> vendere conati sunt, coram Deo iam dampnati,

<sup>1</sup> -ate CaGcPfTc; -atem Mg

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no inscr.)MqPaVo; (ii. Bd) De ordinibus in mg. Bd, in text Ph; om. LcOaPcPtTbVp

<sup>3</sup> Nan- \*BeCaDaMgOaPfPwTbVm; Man- FcPcRfTc; Nam- Mq

<sup>4</sup> cap. iii \*CaFcMgPfPwRfTb; cap. iiii Ce; cap. ii Pa; om. Tc

<sup>5</sup> Christus Py

<sup>6</sup> corr. fr. ordines Lc

<sup>7</sup> representare \*BeCeEaCaGcMgOaPaPfPhRfVo; presentare PrTbTcVm

<sup>8</sup> debet \*CaMgPfTc; om. PhTb

<sup>9</sup> debet add. PhTb, om. \*CaMgPfTc

<sup>10</sup> leg. div. \*CaMgPfPhTc; div. leg. Tb

<sup>11</sup> sint \*CaMgPfTb; sunt Tc

<sup>12</sup> bene add. Tc, om. \*CaMgPfTb

<sup>13</sup> firmiter \*CaMgPfPhTc; om. Tb

<sup>14</sup> ut \*CaMgPfTc; aut PhTb

<sup>15</sup> gradus \*CaMgPfPhTc; ordinationes Tb

<sup>16</sup> s. Sp. \*CaMgPfPh; Sp. s. TbTc

ecclesiastica dignitate carebunt. Igitur<sup>17</sup> per tres continuos dies<sup>18</sup> diligenter  
examinentur, et sic<sup>19</sup> Sabbato qui probati inventi sunt episcopo represententur.

ID 6.21] D 24 c 5

<sup>17</sup> Igitur \*CaPfTbTc; Ubi Mg

<sup>18</sup> tres cont. dies \*CaPfTbTc; cont. dies tres Mg

<sup>19</sup> in add. Ca, om. \*MgPfTbTc

## 22

[*Quod presbiteri et diaconi debeant facere<sup>1</sup> professionem castitatis cum ordinantur*]<sup>2</sup>.

*Ex concilio Toletano IV, cap. xxvii<sup>3</sup>.*

Quando presbiteri aut diaconi per parochias constituuntur, oportet eos  
professionem episcopo suo facere, ut caste et pure<sup>4</sup> vivant sub Dei timore, ut<sup>5</sup> dum eos  
tali professione obligaverit, sanctam disciplinam retineant<sup>6</sup>.

ID 3.130, 6.248 less close] +D 28 c 3

<sup>1</sup> fac. deb. Sb

<sup>2</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTc; in text Ea(no insc.)PaVmVo (adding xxiii); part in text, part in mg Mq; om. OaPcPtTbVp

<sup>3</sup> IV cap. xxvii DaRaRfSb<sup>2</sup>Tc; IV cap. xxvi FcPtVo; cap. xxvii GcLnMgOaPrSb; III Mq ; xxvii PhTb; Ex Toletano concilio Vp; om. BeCaCePaPf. iii add. in mg. Be<sup>2</sup>

<sup>4</sup> pure BeCaMgPfPhTc; pie Tb

<sup>5</sup> ut \*DaOaPrTcVm; et BdCaCeEaGcMgPaPfPhPkPwSbTbVoVp; et ut Be

<sup>6</sup> ret- \*BdCaCeDaEaGcLkMgMqPaPhPkPrTbTcVmVo; opt- BePfPwRaSbVp; reobtaineant Rf

## 23

[*Quid significet liber officialis datus presbitero cum<sup>1</sup> ordinatur*]<sup>2</sup>. Ex concilio

*Toletano IV<sup>3</sup>, cap. xxvi<sup>4</sup>*

Quando presbiteri in parochiis ordinantur, libellum officialem a sacerdote<sup>5</sup>  
suo<sup>6</sup> accipiant, ut ad ecclesias sibi deputatas instructi succedant<sup>7</sup>, ne<sup>8</sup> per ignorantiam  
etiam<sup>9</sup> ipsis divinis sacramentis offendant<sup>10</sup>, ut quando ad litanias vel ad concilium

<sup>1</sup> omnino Ad

<sup>2</sup> in mg. AdCaCeDaGcHaLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVmVo; Que debeant necessario scire presbiteri Be mg. (and cf c 24); om. OaPcPtTbVp

<sup>3</sup> conc. Tol. IV \*BeCaFcMgPfTbVm; eodem IV Pw; eodem Rf; eod. conc. Tol. Tc; no insc. Gc; no insc. no break Oa; Item Pt

<sup>4</sup> xxvi BdCeLkMgPaPfTb; xxvii GcPrVm; xxxvi RfTcVo. cap. xxvi om. Pt

<sup>5</sup> ab episcopo ss Ld

<sup>6</sup> suo \*CaMgPfTb; om. Tc

<sup>7</sup> succ- \*CaMgPfTb; acc- Tc

<sup>8</sup> ne \*MgPfTbTc; et Ca

<sup>9</sup> etiam BeCaEaMgOaPfRaTbVm; in FcTc; etiam in Ra<sup>2</sup>ID; de Brant

<sup>10</sup> -dant \*CaPfTbTc; -derat Mg

venerint<sup>11</sup>, rationem episcopo suo reddant, qualiter susceptum officium<sup>12</sup> celebrent vel baptizent.

ID 3.129] +D 38 c 2

<sup>11</sup> venerint \*MgPfTbTc; venit Ca

<sup>12</sup> sus. off. \*CaMgPfPhTc; off. sus. Tb

## 24

*[Que debeant necessario scire<sup>1</sup> presbiteri]<sup>2</sup>. Ex dictis<sup>3</sup> Augustini<sup>4</sup>*

Que<sup>5</sup> ipsis sacerdotibus necessaria sunt<sup>6</sup> ad discendum, id est liber sacramentorum, lectionarius, baptisterium, compotus, canon penitentialis, psalterium, homilie per circulum anni, dominicis diebus et singulis festivitibus apte. Ex quibus omnibus, si unum defuerit, sacerdotis nomen vix in eo constabit, quia valde periculose sunt mine evangelice quibus dicitur. Si cecus ceco ducatum prestat, ambo in foveam cadunt.

ID 6.22] D 38 c 5

<sup>1</sup> sc. nec. Pa

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrTc, in text Ea(after insc.)LmMqPaVmVo (adding xxvi); Que debeat nec. scire presbiter in mg. Sb; om. CbLfOaPcPrTbVp; omelia, id est popularis sermo Bb mg

<sup>3</sup> sancti add. Cb, om. \*MgPfTbTc

<sup>4</sup> Ex - Aug. \*CbDaEaMgPfTbTc; Aug. xviii Pt; om. CaMq

<sup>5</sup> [ ]t Oa

<sup>6</sup> sunt \*CeLmMhMjPaRfTc; sint AdBeCaCbEaGcLdLfLjMfMgMkMmPdPfPhPrTbVoVp

## 25

*[Quibus temporibus ordinandi sint presbiteri et<sup>1</sup> diaconi]<sup>2</sup>. Ex decr' Gelasii pape, cap. xiii<sup>3</sup>*

Ordinationes<sup>4</sup> etiam<sup>5</sup> presbiterorum et diaconorum, nisi certis temporibus et diebus<sup>6</sup> exerceri non debent<sup>7</sup>, id est quarti mensis ieiunio<sup>8</sup>, septimi et decimi, sed etiam quadragesimalis initii, ac<sup>9</sup> mediane<sup>10</sup> Quadragesime die<sup>11</sup> Sabbati ieiunia circa

<sup>1</sup> et BeCaEaPa<sup>2</sup>Pf; om. CeGcMgMqPaPrVo; vel Tc

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text EaMqPaVo (adding xxvii); om. OaPcPrTbVp

<sup>3</sup> Ex dec. (conc. GcVm) - xiii (xi Da) \*CaDaGcMgPfSbTbVm; om. EaTb

<sup>4</sup> Ordinationes \*CeGcHaMo<sup>2</sup>MqOaPaPhPkPqPtSb<sup>2</sup>TbTcVmVo; Ordines AdBbBdBeCaEaDaDbLdLjLkMgMoObOdOfPcPfPwRfSb?TdTfVpVqBrant

<sup>5</sup> etiam AdGcMgPfRaTbTcBrant; vero [enim canc.] Pt; om. MhMmMq

<sup>6</sup> et diebus ss Da

<sup>7</sup> diebus ex. non deb. \*BeDa<sup>2</sup>EaGcPfTbVmVo; ex. non deb. CaDa; ex. non deb. et diebus Mg; diebus ex. deb. Tc

<sup>8</sup> ieiunio \*CaEaPfTbVp; ieiunii DbMg; ieiunio et Tc

<sup>9</sup> ac \*CaMgPfTc; aut Tb

<sup>10</sup> -iane \*MgPfRaTbTc; -iate Ca; -iante Ra<sup>2</sup>

<sup>11</sup> Quad. die \*CaEaMgPfTbTcBrant; hebdomade et Migne

vesperam<sup>12</sup> noverint celebranda<sup>13</sup> nec cuiuslibet utilitatis<sup>14</sup>, seu presbiterum seu diaconum his<sup>15</sup> preferre qui ante ipsos fuerint<sup>16</sup> ordinati.

ID 6.74] D 75 c 7

<sup>12</sup> iei. circa vesp. \*CaMgPfPhTc; circa vesp. iei. Tb

<sup>13</sup> corr. to celebrandas Mm<sup>2</sup>

<sup>14</sup> gratia add. CaLk(over erasure)MoPcPtTc, causa add. Mm<sup>2</sup>IDm, Migne; om.

AdBbBdBcCeDaDbGcLgMfMgMhMjOaObOdOeOfPaPfPhPkPrPwSbTbTfVmVoVpIDcpdBrant

<sup>15</sup> qui add. Tc, om. \*CaMgPfTb

<sup>16</sup> -erint \*CaMgPfTb; -erant Gc; -erunt Tc

## 26

[Quod certis locis ordinandi sunt<sup>1</sup> presbiteri]<sup>2</sup>. Ex concilio Meldensi, cap. vi<sup>3</sup>

Si<sup>4</sup> qui ordinari petunt<sup>5</sup> nullatenus ordinentur, nisi in loco certo et religioso, vel etiam<sup>6</sup> in civitate, saltem uno anno immorentur, ut de vita et<sup>7</sup> conversatione atque doctrina illorum certitudo possit agnosci.

ID 6.24]

<sup>1</sup> sunt CaEaPfTc; sint MgMqSb

<sup>2</sup> Quod - presb. AdBeCaCeDaEaGcLdLnMgMqPaPfPrSbTcVo(adding xxviii); De ordinandis et non ordinandis Vp; om. OaPcPtRfTb

<sup>3</sup> iiii Vo; Ex - vi om EaVp

<sup>4</sup> Hi Ld

<sup>5</sup> -untur Pa

<sup>6</sup> etiam \*CaPfTbTc; om. Mg

<sup>7</sup> et \*CaMgTb; om. Pf; add. Tc

## 27

Ex concilio Chalcedonensi, cap. xi<sup>1</sup>

Nullum absolute ordinari debere<sup>2</sup> presbiterum, aut diaconum, nec quemlibet in gradu ecclesiastico, nisi specialiter<sup>3</sup> ecclesie civitatis aut possessionis, aut martirii, aut monasterii cui ordinandus est pronuntietur<sup>4</sup>. Qui vero absolute ordinantur, decrevit

<sup>1</sup> xi MgPfRfTbTc; vi DaSb, with BD, IDcbm. Ex - xi om. CaEa.

Quod ante xxx annos non ordinatur presbiter add. in mg. Ca; Hic incipit superioribus dimiss' add. in mg. Pr, in text Vm; Quod nullus debeat ordinari nisi certissime sciatur unde fuerit ad.. in mg. Sb; De eodem add. Vo

<sup>2</sup> deb. \*CaMgPfTb; posse Tc

<sup>3</sup> specialiter \*PfTbTc (?); spiritualiter CaMg

<sup>4</sup> cui ord. est (ss Da, om. Oa) pronuntietur (pronuntiet Pt, nuncietur MhMmMq)

\*AaAbAdBbBdBcCaCbCeDaDbEaEbEcEgFcGcKaLgMfMgMhMmMoMqOaObOdOeOfPaPcPdPfPhPkPqPrPtPwQaRaRfSbSdSeSITbTcVmVoVpWaWbWcZa; cui ord. est nomen pronuntietur MjVo; nomen cui ordinandus est titulus pron. Sg; hic qui ordinetur mereatur ordinationis publice vocabulum Brant

sinodus irritam haberi<sup>5</sup> huiusmodi<sup>6</sup> manus impositionem, et nusquam<sup>7</sup> posse ministrare ad ordinantis<sup>8</sup> iniuriam.

ID 6.26] D 70 c 1a, widely var.

<sup>5</sup> corr. fr. -ere Mg

<sup>6</sup> huiuscem. \*CaMgPfPhTb; huiusm. Tc

<sup>7</sup> nusq- \*MgPfTbTc; numq- Ca

<sup>8</sup> ordinandis Rf

## 28

[*Quod ante triginta annos non ordinetur presbiter*<sup>1</sup>]<sup>2</sup>. Ex concilio Laodicensi<sup>3</sup>

<sup>4</sup>Episcopum<sup>5</sup> vero vel presbiterum ante triginta annos, id est antequam ad viri perfecti etatem perveniat<sup>6</sup>, nullus metropolitanorum ordinare presumat, ne per etatem quod aliquando evenit aliquo errore<sup>7</sup> detineantur.

ID 6.29] +D 77 c 6b

<sup>1</sup> -entur presbiteri Pa; -etur episcopus nec presbiter Sb

<sup>2</sup> in mg. AdBeCeDaGcMgPfPrSbTc; in text EaMqPaVo(adding xxx); om. CaOaPcPtRfTbVp

<sup>3</sup> Ex - Laod. BeCaGcLdPfPrRaTbTcVm; Ex concilio Agatensi cap. vii (xvii DaSb, xvi Migne, cap. vii om. Brant) DaMgSbVpBrant; Ex conc. Leodicense Ln; Ex conc. Laodonensi Rf (as insc. to c 29, omitting text of 28); Ex conc. Lavodicensi Vo; om. Ea

<sup>4</sup> Rf omits whole canon, placing text of c29 below insc. to c 28

<sup>5</sup> Cpm Pf

<sup>6</sup> -iat \*EaMgPfPhTc; -iant CaTb

<sup>7</sup> al. err. \*CaMgPfTc; err. al. PhTb

## 29

[*Qua auctoritate presbiteri sint ordinandi*<sup>1</sup> in hac etate]<sup>2</sup>. Ex decreto Fabiani<sup>3</sup> pape orientalibus missis<sup>4</sup>

Si quis triginta etatis sue<sup>5</sup> non<sup>6</sup> impleverit annos, nullomodo presbiter ordinetur, etiam si valde sit dignus<sup>7</sup>, quia et<sup>8</sup> ipse Dominus triginta annorum baptizatus est, et sic cepit docere. Non oportet ergo eum<sup>9</sup> qui ordinandus est, usque ad hanc etatem legitimam consecrari.

ID 6.30] +D 78 c 1 to valde sit dignus

<sup>1</sup> pres. sint (sunt Be) ord. BeCaEaPfPr; ord. sint pres. Mg; ord. pres. Tc

<sup>2</sup> in mg. AdBeCaCeDaEa(no insc.)GcLnMgPfPrSbTc; in text MqPaVo(adding xxx); Qua – ordinandi in mg. Ld; om. OaPcPtTbVp

<sup>3</sup> Fabiani \*CaMgPfPwTb; Damasi Tc

<sup>4</sup> cf c 28

<sup>5</sup> trig. et. sue \*CaMgPfTc; et sue trig. PhQeTb

<sup>6</sup> non \*CaPfTbTc; obsc. corr. Mg

<sup>7</sup> sit dig. \*CaMgPfTc; dig. sit PhTb

<sup>8</sup> et \*CaMgPfTc; om. PhTb

<sup>9</sup> op. ergo eum \*GcOaPrRaTbTcVmVp; op. ergo AaCaEaMgVo; ergo op. Pf

## 30

*[<sup>1</sup>Quod ante viginti quinque annos non ordinetur diaconus]<sup>2</sup>. Ex concilio  
Cartaginensi, cap. xvi<sup>3</sup>*

Placuit ut ante viginti quinque annos etatis<sup>4</sup> nec diaconi ordinentur, nec  
virgines consecrentur, et ut lector populum non salutet.

ID 6.31] +D 77 c 5, +C 20 q 1 c 14

<sup>1</sup> Placuit add. Mg, om. CaPfTc

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrTc; in text Ea(no insc.)MqPaVo(adding xxii); om.  
OaPcPtRfTbVp

<sup>3</sup> Cart. cap. xvi BeCaGcMgPcPfPrRfTbVo; Cart. cap. xiii Ad; Cart. III cp. iiii DaSb, cf XP3.10.3 (3);  
Cart. episcopi Mq; Cart. IV. Huic interfuit August' Tc; decr' Cartag. cap. xvi Vp

<sup>4</sup> sue add. PhTb, om. \*CaEaMgPfPrTc

## 31

*[Qua auctoritate diaconi ordinandi sunt<sup>1</sup> in<sup>2</sup> supradicta<sup>3</sup> etate]<sup>4</sup>. Ex concilio Toletano  
V<sup>5</sup>, cap. xx<sup>6</sup>*

In veteri lege ab anno vigesimo quinto levite in tabernaculo servire  
precipiuntur, cuius auctoritatem in canonibus sancti patres secuti sunt. Nos et divine  
legis et conciliorum precepti<sup>7</sup> immemores, infantes et pueros levitas facimus ante  
legitimam etatem et ante experientiam vite. Ideoque ne ulterius<sup>8</sup> fiat a nobis<sup>9</sup> et divine  
legis et canonum admonemur sententiis, sed viginti quinque annorum diaconi  
ordinentur<sup>10</sup>, ita ut secundum apostolicum preceptum probentur primum, et sic  
ministrent, nullum crimen habentes.

ID 6.32] +D 77 c 7, end widely var.

<sup>1</sup> diac. ord. sunt PfPrTcVm; ord. sint diac. Ca; diac. ord. Gc; diac. ord. sint Mg

<sup>2</sup> om. Vo

<sup>3</sup> predicta Sb

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVmVo(adding xxxiii); om.  
PcPtRfTbVp

<sup>5</sup> V AdCaGcLnMgPcPrRfVoBrant; IIII DaSb (cf XP 3.13.3.4); episcopo Mq; om.  
BeLdOaPaPfPhRaTbTcVp

<sup>6</sup> cap. xx om. Be

<sup>7</sup> conc. prec. \*CaEaMgPfPhTb; preceptorum con. Tc

<sup>8</sup> ulterius \*CaMgPfTc; ultra PhTb

<sup>9</sup> fiat a nobis \*CaMgPfTc; a nobis fiat PhTb

<sup>10</sup> diac. ord. BdCaCeFcMgPaPfPhPkPqPwSbTbVm; etatis vite (om.Pc) levite consecrentur PcTc (cf  
Pol. 2.27.4, though with different inscription)

## 32

*[Qua etate<sup>1</sup> ordinandi sunt<sup>2</sup> subdiaconi]<sup>3</sup>. In<sup>4</sup> decretis Nicolai<sup>5</sup>, cap. v<sup>6</sup>*

<sup>1</sup> auctorite Ca; auctoritate (vel etate ss) Gc

De ordinatis<sup>7</sup> infra annos grave nobis periculum imminet, quia prius se de victoria iactitant<sup>8</sup> quam bellare viderint<sup>9</sup> aut sciant, id est, prius officia sacre castitatis conscia<sup>10</sup> per cupiditatem arripiunt quam iacula incentiva nature experiri possint<sup>11</sup>. Idcirco sacri canones sanxerunt ut subdiaconus non ordinetur ante quatuordecim annos, nec diaconus ante viginti quinque, nec presbiter ante triginta annos<sup>12</sup>. Deinde si dignus fuerit, ad episcopatum<sup>13</sup> eligi potest. Quod nos quoque pari modo servari iubemus<sup>14</sup>.

4L 2.76b]

<sup>2</sup> sint DaEaLdMq

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVo(adding xxxiiii); om. OaPcPtRfTbVp

<sup>4</sup> In BeCaGcMgPrPtRfTbTc; Ex DaRaPfVoVp

<sup>5</sup> episcopi add. Mq, pape add. PtTb, om. CaGcMgPfPhPrTc

<sup>6</sup> vi Aa

<sup>7</sup> -atis CaGcMgPfRa<sup>2</sup>Tb; -andis RaTc

<sup>8</sup> iactitant GcPfPrTbVo; iactant AaCaMgOaTcVp

<sup>9</sup> corr. fr. vidant Ca

<sup>10</sup> conscia CaPfTbTc; conscientia Mg

<sup>11</sup> -int MgPfTbTc; -unt ?Ca

<sup>12</sup> annos Pf; om. CaMgPhTbTc

<sup>13</sup> fuerit ad ep. EaMgPfPrTb; fuerit in episcopatum Ca; ad episcopum fuerit Tc

<sup>14</sup> Quod nos - iubemus CaCeEaFcMgPaPcPfPhPkPqPrPtPwSbTbVmVp; om. Tc. Ego Berhardus archipresbiter can[onic]us (?) et archi add. in mg. Ld<sup>2</sup> (fo. 38v)

### 33

[Quod presbiteri manus suas<sup>1</sup> debeant ponere super caput<sup>2</sup> alterius presbiteri<sup>3</sup> cum<sup>4</sup> ordinatur<sup>5</sup>]<sup>6</sup>. Ex concilio Cartaginensi IV<sup>7</sup>, huic<sup>8</sup> interfuit Augustinus<sup>9</sup>

Presbiter cum ordinatur, episcopo eum benedicente et manum super caput eius tenente, etiam omnes presbiteri qui presentes sunt, manus suas iuxta manum<sup>10</sup> episcopi super caput illius teneant.

ID 6.12] D 23 c 8

<sup>1</sup> suas CaPfTc; om. GcMg

<sup>2</sup> om. Vo

<sup>3</sup> om. Sb

<sup>4</sup> cum CaMgPaTc; dum CePf

<sup>5</sup> -atur CeMgPaPfTc; -etur Ca; -antur Mq

<sup>6</sup> in mg. AdBeCaCeDaGcLdLn(partly illeg.)MgPfPrSbTc; in text MqPaVo(adding xxxvi); om. EaOaPcPtRfTbVp

<sup>7</sup> om. Ea

<sup>8</sup> huic BeCaFcMgTbTc; cui Pf

<sup>9</sup> Augustinus \*BeCaFcGcLdLnPaPfPhPrRfTb; Aug. cp. iii DaSb (cf XP 3.14.1.1); sanctus Augustinus Ea; Mg obs.; Augustus PcTc; huic – Aug. om. Qe

<sup>10</sup> -num \*BeCaMgTbTc; -nus EaPf



## 34

*[Quod solus episcopus<sup>1</sup> manum suam ponat super caput<sup>2</sup> diaconi cum ordinatur]<sup>3</sup>. Ex eodem, cap. iii<sup>4</sup>*

Diaconus cum ordinatur, solus episcopus qui eum benedicit manus super caput illius<sup>5</sup> ponat, quia non ad sacerdotium sed ad ministerium consecratur.

ID 6.13] D 23 c 11

<sup>1</sup> om. Vo

<sup>2</sup> pon. sup. cap. BeCaMgMqPfVo; sup. cap. pon. Ea

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVo(adding xxxvi);

Quemadmodum diacones constituentur Ra mg; om. OaPcPtTbVp

<sup>4</sup> Ex eodem cap. iii AaCeGcOaPaPfPhPrRaRfTb; Ex eodem conc. cap. iii Ad; De eodem cp iii Be; In decretis Nicholai, cap. v CaMg (cf c 35); Ex eodem iii Da; Ex eodem iii cap. SbVo; Ex eodem Tc; cap. v in decretis Nicholay Vp

<sup>5</sup> cap. ill. \*CaMgPfTb; eius cap. Tc

## 35

*[Quid<sup>1</sup> subdiaconus debeat<sup>2</sup> accipere<sup>3</sup> de manu episcopi, quid<sup>4</sup> de manu archidiaconi<sup>5</sup> cum ordinatur<sup>6</sup>]<sup>7</sup>. Ex eodem, cap. v<sup>8</sup>*

Subdiaconus cum ordinatur, quia manus impositionem non accipit, patenam de manu episcopi accipiat vacuam et calicem vacuum. De manu vero archidiaconi accipiat urceolum<sup>9</sup> cum aqua, et aquamanile ac<sup>10</sup> manutergium.

ID 6.14] D 23 c 15

<sup>1</sup> Quid BeCaEaPfPrTc; Quod Mg

<sup>2</sup> subdiaconus debeat BeEaMgPrTc; subdiaconi debeant CaDaVo

<sup>3</sup> deb. acc. here BeCaEaMgPrTc, after ordinatur Pf

<sup>4</sup> quid BeCaEaPfTc; quod Mg

<sup>5</sup> archidiaconi BeMgPrVo; archid' Ca; archidiac' Ea; arcidicani Pf; archiep' Tc

<sup>6</sup> -atur MgPfPrTc; -antur Ca

<sup>7</sup> Quid – ordinatur in mg. AdBeCaCeDaGcLn(partly illeg.)MgPfPrSbTc; in text EaMqPa; Quid subd. – archidiaconi in mg. Ld; Quemadmodum subdiaconi ordinentur MqOaRa(mg.); Quemadmodum – ord. Quid – cum ordinatur xxxvii Vo; om. PcPtTbVp

<sup>8</sup> Ex - v GcPaPfPrRaTbTcVp; Item ex eodem cap. v DaSb; om. AaAdBeCaCeEaMqOaPhPtRfVo; Concilium vi Mg

<sup>9</sup> acc. urc. \*PaPfPhTb; urc. acc. EaMg; urc. CaPcTc

<sup>10</sup> ac CaMgPfTb; et Tc

## 36

*[Quid acolithus accipiat de manu archidiaconi cum ordinatur]<sup>1</sup>. Item cap. vi<sup>2</sup>*

<sup>1</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; Quid - arch. in text Ea(no insc.)MqPaVo(adding xxxviii); om. OaPcPtRfTbVp. Deus meus pone illos inter [?] vos et sinit add. Ld<sup>2</sup>

<sup>2</sup> Item cap. vi CaPfTbTc; Ex eodem cap. vi AaBeDaGcPrPtRfSbVp; cap. vi Ca; Item vii Mg; De eodem cap. vi PhTbTc; Ex eodem cap. vii Ra; Ex eodem cap. Vo

Acolithus cum ordinatur, ab episcopo quidem doceatur qualiter in officio suo agere debeat. Sed ab archidiacono accipiat ceroferarium cum cereo, ut sciat se ad accendenda luminaria ecclesie mancipari. Accipiat et urceolum<sup>3</sup> vacuum ad suggerendum vinum in eucharistiam sanguinis Christi.

ID 6.15] D 23 c 16

<sup>3</sup> urceolum \*CaMgPfTb; urceum Tc

### 37

[*Quid exorcista accipiat de manu episcopi<sup>1</sup> cum ordinatur<sup>2</sup>*]<sup>3</sup>. *De eodem<sup>4</sup>, cap. vii<sup>5</sup>*

Exorcista cum ordinatur, accipiat de manu episcopi libellum in quo scripti sunt exorcismi, dicente sibi episcopo, Accipe et commenda memorie, et habeto potestatem imponendi manus super inerguminum<sup>6</sup> sive baptizatum, sive catechumenum.

ID 6.16] D 23 c 17

<sup>1</sup> acc. de manu ep. CeMgPaTc; de man. ep. acc. AdBeCaDaEaGcLmMqPrSb; de manu acc. Ld; de manu ep. Pf

<sup>2</sup> cum ordinatur BeLmMgTc; om. Pf

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrTc; in text Ea(no insc.)LmPaMqVo(adding xxxviii); om.

CbLlLjOaPcPtRfTbVp

<sup>4</sup> De eodem BeCaCbCeDaLjLmOaPaPhPtRaMgSbTcVp; De eodem concilio LdTb; Ex eadem Lf; Ex eodem MqVo; Rursus Pf

<sup>5</sup> cap. vii BeCaDaGcLlLmMgMqOaPfPtRaRfTbVo; vii cap. CbLj; cp. vi Ph; cap. viii Tc; om. Ld

<sup>6</sup> corr. fr. erguminum Lm<sup>2</sup>Mh<sup>2</sup>. id est demonio arreptum, quam potestatem habebant filii Iudeorum ss Ca<sup>2</sup>; id est insanum, Grecum est add. Pf, id est arreptici, id est a demonibus possessi add. ss Fc<sup>2</sup>; id est insanum add. ss. Vo; id est obsessum Vp; om.

\*AaAdBbBeCbCeDaEaGcLmMfMgMhMjMkMmMoMqOaPaPdPhPrPtRaRfTbTcVm

### 38

[*Quid lector de manu episcopi accipiat cum ordinatur<sup>1</sup>*]<sup>2</sup>. *De eodem<sup>3</sup> cap. viii<sup>4</sup>*

Lector cum ordinatur, faciat de illo verbum episcopus ad plebem, indicans eius fidem, ac vitam atque ingenium. Post hec spectante plebe tradat ei codicem de quo lecturus est dicens: Accipe, et esto relator<sup>5</sup> verbi Dei, habiturus, si fideliter et utiliter impleveris officium, partem cum eis qui verbum Dei<sup>6</sup> ministraverint<sup>7</sup>.

ID 6.17] D 23 c 18

<sup>1</sup> de manu episcopi (om. Vo) accipiat cum ordinatur BeCaFcMgMqPaSbTc; om. Pf

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVo(adding xl); om.

OaPcPtRfTbVp

<sup>3</sup> De eodem BeCaFcOaPtPwRfTbTc; om. Mg; Ex eodem GcMqVo; Iterum Pf

<sup>4</sup> viii \*BeDaMgMqPfPtTbTc; v Vp; om. Ca

<sup>5</sup> lector (vel relator in mg Ra<sup>2</sup>) Ra

<sup>6</sup> verb. Dei ss Be

<sup>7</sup> ministraverint \*BeCaGcMgOaPaPcPfPr; ministrant CePhTb; ministraverunt EaTc

## 39

[*Quid hostiarius accipiat de manu episcopi cum ordinatur*<sup>1</sup>]<sup>2</sup>. *De eodem*<sup>3</sup>, cap. viiii

Hostiarius cum ordinatur, postquam ab archidiacono instructus fuerit qualiter in domo Dei<sup>4</sup> debeat conversari, ad suggestionem archidiaconi tradit ei episcopus claves ecclesie de altario<sup>5</sup> dicens ei, Sic age quasi redditurus Deo<sup>6</sup> rationem, pro his rebus que istis clavibus recluduntur<sup>7</sup>.

ID 6.18] D 23 c 19

<sup>1</sup> accipiat - ordinatur CaMgTc, de manu ep. accipiat cum ord. Be; om. Pf

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no insc.)MqPaVo(adding xli); om. OaPcPtRfTbVp

<sup>3</sup> De eodem BeCaGcRfTbTc; om. Mg; Ex eodem MqPaVo; Item Pf

<sup>4</sup> habent add. and canc. Mg

<sup>5</sup> corr. to altari Mg

<sup>6</sup> Deo \*BeMgPfTbTc; om. Ca

<sup>7</sup> recl- \*AaCaGcMqOaPaPfPrSbTbVo; incl- AdBeDaMgPcTc

## 40

<sup>1</sup>*De eodem*<sup>2</sup>, cap. x<sup>3</sup>

Psalmista, id est cantor, potest absque scientia episcopi, sola iussione presbiteri, officium suscipere cantandi, dicente sibi presbitero: Vide ut quod ore cantas, corde credas, et quod corde credis operibus probes.

ID 6.19] D 23 c 20

<sup>1</sup> Quid psalmista in mg. Pf; Quod psalmista potest officium suum facere solo precepto alicuius presbiteri add in mg. Sb; Quid sit officium hostiarii, psalmiste, exorciste, lectoris, acoliti, subdic', diac', presbiteri xlii Vo; om. BeCaDaEaFcMgMqOaPcRfTbTcVp

<sup>2</sup> De eodem BeCaEaGcFcMqPaPhPtPwRfTbTc; om. CeMg; rursus Pf; Ex eodem Vo

<sup>3</sup> cap. x \*BeCaPfPtTbTc; om. CeEaPa; x Mg; insc. in mg. Ha

## 41

[*Quid sit officium ostiarii, psalmiste*<sup>1</sup>, *exorciste, lectoris, acoliti, subdiaconi, diaconi*<sup>2</sup>, *presbiteri*]<sup>3</sup>. *Incipit*<sup>4</sup> *epistola Isidori episcopi Hispalensis*<sup>5</sup> *ad Ludefridum Cordubensem episcopum directa*<sup>6</sup>

Perlectis sanctitatis tue litteris, gavisus sum quod optatam salutem tuam earum relatu cognovi. De his autem que in consequentibus insinuare eloquii tui<sup>7</sup> sermo

<sup>1</sup> et add. CePa

<sup>2</sup> om. Ad; et add. CePa

<sup>3</sup> Quid sit - presbiteri in mg. AdBeCaCeDaGcLdLnPrSbTcVm, in text EaMqPa; Que sint eorum officia MgPfmg.; om. BdOaPcPtPwRfTbVoVp

<sup>4</sup> om. Pa

<sup>5</sup> ep. Hispalensis BeCaDaGcMgOaPf; ep. Hispanensis AdPcRfTc; ep. Hipalensis Ph; Hispalensis ep. Tb; ep. Hispanensis Vo; ep. Ispanensi Vp

studuit, gratias ago<sup>8</sup> Deo<sup>9</sup> quod sollicitudinem officii pastoralis<sup>10</sup> impendis, qualiterque ecclesiastica officia ordinentur perquiris. Et licet omnia prudentie vestre sint cognita<sup>11</sup>, tamen quia affectu fraterno me consulis, ex parte qua valeo expediam, et de omnibus ecclesie gradibus, quid ad quem pertineat, eloquar.<sup>12</sup> Ad ostiarium namque pertinent claves ecclesie, ut claudat et aperiat<sup>13</sup> templum Dei, et omnia que sunt intus extraque<sup>14</sup> custodiat, fideles recipiat, excommunicatos et infideles<sup>15</sup> excipiat.<sup>16</sup> Ad exorcistam pertinet exorcismos memoriter retinere, manusque super energumenos<sup>17</sup> et catechumenos in exorcizando imponere.<sup>18</sup> Ad acolithum pertinet preparatio luminariorum<sup>19</sup> in sacrario, ipse cereum portat, ipse suggesta pro eucharistia calicis<sup>20</sup> preparat.<sup>21</sup> Ad psalmistam pertinet officium canendi, dicere benedictiones<sup>22</sup>, laudes, sacrificium, responsoria et quicquid pertinet ad cantandi peritiam.<sup>23</sup> Ad lectorem pertinet lectiones pronuntiare, et ea que prophete vaticinaverunt<sup>24</sup> populis<sup>25</sup> predicare.<sup>26</sup> Ad subdiaconum pertinet calicem et patenam ad<sup>27</sup> altare Christi deferre, et levitis tradere, eisque ministrare, urceolum quoque et aquamanile et manutergium<sup>28</sup> tenere, episcopo et presbitero et levitis pro lavandis ante altare manibus aquam prebere.<sup>29</sup> Ad diaconum pertinet assistere sacerdotibus et ministrare in omnibus que aguntur in sacramentis<sup>30</sup> Christi in baptismo scilicet in chrismate, in patena et<sup>31</sup> calice. Oblationes quoque inferre<sup>32</sup> et disponere in altare<sup>33</sup>,

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<sup>6</sup> Hisp. - directa *om.* Ea; ad Ludef. - directa *om.* Pw

<sup>7</sup> tui \*EaMgTbTcVp; *om.* BeCaCeDaGcOaPaPfPhPrSb

<sup>8</sup> ago \*Be<sup>2</sup>CaMgTbTc; *om.* BePf

<sup>9</sup> meo *add.* BeCaPfTc, *om.* \*MgPhTb

<sup>10</sup> tibi *add.* MgTc, *om.* \*CaPfTb

<sup>11</sup> vest. sint cog. CaMgPfTc; tue sint cog. Ph; tue cog. sint Tb

<sup>12</sup> De hostiario *in mg.* Be

<sup>13</sup> cl. et ap. \*CaMgPfPhTc; ap. et cl. Tb

<sup>14</sup> extraque \*CaMgPfTc; et extra PhTb

<sup>15</sup> non *add.* Pf<sup>2</sup>, *om.* \*CaMgPfTbTc

<sup>16</sup> De exorcista *in mg.* Be

<sup>17</sup> et exorcizandos *add.* Mg, *om.* \*CaPfTbTc

<sup>18</sup> De acolito *in mg.* Be

<sup>19</sup> -ariorum \*CaMbPfTb; -arium Tc

<sup>20</sup> -icis \*CaMgPfPhTc; -ici Tb

<sup>21</sup> De psalmista *in mg.* Be

<sup>22</sup> -iones \*MgPfTbTc; -ionem Ca

<sup>23</sup> De lectore *in mg.* Be

<sup>24</sup> vatic- \*CaMgPfTb; predicaverunt Tc

<sup>25</sup> Dei *add.* MgTc, *om.* \*CaPfPhTb

<sup>26</sup> De subdiacono *in mg.* Be

<sup>27</sup> ad \*CaMgTbTc; *om.* Pf

<sup>28</sup> manuterium Mg

<sup>29</sup> De diacono *in mg.* Be

<sup>30</sup> -tis \*CaMgPfPhTc; -to Tb

<sup>31</sup> in *add.* Tc, *om.* \*CaMgPfTb

<sup>32</sup> inferre \*AdBeMgPaPfPr; inferri Ca; offerre PhTbTc

componere etiam mensam Domini atque vestire, crucem ferre, et predicare evangelium et apostolum. Nam sicut<sup>34</sup> lectoribus vetus testamentum, ita diaconibus novum predicare preceptum est. Ad ipsum quoque pertinet officium precum<sup>35</sup> et recitatio nominum. Ipse premonet aures ad Dominum<sup>36</sup>, ipse hortatur orare, ipse clamat, et pacem ipse annuntiat<sup>37</sup>.<sup>38</sup> Ad presbiterum pertinet sacramentum corporis et sanguinis Domini in altario Dei conficere, orationes dicere et benedicere dona Dei.<sup>39</sup> Ad episcopum pertinet basilicarum consecratio, unctio altaris et confectio chrismatis. Ipse predicta officia et ordines ecclesiasticos distribuit, ipse sacras virgines benedicit, et dum precessit<sup>40</sup> unusquisque in singulis, iste tamen est preordinator<sup>41</sup> in cunctis. Hi sunt ordines et ministeria clericorum<sup>42</sup>, que tamen auctoritate pontificali in archidiaconi cura, et primicerii ac<sup>43</sup> thesaurarii sollicitudine dividuntur<sup>44</sup>.<sup>45</sup> Archidiaconus enim imperat subdiaconis<sup>46</sup> et levitis, ad quem ista pertinent<sup>47</sup> ministeria: ordinatio vestiendi altaris a levitis, cura incensi et sacrificii necessaria sollicitudo. Quis levitarum apostolum et evangelium<sup>48</sup> legat, quis preces dicat, seu<sup>49</sup> responsorium in dominicis diebus aut solemnitatem<sup>50</sup> decantet. Sollicitudo quoque parochiarum<sup>51</sup> et ordinatio, et iurgia ad eius pertinent curam, pro reparandis diocesanis basilicis ipse suggeret sacerdoti. Ipse ambit<sup>52</sup> parochias cum iussione episcopi, et ornamenta vel res basilicarum vel parochiarum<sup>53</sup>, gesta libertatum ecclesiasticarum episcopo idem refert<sup>54</sup>. Collectam pecuniam de communione ipse accipit et episcopo defert, et clericis partes<sup>55</sup> proprias idem<sup>56</sup> distribuit. Ab

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<sup>33</sup> -are CaMgPfTb; -ari Tc

<sup>34</sup> ss Tc

<sup>35</sup> precum CaMgPfTc; preconii Tb

<sup>36</sup> Dominum \*CaMgPfTb; Deum Tc

<sup>37</sup> pac. ipse ann. \*BeDa<sup>2</sup>PfSbTbVo; pac. ann. CaDa; ipse pac. ann. Mg; pac. denuntiat PcTc

<sup>38</sup> De presbitero *in mg.* Be

<sup>39</sup> De episcopo *in mg.* Be

<sup>40</sup> precessit \*BeCaMgPfPhTc; preceps sit Tb

<sup>41</sup> est pr. BePfTc; cum pr. Ca; pr. est Mg; pr. PhTb

<sup>42</sup> clericorum \*CaMgPfPhTc; angelorum Tb

<sup>43</sup> ac CaMgPfTb; et Tc

<sup>44</sup> vel div. *ss over* traduntur Ad

<sup>45</sup> De archidiacono *in mg.* Be

<sup>46</sup> -nis \*CaMgTc; -nibus PfTb

<sup>47</sup> ista pert. CaMgPfPhTb; pert. ista Tc

<sup>48</sup> Ap. et Ev. \*CaMgPfPhTc; Ev. et Ap. Tb

<sup>49</sup> seu \*CaMgPfTb; quis Tc

<sup>50</sup> -nitatem BePfTc; -nitatibus Ca; -tatum Mg; -nitatum PhTb

<sup>51</sup> -iarum \*CaPfTbTc; -ianorum Mg

<sup>52</sup> ambit CaMgPfPhTc; ambiat Tb

<sup>53</sup> -iarum \*PfTbTc; -ianorum CaMg

<sup>54</sup> ep. idem refert \*PfPhVoVp; ep. idem referet CaMg; ep. idem refert Tb; idem refert ep. Tc

<sup>55</sup> partes \*CaMgPfPhTc; *om.* Tb

archidiacono episcopo nuntiantur<sup>57</sup> excessus<sup>58</sup> diaconorum<sup>59</sup>, ipse denuntiat sacerdoti in sacrario ieiuniorum dies atque<sup>60</sup> solempnitatum, et ab ipso in ecclesia publice predicantur<sup>61</sup>. Quando vero archidiaconus absens est, vicem eius diaconus sequens adimplet. <sup>62</sup>Ad primicerium pertinent acolithi, exorciste, psalmiste, atque<sup>63</sup> lectores. Signum quoque dandum pro officio clericorum, pro vite honestate et officium cantandi, et peragendi sollicite lectiones, benedictiones<sup>64</sup>, psalmum, laudes, offertorium, responsoria quis clericorum dicere debeat. Ordo quoque et modus psallendi in choro pro solempnitate et tempore, ordinatio quoque pro luminaribus deportandis. Si quid<sup>65</sup> etiam necessarium est pro reparatione basilicarum que sunt in urbe, ipse denuntiet sacerdoti. Epistolas episcopi pro diebus ieiuniorum parochianis per ostiarios ipse dirigat, clericos quos delinquere cognoscit, ipse distringat, quos vero emendare non valet, eorum excessus ad agnitionem episcopi deferat, basilicarios ipse constituat, et matriculas ipse disponat. Quando autem primicerius absens est, ea que predicta sunt ipse<sup>66</sup> exquirat qui ei aut lege<sup>67</sup> est proximus<sup>68</sup>, aut eruditione his exemplis certus. <sup>69</sup>Ad thesaurarium pertinet ostiarii basilicarum ordinatio, incensi preparatio, cura chrismatis conficiendi, cura<sup>70</sup> baptisterii ordinandi<sup>71</sup>, preparatio luminariorum<sup>72</sup> in sacrificio<sup>73</sup> et sacrificii<sup>74</sup>.

ID 6.20] D 25 c 1

<sup>56</sup> idem \*CaPfTbTc; ipse Mg

<sup>57</sup> ep. nunt. BdCaMgPcPfPwTc; nunt. ep. \*Pa<sup>2</sup>PhTb; ep. PaPk

<sup>58</sup> excelsus Rf

<sup>59</sup> et add. Tc, om. \*CaMgPfTb

<sup>60</sup> iei. dies atque \*CaPfTb; iei. dies et Mg; dies iei. et Tc

<sup>61</sup> publ. pred. \*BeMgTbTc; pred. publ. Ca; pred. Pf

<sup>62</sup> De primicerio add. Be

<sup>63</sup> atque \*CaMgPfTb; et Tc

<sup>64</sup> benedictiones \*PhPrTbVm; om. AdBdCaCeDaLdMgPaPcPfPkPwRfSbTcTfVo

<sup>65</sup> quid \*CaMgTbTc; quidem Pf

<sup>66</sup> ipse \*Tc; iste CaPfTcVp; ille Mg

<sup>67</sup> aut lege AdCaLdMgTcTf; aut longe CePfPr; haud longe PaPh; aut non longe Tb

<sup>68</sup> est pr. \*CaMgPfTc; pr. est Tb

<sup>69</sup> De thesaurario in mg. Be

<sup>70</sup> chrism. conf. cura \*MgPfTbTc; om. Ca

<sup>71</sup> ordinandi Tb. cura chrismatis conf. – ord. after et sacrificii below Ce

<sup>72</sup> -ariorum \*CaMgPfTb; -arium Tc

<sup>73</sup> sacrificio \*CaPfTbTc; sacrario Ca<sup>2</sup>Mg

<sup>74</sup> et sacr.] om PqSb; add. ss Sb<sup>2</sup>; sanctuarii Vp. preparatio lum. – sacrificii om. PaPk

## 42

<sup>1</sup>Ex concilio Hilerdensi<sup>2</sup>, cap. xx<sup>3</sup>

<sup>1</sup> Hic incipit de illis qui ordinandi sunt, de clericis qui a medicorum incisione claudi efficiuntur quod debeant promoveri in mg. AdBeCaDaGcLdMgPrSIVm, in text Vo(adding xliii); iii. De ordinandis in

Si quis in infirmitate positus clericus in medicorum incisione claudus efficitur, promoveri eum<sup>4</sup> ad sacros ordines non denegamus.

ID 6.34] +D 55 c 10

mg. Bd<sup>2</sup>; De clericis qui medicorum incisione claudi efficiuntur quidem quod promovendi s. Ce mg.; De clericis in mg. Db<sup>2</sup>; De clericis qui a medicorum incisione claudi efficiuntur quod debeant ordinari. Qui non sponte sed casu membrum amputaverit promoveri ad ordines non denegatur in text (no insc. cf c 43) Ea; Qui clerici sint ordinandi in mg. Ga; De ordinandis et non ordinandis Mj (mg.); Hic incipit de illis qui ordinandi sunt AaOaPa in text, in mg. SbTc (cf c 43), Pa adding Quod clerici qui medicorum incisionem claudi efficiuntur debeant promoveri; De clericis qui medicorum incisione claudi fiunt ut promoveantur Pf(mg.); De clericis et laicis ordinandis et de non ordinandis Ph; De clericis – efficiuntur quod debeant promoveri in mg. QeWc; om. BbLcMoMqPcPtRaRfTbVp

<sup>2</sup> conc. Hil. \*CaMgPfTb; Hil. conc. Tc

<sup>3</sup> xx om. Mk. Quod clericis qui medicorum incisionem claudi efficiuntur debeant promoveri add. Pa

<sup>4</sup> prom. eum \*AaBbBe<sup>2</sup>GcMhMkMmOaPhTbTcVm; prom. BeCaDbMgPfVoVp; eum prom. MfMj

### 43

[Qui non sponte sed casu membrum sibi amputaverint promoveri ad ordines non denegentur]<sup>1</sup>. Innocentius<sup>2</sup> Felici episcopo Nucerino salutem<sup>3</sup>

Qui igitur partem cuiuslibet<sup>4</sup> digiti sibi<sup>5</sup> ipse volens abscidit<sup>6</sup>, hunc ad clerum canones non admittunt. Cui vero<sup>7</sup> casu aliquo<sup>8</sup> contigit, dum aut<sup>9</sup> operi rustico curam impendit, aut aliquid faciens se non sponte percussit, hos canones precipiunt et clericos fieri, et si in clero fuerint reperti<sup>10</sup>, non abici. In illis enim voluntas est<sup>11</sup> iudicata, que sibi causa fuit<sup>12</sup> ferrum inicere<sup>13</sup> quod scilicet et alii id facere dubitare non possit. In istis vero casus veniam meruit.<sup>14</sup>

4L 2.63; ID 6.58] D 55 c 6

<sup>1</sup> Qui non (ss Ca) – amp. promoveri ad ordines non denegentur (-etur BeSbVo, -atur CeDa) BeCaCeDaGcMgSb mg, Vo text, adding xliiii; De clericis qui medicorum incisione claudi fiunt (efficiuntur Ad) quod debeant promoveri in mg. AdTc; Qui (?) non sponte – amp. non denegetur ordinari in mg. Ga; Quod mutilatus sponte non recipiatur in clerum, non sponte mutilatus recipiatur, et si clericus repertus est non abiciatur in text Pa; Qui – amp. promoveantur Pf mg; om. MqPcPtRfTbVp

<sup>2</sup> papa add. OaTb; episcopus add. Tc, om. BeCaGcMgPaPf; Innocentius papa (only) Ea

<sup>3</sup> Nucerino salutem Be<sup>2</sup>CaFcGcLdLnMgPwRfTbVoVp; Nuc. cp. i Da; Nucerino Pf; Nucerino sal. cap. i Sb; salutem Tc; (ad Felicem ep. Nucerinum Oa)

<sup>4</sup> partem cuiusl. \*CaFcMgPfPwTb; cuiusl. partem Tc

<sup>5</sup> sibi \*CaMgTbTc; sui Pf

<sup>6</sup> -dit \*CaPfTc; -derit GcMgTb

<sup>7</sup> vero \*CaMgTbTc; ergo Pf

<sup>8</sup> hoc add. MgTc, om. \*BeCaGcPfTb

<sup>9</sup> aut \*CaMgPfPhTc; adhuc Tb

<sup>10</sup> fu. rep. CaPfTbTc; rep. fu. Mg

<sup>11</sup> vol. est \*CaMgPfTb; est vol. Tc

<sup>12</sup> causa fuit CaMgPfTb; fuit causa Tc

<sup>13</sup> inicere \*CaPrTbTc; incidere MgPf

<sup>14</sup> In istis – meruit om. Lc

## 44

[De eodem]<sup>1</sup>. Stephanus Roberto<sup>2</sup> Metensi episcopo

Lator<sup>3</sup> presentium, Flavinius<sup>4</sup> scilicet<sup>5</sup> clericus ad sanctam sedem apostolicam  
veniens, detulit a te nobis directam<sup>6</sup> epistolam qua indagare<sup>7</sup> studuisti, eum<sup>8</sup> a  
Northmannis nuperrime captum sinistre manus digitum<sup>9</sup> habere abscissum, sciscitans  
si hic ad ecclesiasticum ordinem valeat promoveri, an non. Quod etiam nos  
reperientes, quia solertia tua<sup>10</sup> magis super hoc sollicita a sede apostolica doceri  
flagitat, normam iustitiae semper sequi<sup>11</sup> exoptans studium tue sanctitatis<sup>12</sup> merito  
collaudamus, reverentiam tuam scire volentes<sup>13</sup> quoniam si ita est, quod a  
Northmannis digitum ipsum habeat abscissum<sup>14</sup>, ad promovendum, si alias dignus  
fuerit, non ei nocebit, eo quod quid<sup>15</sup> de his qui a dominis sive<sup>16</sup> medicis vel a paganis  
non sponte<sup>17</sup> tale quid<sup>18</sup> patiuntur sacri censeant canones<sup>19</sup>, dilectionem tuam latere  
non credimus, quod ei obviare debere, si ita est minime reperimus monentes  
religionem tuam, ut circa illum ita peragat, quatenus et mercedem pro eo magnam  
incurrat, et desiderium istius canonica auctoritate ei in aliis non obviante, Deo<sup>20</sup>  
adiuvante, perficiat.

ID 6.118] D 55 c 11 to latere non credimus only

<sup>1</sup> De eod. BeCaCeDaGcLdLnMgOaPaPrRa(after episcopo)Tc, in mg. Ha; Quod non sponte sed casu  
membrum sibi amputaverit promoveri ad ordines non denegatur Ad mg.; Quod qui a Normannis habuit  
digitum abscissum possit ordinari in mg. Sb; De non abiciendo clerico ab ordinatione cuius digitus per  
vim abscissus est xlv Vo; om. MqPcPfPtRfTbVp

<sup>2</sup> Roberto \*CaPcPfTbTc; Ridberto Ad; Ruberto CePa; Roperto Gc; Ruperto Mg; Deberto Pt

<sup>3</sup> Dator LnOaPr(subs. corr.)PyRf. vero add. BdMqPfSbVp, om. \*BeCaDaGcMgOaPrRfTbTcVo

<sup>4</sup> -inius BeMgPfTb; -imus Ca; -ianus Tc

<sup>5</sup> scil. \*CaMgPfTb; om. Tc

<sup>6</sup> nob. dir. \*CaMgPfTb; dir. nob. Tc

<sup>7</sup> indagare \*CaPfTbTc; indicare Mg

<sup>8</sup> eum CaPfTb; cum MgTc

<sup>9</sup> digitum \*CaMgPfTb; abscissum Tc

<sup>10</sup> tua \*BeTbTc; om. CaMgGcPf

<sup>11</sup> semp. seq. \*CaMgPfTb; seq. semp. Tc

<sup>12</sup> tue sanct. \*CaMgPfTb; sanct. sue Tc

<sup>13</sup> vol- \*CaMgPfTb; nol- Tc

<sup>14</sup> dig. ipsum hab. absc. CaMgPfTb; absc. dig. hab. Tc

<sup>15</sup> quid \*BeCaTbTc; om. Mg; quidem Pf

<sup>16</sup> corr. fr. suis Vo; a add. BeCaGcMgTc, om. \*PfPhTbVo

<sup>17</sup> sed add. Tb, om. \*CaMgPfPhTc

<sup>18</sup> tale quid \*BeTbTcVo; quid CaGcMg; quidem Pf

<sup>19</sup> corr. fr. -ores Mg

<sup>20</sup> Deo \*Da<sup>2</sup>MgPfSbTbTc; eo CaDa



45<sup>1</sup>*Qui laici debeant ordinari*<sup>2</sup>

Laici vero qui habentes uxores baptizati sunt, ac sic se instituerunt ut opinio eorum<sup>3</sup> in nullo vacillet, ut<sup>4</sup> aut clericis iuncti sint<sup>5</sup> aut monasteriis ex quo baptizati sunt heserint, si non<sup>6</sup> concubinam, non<sup>7</sup> pellicem norint, si in omnibus operibus vigilaverint non prohibentur huiusmodi<sup>8</sup> ad clericatus sortem assumi, ita sane ut in eis tempora a maioribus constituta servantur<sup>9</sup>, ne<sup>10</sup> cito quilibet lector<sup>11</sup>, ne<sup>12</sup> cito acolitus, <sup>13</sup>cito diaconus, cito sacerdos fiat<sup>14</sup>.

4L 2.65a; ID 6.95b] D 33 c 6 to sortem assumi

<sup>1</sup> MkVc reverse cc 45-6

<sup>2</sup> Qui (Quod AdBeDaMq) - ord. in mg. AdBeCaCeDaGcFcLdLnMgPfPr; in text EaMqOaPaTc; Qui laici merito debeant ordinari. Innocentius Felici cap. iii in text Da, in mg. Sb; De laicis ordinandis in text and mg. Db; Idem. Qui – ord. Ra; Quod laici debeant baptizari in text Tb; Idem. Qui – ordinari xlvi Vo; om. BdEgPwRf. Innocentius Felici episcopo Nucerino add. Eg, Idem add. Pf, Innocentius papa Lucrino episcopo add. Tc, om. BdCa(with lacuna)EaFcMgPhPtPwRfTb. Idem (only) Oa

<sup>3</sup> eorum \*MgPfTbTc; illorum Ca

<sup>4</sup> ut \*AaBeDaGcOaPfTbVo; qui CaEaEg(vel ut ss)MgRaTc

<sup>5</sup> sint \*Be<sup>2</sup>GcPfTb; sunt BeCaEgMgTc

<sup>6</sup> non \*CaMgPfPhTc; om. Tb

<sup>7</sup> non CaMgPfTc; nec Tb

<sup>8</sup> non prob. hui. \*CaMgPfPhTb; hui. non prob. Tc

<sup>9</sup> serv. here \*CeOaPaPhPkRaTbVm, before tempora CaMgPfPwTcVp

<sup>10</sup> non Ce

<sup>11</sup> ne (vel add. PcTc) cito quil. lector \*BeCaCeMgPaPcPfPwTc; cito ne quil. lector PrVm; om. PhTb

<sup>12</sup> non Ce

<sup>13</sup> non add. Ce

<sup>14</sup> cito sac. fiat \*OaRaTbTf; fiat cito sac. AaBeCaMgPfWd; cito sac.

AdCeGcPaPhPkPwRfQeVmVoWc; cito fiat sac. Tc

## 46

*[Qui liberti debeant ordinari]*<sup>1</sup>. Ex concilio Toletano cap. lxxxiii<sup>2</sup>

Quicumque libertatem a dominis suis ita percipiunt ut nullum<sup>3</sup> sibimet in eis obsequium patronus retinet, isti si<sup>4</sup> sine crimine capitali sunt<sup>5</sup> ad clericatus ordinem liberi suscipiantur quia<sup>6</sup> directa<sup>7</sup> manumissione absoluti esse noscuntur. Qui vero retento obsequio manumissi sunt, pro eo quod adhuc<sup>8</sup> patroni servitute tenentur

<sup>1</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrTc; in text Ea (no insc.)MqPaVo(adding xlvii); Et de non ordinandis in text and mg. Db; Qui – ordinari et qui non in text Pa; Qui liberti debeant ad ordines promoveri in mg. Sb; om. LcOaPcPtRfTbVp

<sup>2</sup> lxxxiii \*AdBeGcLdLnMqPfPrRaRfTb; lxx Ca; IIII cp. lxxii Da; lxxxiii MgTcVp; lxxiii Oa; lxxxxiii Vo

<sup>3</sup> nullum \*CaMgPfTb; om. Tc

<sup>4</sup> si DaMgPa<sup>2</sup>PcPhPwSb<sup>2</sup>TbTc; om. BeCaCeGcPaPfPqPrSbVm

<sup>5</sup> et add. CaGcPfPh, om. \*BeEaMgTbTc

<sup>6</sup> quia \*BeMgPrTbTc; qui CaGc; et Da; et si Pa; si after obsc. corr. Pf

<sup>7</sup> directa \*GcMgPfTbTc; recta CaDaPa

<sup>8</sup> adhuc \*CaMgPfTb; om. Tc

obnoxii, nullatenus ad ecclesiasticum ordinem sunt promovendi<sup>9</sup>, ne quando voluerint eorum Domini, fiant ex clericis servi<sup>10</sup>.

ID 6.126] D 54 c 5

<sup>9</sup> sunt prom. CaMgTbTc; prom. sunt Pf

<sup>10</sup> vel salvi add. ss Vo

#### 47

[Qui nullatenus sint ordinandi]<sup>1</sup>. Ex epistola<sup>2</sup> Gelasii pape, cap. xvi

Illitteratos<sup>3</sup> quoque, aut aliqua parte corporis imminutos<sup>4</sup>, nullus presumat ad clerum<sup>5</sup> promovere, quia nec litteris carens sacris potest esse aptus officiis, et vitiosum nihil Deo<sup>6</sup> prorsus offerri legalia precepta sanxerunt. Similiter<sup>7</sup> qui seipsos abscidunt.<sup>8</sup>

ID 6.37, cf 4L 2.75] D 36 c 1

<sup>1</sup> in text Ea(after Hic - ord.)MkPtTcVo, mg. AdBeLnPfPr; om. BbDaMjMoTb. Hic (om. Pt) incipit de non ordinandis in mg. BeCaDaGcMgPrRa, in text EaLnMmMqPcPtSbVo(adding xlviii); iiii. De non ordinandis in mg. Bd; Hic incipit de ordinandis Ce mg.; Hic incipit de non ordinandis qui nullatenus sint ordinandi Ldmg.Mh; Quod illiterati aut corpore minuti non promoveantur ad clerum Pa ; Hic incipit de non ordinandis in text Rf

<sup>2</sup> -olam Ca

<sup>3</sup> Illustratos Lc

<sup>4</sup> immin- \*Da<sup>2</sup>OaPhRaSb<sup>2</sup>TbTc; min- AdBeCaCeDaEaGc<sup>2</sup>MgPaPfPkPrPwRfSbTfVmVp; minitos Gc; inmundos Vo

<sup>5</sup> pres. ad clerum CaMgPfTb; ad clerum audeat Tc

<sup>6</sup> nihil Deo \*CaMgPfTc; nihil prorsus Deo Ph; Deo nihil Tb

<sup>7</sup> eos add. Tb, om. \*CaEaMgPfPhTc

<sup>8</sup> Similiter – abscidunt om. Pt

#### 48

<sup>1</sup>Ex concilio Triburiensi<sup>2</sup>, cap. v<sup>3</sup>

Ut<sup>4</sup> nulli de servili conditione ad sacros ordines promoveantur<sup>5</sup>, nisi a dominis legitimis propriam<sup>6</sup> libertatem consequantur. Cuius libertatis carta ante ordinationem

<sup>1</sup> Qui (Quod CaDa ac) nullatenus sint ordinandi add. in mg. CaCeDaGcMgTc, cf c 47; Quod nullus servus ordinetur nisi a domino suo legitimo liber fiat et nullus contradicat Pa; Quod servi ad sacros ordines nullatenus sunt promovendi in mg. Sb; De non ordinandis servis nisi concessa libertate a dominis suis TdVo, xlviii add. Vo

<sup>2</sup> Tribur- \*CaGcPfPh<sup>2</sup>PrRfTc; Tridumensi CePa; Triburnensi Mg; Tribur- Ph; Tiber- Tb; Tibur- Vo; Tribulensi Vp

<sup>3</sup> cap. v om. Ea; cap. vi Oa

<sup>4</sup> Et Oa

<sup>5</sup> proveantur Mg

<sup>6</sup> a dominis legitimis (-ime Ad) propriam AdBdCaCeDaGcMqPaPfPkPwRaSbTfVoVp; prius a dominis propriis legitimam Be; a dominis propriis legitimam prius EaMgPcRfTc; prius a propriis dominis Oa; prius a dominis legitimis propriam PhTb; a dominis legitimis propria <libertate> Pq; a dominis propriis legitimam PrVm

in ambone<sup>7</sup> publice legatur<sup>8</sup>, et si nullus contradixerit, rite<sup>9</sup> consecrabuntur. Porro servus non canonice consecratus, postquam de gradu deciderit<sup>10</sup>, eius conditionis sit cuius fuerat ante gradum.

ID 6.41] D 54 c 2

<sup>7</sup> ambone \*DaGcMgMoPfRaTbTc; ambitione Ca; locus predicationis add ss. Mo<sup>2</sup>; id est pulpita add. in mg. Ra<sup>2</sup>

<sup>8</sup> pub. leg. \*CaMgPfTc; pub. legatur Ph; leg. pub. Tb

<sup>9</sup> rite \*CaMgTbTc; om. Pf

<sup>10</sup> dec- \*CaMgTbTc; cec- Pf

## 49

[*Quod bigami non sint*<sup>1</sup> ordinandi]<sup>2</sup>. In decretis Leonis, cap. iii<sup>3</sup>

Leo urbis Rome episcopus omnibus episcopis. Quicumque ad sacerdotium vel viduarum mariti, vel habentes numerosa coniugia promoti fuerint, ab omnibus ecclesiasticis officiis et sacerdotali nomine apostolice sedis auctoritate iubemus arceri<sup>4</sup>.

4L 2.69]

<sup>1</sup> sint] sunt CeEaSb

<sup>2</sup> in mg. AdBeCaCeGcDaLdLnMgPfPrSb; in text after insc. EaPaVo(adding l); om. MqPcPtRfTbTcVp

<sup>3</sup> cap. iii] pape Ea; pape cap. iii DaOaRa. Capitulum tertium de bigamis as insc. Pt

<sup>4</sup> iub. arc. CaOaPfRaTbTc; arc. iub. EaMgWd

## 50

<sup>1</sup>In decr' Hilarii<sup>2</sup>, cap. ii<sup>3</sup>

Hilarius<sup>4</sup> Romane ecclesie episcopus sinodo residens dixit, Cavendum est in primis ne ad sacratos<sup>5</sup> gradus<sup>6</sup> qui uxorem virginem non duxit aspiret. Repellendi sunt etiam<sup>7</sup> quique<sup>8</sup> in secunde uxoris nuptias contra apostolica convenerint<sup>9</sup> precepta.

4L 2.70] D 34 c 9 var. to aspiret only

<sup>1</sup> De eodem in mg. CaLn, Quod coniugatus non ordinetur nisi virginem dux' uxorem Pa, Quod qui virginem non duxerit vel qui secundus nuptias fecerit non ordinetur in mg. Sb, Quod liberti debeant ordinari in mg. Tc, De his non ordinandis qui uxorem non virginem duxerint TdVo, lii add. Vo; om. CeDaEaMgMqOaPfTbVp

<sup>2</sup> episcopi add. Aa, pape add. GcMgPr, om. CaPfRfTbTc

<sup>3</sup> cap. ii om. Ea; ii om. Rf

<sup>4</sup> Hilarius BeCaEaFcMgOaPfPwTbTcVo; Nicholaus Rf; Hylarus Vp

<sup>5</sup> sacratos CeGcPaPfPhPrTbVo; sacros BeCaDaEaMgOaRfTcVp

<sup>6</sup> ordines (with gradus in mg.) Mq

<sup>7</sup> nanque Aa

<sup>8</sup> quique BeDaEaPfPh<sup>2</sup>PrVmVo; quicumque CaRaTbTc; qui GcMg; quisque Ph

<sup>9</sup> -erint BeCaEaPaPfPrTc; -erunt MgWd; -iunt PhTb

## 51

[*Quod filii presbiterorum non sint ordinandi nisi probabilis vite fuerint*]<sup>1</sup>. <sup>2</sup>*Decretis Gregorii VII et Urbani*<sup>3</sup> *II*<sup>4</sup> *de filiis sacerdotum*<sup>5</sup>

Presbiterorum filios a sacris altaris ministeriis<sup>6</sup> removendos<sup>7</sup> decernimus<sup>8</sup>, nisi aut in cenobiis aut in canonicis regularibus religiose probati fuerint conversari.<sup>9</sup>

ID 6.410] D 56 c 1, here as enlarged in later version.

<sup>1</sup> Quod – fuerint (sint Be) in mg. AdBeCaCeDaGcLdLnMgPfPr(adding remedium below)SbTc, in text after insc. Ea, Quod non sint ordinandi nisi probabilis vite fuerint Pa, De filiis sacerdotum. De filiis presb. – fuerint lii Vo; om. MqPtTbVp

<sup>2</sup> Ex add. BeCbRaPf; In add. MgPaTc, om. \*AaCaEaGcMqOaPcPhRfQeTb

<sup>3</sup> Urbani Rf

<sup>4</sup> om. PrVm

<sup>5</sup> II – sac. om. Ea, de filiis sac. om. DaPtSb

<sup>6</sup> alt. (ss Gc) min. \*CaGcMgPfTb; min. alt. Tc

<sup>7</sup> corr. fr. promov- Ca<sup>2</sup>

<sup>8</sup> decern-\*BeEaGcMgPfTb; decrev- CaDaOaSbTc

<sup>9</sup> Sed hoc intelligendum est de illis – fieri possunt (D 56 dp c 1) add. Vp

52<sup>1</sup>

[*Exemplum*]<sup>2</sup>. *Ex libro pontificatus*<sup>3</sup>

Felix<sup>4</sup> tertius<sup>5</sup>, natione Romanus ex patre Felice presbitero fuit, a temporibus Odoacri<sup>6</sup> regis usque ad tempora Theodorici regis<sup>7</sup>. Item. Gelasius natione Afer<sup>8</sup>, ex patre Valerio<sup>9</sup> episcopo<sup>10</sup>, sedit annos quatuor, menses viii, dies xix<sup>11</sup>. Item. Agapitus natione Romanus ex patre Gordiano presbitero, sedit menses xi, dies xviii<sup>12</sup>. Item. Silverius<sup>13</sup> natione Campanus, episcopo Romano<sup>14</sup> ex patre Ormisda<sup>15</sup>, sedit annum unum<sup>16</sup>, menses v, dies ix<sup>17</sup>. Item<sup>18</sup>. Deusdedit natione Romanus ex patre Stephano

<sup>1</sup> for Vp see Cconspectus

<sup>2</sup> Exemplum BeCaCeDaGc(mg.)LdLnMgMhPaPfPr(mg.), after pont. PaPtTdVoWc; Exemplum de his qui cum essent filii presbiterorum ordinati fuerunt in mg. Sb; Quod filii presbiterorum et clericorum ordinantur si fuerint bone vite Tc mg.; om. GaMjMoMqOaPcPdRaRfTbVp (for AdMkVm see below)

<sup>3</sup> -atus AdBeCaGcMgPfTbVoA; -ati Sb; -um Tc; De libro pontificali Mj; In libro pontificali Ra.

Remedium add. Vm

<sup>4</sup> episcopus add. GcMgMoPtRa(after tertius)TcVoVp, om.

AdBbBeCaCeDaMfMhMjMkMmMqOaPaPdPfPhPrRfSbTbA

<sup>5</sup> tertius] om. GcPtVoWd

<sup>6</sup> Odoacri AdGcMgOaPfPhA; Odoagri BeCaTb; Odogarii Ra; Odogari TcVo

<sup>7</sup> Exemplum add in text AdVm, in mg Mk

<sup>8</sup> Afer BeMgOaTcA; vafer CaCeDaPaPfPhQeTb

<sup>9</sup> -erio CaPfTbTcA; -eriano Mg

<sup>10</sup> ep. CaMgPfPhTcA; fuit et Tb

<sup>11</sup> xix PhRaTbA; xxx BeGcMgTc; xxix CaPf

<sup>12</sup> xviii Pf; xx BeGcMgTc; xxx Ca; xxv Gc<sup>2</sup>; xxii PhRaTb; iixx A

<sup>13</sup> Silverius CaMgPfTbA; Silvestrius Tc

<sup>14</sup> episcopo Romano BeCeDaOaPaPfPhVo(after Ormisda)A; episcopus Romanus AdCaGcMgPrTbTc

<sup>15</sup> Ormisda MgPfTbA; om. Ca; Orm. episcopo Tc

<sup>16</sup> unum CaPfTbTcA; om. Mg

subdiacono, sedit annos iii<sup>19</sup> et dies xxiii. Item. Iohannes IV, natione Dalmata<sup>20</sup>, ex patre Venantio scholastico, sedit annum<sup>21</sup> unum, menses novem, dies xix<sup>22</sup>. Item. Theodorus natione Grecus, ex patre Theodoro episcopo de<sup>23</sup> civitate Hierosolima, sedit annos sex, menses quinque, dies x et viii<sup>24</sup>.

Ars. 713 fo.132v] +D 56 c 2, *Palea, is remote.*

<sup>17</sup> ix BeCaMg<sup>2</sup>PfRaTbTc; xx Mg; xi A

<sup>18</sup> Item BeCaMgPfTbA; om. Tc

<sup>19</sup> iii CaMgPfTbA; iiii Tc

<sup>20</sup> -ata CaPfTbA; -acia Gc; -atica MgTc

<sup>21</sup> annum CaPfTc; anno Tb; ann' PhA

<sup>22</sup> xix PfTbTc; x et ix CaMgA

<sup>23</sup> de CaPfTbTcA; ex Mg

<sup>24</sup> dies x et (om. AdGcRfTcTf) viii (viii BdCeSb) AdBdCaCeDGcMgPfPrRfTcTfA; om. PaPhQeTb

## 53<sup>1</sup>

### <sup>2</sup>Bartholomeo Turonensi<sup>3</sup> archiepiscopo<sup>4</sup>

Cenomanensem<sup>5</sup> electum, pro eo quod filius sacerdotis<sup>6</sup> dicitur, si cetera in eum virtutes<sup>7</sup> conveniunt, pro tempore non reicimus, sed<sup>8</sup> suffragantibus meritis patienter<sup>9</sup> suscipimus, non tamen ut pro regula in posterum assumatur sed ad tempus ecclesie periculo consulatur<sup>10</sup>.

Ars. 713 fo. 132v] D 56 c 13

<sup>1</sup> For Vp see conspectus

<sup>2</sup> Urbanus add. PaPt; De eodem add. in mg. Da, in text PaVo

<sup>3</sup> Turonensi CaEaMgTbTcA; Tulonensi Pf

<sup>4</sup> archiep. CaEaMgPfTbA; ep. MqTc. liii add. Vo

<sup>5</sup> Cenomanensem BeCaOaTbTcVo; Cenomagensem Ea; Cenomagnensem BdGcMqPf; Celomagnensem Mg; Comomagnensem Rf; Senomagnensem Td; Cenomansem A

<sup>6</sup> fil. sac. CaMgPfTbA; sac. fil. Tc

<sup>7</sup> in eum virt. CaGcMgOaPfPhA; virt. in eum TbTc

<sup>8</sup> sed CaMgTbTcA; om. Pf

<sup>9</sup> patienter CaMgPfPhTcA; om. Tb

<sup>10</sup> -atur CaPfTbTcA; -itur EaMg; -etur Wc

## 54

*[Quod non debeat ordinari qui natus est ex adulterio sed tamen ordinatus si bene vixerit manere debeat<sup>1</sup> in officio]<sup>2</sup>. Urbanus II<sup>3</sup> Petroni Legionensi<sup>4</sup> episcopo<sup>5</sup>*

<sup>1</sup> manere debeat (corr. fr. -ent Ca) AdCaGcMgWc; maneat Pf

<sup>2</sup> in mg. AdCaDaGaGcLdLnMgPfPrSbWc; in text Ea(no insc.)PaVo(adding liiii); Quod - tamen si ordinatus manere debet in officio si bene vixerit Be mg.; om. CeMqPcPtTbTcVp

<sup>3</sup> om. DaRf

<sup>4</sup> Legionensi AaBeCaCeFcGcMqOaPaPfPqPt<sup>2</sup>Ra<sup>2</sup>TbA; Legiensis Ra; religionensi Rf; Lingonensi Tc; Legidonensi Vo

<sup>5</sup> Urb. - ep. BeCaDaPfSbTbTcA; Legionensi episcopo patroni Urbanus secundus Mg

Quia simpliciter<sup>6</sup> ad sedem apostolicam veniens peccatum humiliter confessus es, quod pontificii tui videbatur officium impedire, videlicet quod ex matre non legitima procreatus<sup>7</sup> sis, quam vivente propria uxore pater tuus cognovisse cognoscitur, nos apostolice mansuetudinis gratia immunem te<sup>8</sup> a ceteris que sacerdotium impediunt criminibus tam tui professione<sup>9</sup> quam fratrum qui tecum sunt testimonium<sup>10</sup> agnoscentes, et vitam tuam religiosam audientes, ab huius te peccati vinculo<sup>11</sup> absolutum, in suscepti sacerdotii officio confirmamus.

*Ars. 713 fo. 132v] D 56 c 14*

<sup>6</sup> simpl- AdBdBcCaCbCeEaFcGcMgPaPcPhPqPtPwRfQaSbTbTcVmVo; similiter Aa; suppl- OaPfA; sim simpliciter Pk

<sup>7</sup> procreatus CaFcMgPcPfTbA; natus Tc

<sup>8</sup> immunem te CaMgPfPh?TcA; imminente Tb

<sup>9</sup> -one CaMgPfTbA; -onem Tc

<sup>10</sup> -ium CaMgPfTb; -io Tc; -iis A

<sup>11</sup> pecc. vin. CaMgPfTcA; vin. pec. PhTb

## 55

### <sup>1</sup>*Gelasius Palladio episcopo*<sup>2</sup>

Precepta canonum quibus ecclesiastica<sup>3</sup> regitur disciplina, sicut ad sacerdotium debiles corpore non patiuntur<sup>4</sup> venire<sup>5</sup>, ita et si quis in eo<sup>6</sup> actu<sup>7</sup> fuerit constitutus<sup>8</sup> ac<sup>9</sup> fuerit sauciatus<sup>10</sup>, amittere non potest quod tempore<sup>11</sup> sue sinceritatis accepit<sup>12</sup>. Stephanus siquidem presbiter pretorio<sup>13</sup> nobis deflevit, ablato quod

<sup>1</sup> De eo quod sicut ad sacerdotium ecclesiastica disciplina (doctrina Ca) *add. in mg.* CaGcMgPr, *in text* Vm, Gc<sup>2</sup> *adding*: debiles corpore venire non patitur [*sic*] et si quis in eo constitutus sauciatus fuerit amittere non potest; De eo – ecclesiastica disciplina debiles corpore non recipit, sic in sacerdotio constitutus aliqua parte corporis imminutus ab officio non reic' *in mg.* Ln; Quod debiles corpore ad sacerdotium non recipiantur sed postquam recepti sunt casu debilitati non deponantur Pa; Quod si quis in sacerdotali officio fuerit diminutus vel sauciatus, sui officii dignitate non privetur *in mg.* Sb; Ut si quis post ordinationem suam presbiter corporaliter fuerit imminutus ab officio non repellatur TdVo, lv *add.* Vo; *om.* AdBeCeDaMoMqOaPcPfPtRfTbTcVp

<sup>2</sup> Pall. ep. *om.* Ea

<sup>3</sup> *ss* Be<sup>2</sup>

<sup>4</sup> -iuntur BbBeEaGcMfMgMjMoPfTbTcVo; -itur CaCeLgMhMkMmObOdOeOfPdPfPrTfVm; -imur Brant

<sup>5</sup> pervenire Of

<sup>6</sup> in eo *om.* Brant

<sup>7</sup> autu Ca; actus Pt

<sup>8</sup> iniciatus Pa

<sup>9</sup> ac \*PhPrOaVmVo; ac te Tc; aut BdBeCaCeDa(*subs.*

*canc.*)DbEaGcMfMgMhMjMmObOdOeOfPcPfPkPwSbTf; ut Tb; in eo aut Brant

<sup>10</sup> ac fuerit sauc. *om.* Pa

<sup>11</sup> quod temp. \*CaMgPfTb; *om.* Tc

<sup>12</sup> Ea *ends cap. here*

<sup>13</sup> pretorio

AdBbBdBcCaCeDbFcGcLgLnMfMgMhMkMmMoOaOb<sup>2</sup>OdOeOfPaPcPdPfPhPkPqPwRaRfTbTfVm Brant; petitorio DaPt<sup>2</sup> SbID, Migne; preto Ob; petitorio Vo; *om.* Tc

habebatur in subditis<sup>14</sup>. Olim sibi ante annos plurimos collatam presbiterii dignitatem, quam revera immaculati corporis suscepit<sup>15</sup> iudicio<sup>16</sup>. Sed nuper propter provincie vastitatem quam Tuscie pre omnibus<sup>17</sup> barbarorum<sup>18</sup> diversa sectantium, et ambiguitas invexit animorum<sup>19</sup>, cum imminentes gladios evadere fuge presidio niteretur, acutis sudibus occurrentia sibi septa transiliens, inferiores partes corporis inseruisse suggessit, que vix adhibita curatione biennio potuisset abstergi<sup>20</sup>. Et ideo, frater carissime, supradicto locum suum dignitatemque restitue, quatenus sacrosancta misteria sicut<sup>21</sup> consuevit exercent. Nec enim convenit ob hoc auferri ante susceptum ordinem in quo postmodum<sup>22</sup> invaletudinem corporis casu probatur faciente collapsus<sup>23</sup>.

ID 6.107] D 55 c 12

<sup>14</sup> ab. quod hab. in subd. \*CaFcMgPfPwTb; om. Tc

<sup>15</sup> suscepit \*CaPfTb; suscepisset MgTc

<sup>16</sup> iud- \*MgPfTbTc; ind- Ca

<sup>17</sup> pre omnibus \*CaMgPfTc; partibus Tb

<sup>18</sup> rabies add. BbCaDaLdssMgTbVp(after diversa), feritas add. TcMigne, om.

\*AdBdBeCeDbGcMfMhMjMkMmMoOaPaPcPdPfPhPkPqPrPtPwRaRfSbTfVmVoBrant

<sup>19</sup> animorum \*CaMgPfTb; annorum Tc

<sup>20</sup> biennio potuisset abstergi \*CaOaPfTb; potuissent abstergi biennio Mg; biennio potuissent astringi Tc

<sup>21</sup> sicut \*MgPfTbTc; om. Ca

<sup>22</sup> in add. DbTbTc, om. \*BeCaGcMgPfVm

<sup>23</sup> corr. fr. prolapsus Ra

## 56

[Quod eunuchi ad clericatum possint<sup>1</sup> accedere]<sup>2</sup>. Ex concilio Martini pape<sup>3</sup>, cap. xxi<sup>4</sup>

Si quis per egritudinem naturalia<sup>5</sup> a medicis habuerit<sup>6</sup> secta, similiter et qui a<sup>7</sup> barbaris aut dominis stultis fuerint castrati, et moribus digni fuerint visi<sup>8</sup>, hos<sup>9</sup> canon admittit ad clericatus officium promoveri. Si quis autem sanus, non per disciplinam religionis et abstinentie, sed per abscissionem plasmati a Deo corporis existimans posse a se carnales concupiscentias<sup>10</sup> amputari, castraverit se, non eum admitti

<sup>1</sup> -sunt Pa

<sup>2</sup> Quod – accedere in mg. BeCaDaGcLdLnMgPfPrSbTc, in text PcPa, Qui – accedere in text with no insc. Ea, Quod (Qui Vo) –accedere, qui non PaVo; om. AdCeMqOaPtRfTbVp

<sup>3</sup> Martini pape] orientalibus a Martino episcopo collectis Da

<sup>4</sup> xvi Sb; xx Ra; xii Vo

<sup>5</sup> -uralia \*CaPfTbTc; -alitia Mg

<sup>6</sup> -erit \*CaMgPfTb; -erint Tc

<sup>7</sup> qui a \*CaPfTbTc; quia Mg

<sup>8</sup> dign. fu. visi CaMgPfPhTc; dignis fu. usi Tb

<sup>9</sup> corr. fr. hoc Ca

<sup>10</sup> concup. \*MgPfTbTc; passiones Ca

decernimus<sup>11</sup> ad aliquod clericatus officium. Quod si iam ante<sup>12</sup> fuerat promotus ad clericum, prohibitus a suo ministerio deponatur.

ID 6.374] D 55 c 9

<sup>11</sup> decern- \*CaMgPfPhTc; decrev- Tb

<sup>12</sup> iam ante \*BeCaMgPhTc; ante iam Pf; ante Tb

## 57

[*Que sit natura quorundam<sup>1</sup> eunuchorum*]<sup>2</sup>. Isidorus *Ethimologiarum libro X, cap. v*<sup>3</sup>

Eunuchus Grecum nomen<sup>4</sup> est, quod est spado. Horum quidam coeunt, sed tamen virtus in semine nulla<sup>5</sup> est. Liquorem enim habent et emittunt semen, sed ad gignendum inane atque<sup>6</sup> invalidum.

Ars. 713 fo. 171]

<sup>1</sup> quorumque Ad

<sup>2</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text PaPcRfVo; om. CeMqOaPtTb

<sup>3</sup> lib. – v] l' xcc.v Vp. Insc. placed before c 58 Ad

<sup>4</sup> Gr. nom. CaMgPfTbA; nom. Gr. RfTc

<sup>5</sup> virt. in sem. nulla CaMgPfTbA; in sem. nulla virt. Tc

<sup>6</sup> atque CaMgPfTbA; et PcTc

## 58

[*Quod ab hereticis baptizati non sunt<sup>1</sup> ordinandi*]<sup>2</sup>. Innocentius papa ad Felicem episcopum Nucerinum<sup>3</sup>, cap. iii<sup>4</sup>

Nostre<sup>5</sup> lex est ecclesie<sup>6</sup> venientibus ab hereticis qui tamen ibi baptizati sunt, per manus impositionem laicam tantum tribuere communionem, nec ex his aliquem in clericatus honorem vel exiguum subrogare.

ID 6.60b] +C I q I c 18b is remote

<sup>1</sup> non sunt CaEaGcPa<sup>2</sup>PfTc; sint <non> Be; non sint Mg; sunt Pa

<sup>2</sup> in mg. AdBeCaDaGcMgPfPrSb, in text PaPcEa(no insc.)RfTcVo(adding lviii); for Ga see 59; om. CeMqOaPtTbVp

<sup>3</sup> Nuc. om. Rf; Micernium Ca. ad Felicem – Nucerinum] Rufo et Eusebio episcopis DaSb, cf XP 3.20.1

<sup>4</sup> iiiii \*CaMgPfTc; iii Tb (?). Insc. placed before c 59 Ad

<sup>5</sup> vel grece add ss Sb<sup>2</sup>, vel gratie add ss Vq<sup>2</sup>

<sup>6</sup> Nostre lex est ecclesie \*BdBeCaCeEaGcMgPaPfPhPkPqPwQe<sup>2</sup>SbTcVmVo; Gratie lex est eccl. Qe; Gratie lex est Tb; Gratie Py

## 59<sup>1</sup>

[*Quod penitentes nec<sup>2</sup> repudiatarum mariti<sup>3</sup> sunt promovendi<sup>4</sup> ad sacerdotium<sup>5</sup> nec inergumini<sup>6</sup> ad clericatum*]<sup>7</sup>. Ex concilio Arelatensi III<sup>8</sup>, cap. iii<sup>9</sup>

<sup>1</sup> CaDaLfn reverse cc 59-60 with their rubrics, but CaLf leave inscriptions as here



Ut<sup>10</sup> digami vel<sup>11</sup> penitentes vel repudiatarum mariti ad sacerdotium non promoveantur<sup>12</sup>. Energumeni non solum assumendi non sunt ad clerum<sup>13</sup>, sed inventi<sup>14</sup> ab officio removendi.

ID 6.134, 135 rubric]

<sup>2</sup> nec CaEaMgTc; et Pf

<sup>3</sup> non add. Pf om. BeCaEaMgTc

<sup>4</sup> prom. sunt Pa

<sup>5</sup> prom. ad sac. BeCaMgPf; ad sac. prom. Tc

<sup>6</sup> ergum- Pa

<sup>7</sup> Quod (Si Pr) – clericatum in mg. AdBeCaDaGcLdMgPfPrSb, in text EaPaPcRfTc (EaPcRf with no insc.); Quod nec penitentes nec digammi nec repudiatarum nec mariti sunt promovendi ad sacerdotium nec energumini ad clericatum in mg against 58 Ga; Quod nec penitentes nec digami nec repudiatarum mariti promovendi ad sacerdotium nec energumini ad clericatum sint assumendi, sed si ordinati fuerint deponendi Lk mg.

Quod –mariti ad sac. promoveantur nec – clerum lviii Vo; om. CeMqOaPtTbVp

<sup>8</sup> Arel. III \*BeCaGcLdLnMgPrPw(which reverses inscs. of cc 59-60)RaTb; Arel. IIII AaDaPtSbVo;

Arelatensi CeFcOaPaPf; Aurel' III Mq; Aurelianensi Tc; Relatensi III Vp

<sup>9</sup> viii Vo. III – iii corr. fr. lccxviii Oa. Insc. before c 60 Ad

<sup>10</sup> Et Oa

<sup>11</sup> vel \*BeCaPfTbTc; et EaMg

<sup>12</sup> -eantur \*BeMgPfTbTc; -eatur Ca. Vo treats rest as separate cap. with insc. Ex concil' Aurasico cp. vi, and widely variant text: Energumini non solum non assumendi sunt ad ullum clericatus ordinem sed etiam illi qui ordinati sunt ab imposito officio repellendi sunt.

<sup>13</sup> -um \*CaMgTbTc; -icatum Pf

<sup>14</sup> vel inviti add. ss. Vp

## 60

[Quod penitens per ignorantiam episcopi ordinatus sit deponendus]<sup>1</sup>. Ex concilio

Cartaginensi cap. lxxviii<sup>2</sup>

Ex<sup>3</sup> penitentibus quamvis bonus clericus non ordinetur. <sup>4</sup>Si per ignorantiam episcopi factum fuerit, deponatur a clero, quia se ordinis tempore non prodidit fuisse in penitentia.

ID 6.136] D 50 c 55a

<sup>1</sup> Quod – sit deponendus in mg. Ad(to c 61)CaDaGcLnMgPfPrSbTc, in text (no insc.) Ea; Quod – ordinatus deponatur BeVo(adding lx); Quod penitens si (p.c.) per ignoranciam ordinatus fuerit deponatur Pa; om. CeMqOaPcPtRfTb

<sup>2</sup> lxxviii] xxviii Ce; lccxviii Oa; lxxvi Vp. IIII cp. lxxviii Da. Insc. before c 61 Ad

<sup>3</sup> Ex \*BeCeGcMgOaPaPfPtQaTbTc; De AdDaHaRaVo; [ ]e Ca

<sup>4</sup> sed add. Tc, om. \*CaMgPcPfTb

## 61

[Determinatio quod<sup>1</sup> penitentes non debeant ordinari]<sup>2</sup>. Ex concilio<sup>3</sup> Toletano<sup>4</sup>, cap.

i<sup>5</sup>

<sup>1</sup> quod MgPfTc; qui CaSb

Placuit ut penitentes non admittantur ad clerum, nisi tantum<sup>6</sup> si necessitas aut usus exegerit<sup>7</sup> inter ostiarios deputentur, vel inter lectores, ita ut evangelia et<sup>8</sup> apostolum non legant. Si qui autem<sup>9</sup> ante ordinati sunt<sup>10</sup>, inter<sup>11</sup> subdiaconos<sup>12</sup> habeantur, ita ut manum non imponant aut sacra contingant. Eum<sup>13</sup> vero<sup>14</sup> penitentem dicimus<sup>15</sup> qui post baptismum aut pro homicidio, aut pro diversis criminibus gravissimisque<sup>16</sup> peccatis, publicam penitentiam gerens sub cilicio<sup>17</sup>, divino fuerit reconciliatus altario.

ID 6.138] D 50 c 68

<sup>2</sup> Determinatio – ordinari in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)Ra, after sacra contingant below Aa; Quod penitentes in hostiarios et lectores tantum ordinari possint (corr. fr. –ent) si necessitas exegerit Pa; Determinatis qua penitentes – ordinari lxi Vo; om. CeMqOaPcPtRfTbVp

<sup>3</sup> conciliis Ln

<sup>4</sup> I add. DaSb, cf XP 3.21.2

<sup>5</sup> i BeCaGcPfTcVo; ii DaMgSb?VpIDm; iii Tb(?); i IDp. Ex – i] Item (no break) Oa; Ex conc. Tol. episcopi Pa, insc. in mg. Ra<sup>2</sup>, before c 62 Ad; neither rubr. nor insc. Gb, but penitentes non admittuntur ad clerum in mg. Gb<sup>2</sup>

<sup>6</sup> nisi tantum \*BeCaOaPfTbVp; nisi tamen EaMg; sed tamen Tc

<sup>7</sup> exeg- \*BeMgTbTc; exig- Be<sup>2</sup>CaPf

<sup>8</sup> et \*CaPfTbTc; vel Mg

<sup>9</sup> autem \*MgPfTbTc; om. CaDaOa

<sup>10</sup> subdiacones add. EaMgTbVp, subdiaconi add. PcTc, om.

\*AdBdBeCaCeDaGcOaPaPfPhPkPqPrPwSbTfVm

<sup>11</sup> om. Aa

<sup>12</sup> subdiaconos \*BeCa<sup>2</sup> CeDaGcMgOaPfPrSbTcVm; diaconos Ca; subdiacones AdTbVp

<sup>13</sup> Eum \*DaMgPfTbTc; Ex eo enim Aa; Cum Ca

<sup>14</sup> om. Aa

<sup>15</sup> pen. dic. \*PhTb; dic. pen. AaAdBdCaCeEaMgPfPrPwSbTcVmVp

<sup>16</sup> -que BeEaMgOaTc; qui CaDaPf; qui pro GcPr<sup>2</sup>Vm; qui et Pf<sup>2</sup>; aut Pr; -que pro <vel qui> Tb

<sup>17</sup> cilicio CaMgPfTc; concilio <vel cilicio> Tb

## 62

[Quod<sup>1</sup> laici non sint<sup>2</sup> ordinandi]<sup>3</sup>. Ex concilio Aurelianensi, cap. viii<sup>4</sup>

Si quis de laicis post uxorem<sup>5</sup> aliam cuiuscumque<sup>6</sup> conditionis cognoverit mulierem, in clerum<sup>7</sup> nullatenus admittatur.

ID 6.139] +D 34 c 8

<sup>1</sup> Quod BeCaGcMgTc; Qui DaEaPf

<sup>2</sup> non sint BeCaGcMgTc; sint non Pf

<sup>3</sup> in mg. CaDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)PaVo(adding lxii); om. CeMqOaPcPtRfTbVp

<sup>4</sup> Insc. before c 63 Ad

<sup>5</sup> suam add. Tc, om. \*BeCaMgPfTb

<sup>6</sup> cuiuscumque EaGcMgTbTc; cuiusque BeCaPf

<sup>7</sup> clerum \*BeCa<sup>2</sup>MgPfTb; clericum Ca; clericatum Tc

## 63

*[Quod transmarini et incogniti homines<sup>1</sup> non ordinentur nisi testimonio suorum  
episcoporum<sup>2</sup>]<sup>3</sup>. In decretis Anastasii<sup>4</sup>, cap. i<sup>5</sup>*

Anastasius Romanus<sup>6</sup> episcopus universis<sup>7</sup> episcopis<sup>8</sup>. Transmarinos vel<sup>9</sup>  
incognitos homines in clericatus honorem nolite suscipere<sup>10</sup>, nisi quinque aut eo  
amplius episcoporum chirographis sint designati, quia multa per subreptionem solent  
evenire. Ideo et hec summopore sunt cavenda.

4L 2.79] D 98 c 2 to solent evenire

<sup>1</sup> trans. et incog. homines BeCaGcMgPrSbVo; trans. et incog. Pf; ignoti homines et trans. Tc

<sup>2</sup> suorum epp. BeCaMgPf; epp. suorum SbTc

<sup>3</sup> in mg. BeCaGcLdLnMgPfPrSbTc, in text (no insc.) EaPaVo(adding lxiii); against c 64 Da; om. CeMqOaPcPtRfTbVp

<sup>4</sup> pape add. Tc, om. CaMgPfRfTb

<sup>5</sup> Insc. before c 64 Ad

<sup>6</sup> Romanus CaMgPfTc; Romane ecclesie Tb

<sup>7</sup> universis CaMgPfRfTb; omnibus Tc

<sup>8</sup> Anast. Rom. - epp. CaMgPfTbTcBrant; om. PtMigne

<sup>9</sup> vel CaMgPfTb; et Tc

<sup>10</sup> susc- CaPfTbTc; rec- Mg

## 64

*[Quod episcopus clericum<sup>1</sup> de aliena ecclesia ordinare non debeat]<sup>2</sup>. In decretis  
Innocentii<sup>3</sup>, cap. vii<sup>4</sup>*

Innocentius urbis Rome episcopus Victorico<sup>5</sup> Rothomagensi episcopo. De  
aliena ecclesia clericum ordinare aut<sup>6</sup> iudicare, nullus usurpet, nisi eius episcopi  
precibus exoratus concedere voluerit, quod etiam Nicena synodus videtur continere.  
Abiectus a sua ecclesia clericus ab altera non suscipiatur ecclesia<sup>7</sup>.

4L 2.81] +D 71 c 2 to concedere voluerit

<sup>1</sup> clericos Vo

<sup>2</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text EaPa(no insc. in Ea); Quod – non presumat lxiii Vo; om. CeMqOaPcPtRfTbVp

<sup>3</sup> Innocii Vp; pape add. CaCbTc, om. BeCeMgOaPaPfTb

<sup>4</sup> Insc. in mg. Ad

<sup>5</sup> -ico CaMgPfTc; -ino PhTb

<sup>6</sup> aut CaPfTbTc; ac Mg

<sup>7</sup> eccl. CaCbMgPfTb; om. PcRfTc

## 65

*[Quod nec clericus nec laicus<sup>1</sup> in altera civitate recipiatur<sup>2</sup> preter commendatitias<sup>3</sup>  
epistolas<sup>4</sup>]<sup>5</sup>. Ex canone apostolorum<sup>6</sup>*

<sup>1</sup> nec laic.] om. EaLc

Ut<sup>7</sup> si quis clericus vel<sup>8</sup> laicus ad alteram properat civitatem et suscipitur preter commendatitias epistolas<sup>9</sup>, et qui suscepit<sup>10</sup> et qui susceptus est communione privetur<sup>11</sup>.

ID 6.210]

<sup>2</sup> -iatur BeMgPfTc; -iantur Ca; non recipiatur SbVo

<sup>3</sup> commendatitias PaPr

<sup>4</sup> litteras Vo

<sup>5</sup> in mg. AdBeCaDaGcLdLnMgPfSbTc, in text EaPaVo (no insc. in Ea); om. CeMqOaPcPtRfTbVp

<sup>6</sup> cp. xiiii add. Da, cp. xiii add. Sb

<sup>7</sup> Ut \*BdBeDaPaPfMgPhSbTbTc; [ ]t Ca; Et CeGcLkMqOaPcPrPwPySIVm

<sup>8</sup> vel CaMgPfTb; aut Tc

<sup>9</sup> preter comm. (-dantias Mg) epistolas CaMgPfTc; absque commendatitiis literis Tb

<sup>10</sup> -eperit \*CaMgTbTc; -epit Pf

<sup>11</sup> -etur \*CaPfTbTc; -entur Mg

## 66

### <sup>1</sup>Ex<sup>2</sup> concilio Aurelianensi, cap. viii<sup>3</sup>

In concilio Antiocheno<sup>4</sup>, similiter et in<sup>5</sup> Chalcedonensi precipitur, ut fugitivi clerici et peregrini<sup>6</sup> a nullo recipiantur<sup>7</sup> nec ordinentur, nisi cum commendatitiis<sup>8</sup> litteris, et sui episcopi vel abbatis licentia<sup>9</sup>.

ID 6.212]

<sup>1</sup> De eodem add. in mg. CaDa, in text Pa. Quod fugitivi et peregrini clerici non recipiantur nec ordinentur in mg. Sb

<sup>2</sup> Ex \*CaMgOaPfTb; In Tc

<sup>3</sup> De eodem add. PoVo (Vo adding lxvii). Ex - viii] Item de eodem Ea

<sup>4</sup> Archeno Rf

<sup>5</sup> in \*CaMgPfTb; om. Tc

<sup>6</sup> monachi add. ss Ce

<sup>7</sup> rec- CaLgObOdOeOfPfRf<sup>2</sup>TcVmBrant; susc- PhTb; reperiantur Rf

<sup>8</sup> -datitiis (-tii ss Pf) CaEaPfTbTc; -dantiis Mg

<sup>9</sup> vel ab. lic. \*CaPfTbTc; lic. vel ab. MgWd; et sui episcopi – licentia om. Aa

## 67

### <sup>1</sup>Ex concilio Cartaginensi, cap. xxxvi<sup>2</sup>

Clericis vel monachis sine<sup>3</sup> commendatitiis epistolis<sup>4</sup> licentia non pateat evagandi<sup>5</sup>.

ID 6.214] +C 20 q 4 c 3 med. from C. Agde

<sup>1</sup> Quod clericis vel monachis non liceat evagari sine commendatitiis epistolis in mg. Sb

<sup>2</sup> conc. - xxxvi (xxvi BeCePa, xxxv GcLdMgPrVm, xxxii Ln?; viii Pt)

\*BeCaGcMgOaPfPrPtSbRfTbVmVo; conc. Agathensi cp. xxxviii Da, cf XP 3.22.3 (3); conc. Cart. Ea; eodem cap. xxiiii Tc; De eodem add. PaVo (lxvii add. Vo)

<sup>3</sup> sine \*MgPfTbTc; nisi Ca

<sup>4</sup> comm. (-ti ss Pf) ep. CaPfTbTc; ep. commendantiis Mg

<sup>5</sup> lic. non pat. ev. \*CaOaPfTbTc; non pat. ev. lic. Ea; non pat. lic. ev. Mg

## 68

[*Quod mutatio episcoporum debeat fieri utilitate aut<sup>1</sup> necessitate non<sup>2</sup> ambitione*]<sup>3</sup>. In decretis Calixti<sup>4</sup>, cap. ii<sup>5</sup>

Calixtus urbis Rome episcopus episcopis omnibus<sup>6</sup>. Si episcopus utilitatis causa fuerit mutandus, non per se hoc agat sed fratribus invitantibus et auctoritate huius sancte sedis faciat, non ambitus causa sed utilitatis vel necessitatis.

4L 1.126b] C 7 q 1 c 39b var.

<sup>1</sup> aut CaMgGcPfSb; vel BeTc

<sup>2</sup> alia add. Be

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text after insc. EaVo(adding lxviii); (v. Bd) De mutatione episcoporum in mg. BdDb, Db also in text; Quibus causis fiat mutatio episcoporum Pa; De mutatione episcopi in mg. Vp; om. CeMqOaPcPtRfTb

<sup>4</sup> pape add. CaEaRfTbTc, om. MgPf

<sup>5</sup> In - ii (iii Ca) BeCaMgPfTbTcVo; In - Cal. pape Ea; In decretis Anterii cap. i Ld (cf c 69). iiii add. in mg. Be<sup>2</sup>. Insc. before c 69 Ad

<sup>6</sup> ep. omn. BdBeCaOaPfPwTbVm; omn. ep. EaMgTc; omn. Mq; om. Gc. Calixtus – omnibus om. Pt

## 69

[*Quod mutatio episcoporum<sup>1</sup> possit fieri*]<sup>2</sup>. In decretis Anterii<sup>3</sup>, cap. i<sup>4</sup>

Anterius<sup>5</sup> presul Romanus episcopis omnibus<sup>6</sup>. Mutationem<sup>7</sup> episcoporum scitote communi utilitate vel necessitate fieri licere, sed non libitu cuiusquam aut dominatione<sup>8</sup>. Petrus sanctus magister noster et princeps apostolorum de Antiochia utilitatis causa translatus est Romam, ut ibidem potius proficere<sup>9</sup> posset. Eusebius quoque de quadam parva<sup>10</sup> civitate apostolica auctoritate mutatus est in<sup>11</sup> Alexandriam. Similiter Felix de<sup>12</sup> civitate qua ordinatus erat electione civium propter doctrinam et bonam vitam<sup>13</sup> quam habebat, communi episcoporum<sup>14</sup> et reliquorum<sup>15</sup>

<sup>1</sup> episc. mut. Be

<sup>2</sup> in mg. AdBeCaDaGcLdLnLjMgPfPrTcVm(adding Exemplum), in text Lm; Quomodo et quibus auctoritatibus liceat fieri mutationes episcoporum Pa; Quod – fieri multorum exemplis comprobatur in mg. Sb; De eodem lxviii Vo; om. CbLfMkMoMqOaPcPtRfTbVp

<sup>3</sup> episcopi add. Lf, pape add. CbLjTb, om. BdBeCaMgMKMoOaPfTcVp; In – Ant. om. Pt

<sup>4</sup> cap. i BdBeCaMgOaPfPtTbTc; cap. l Vo; om. Lf; for Ad see c 68; insc. attached to c 68 Ld, omitted Qa; Exemplum add MfPt(in large script)

<sup>5</sup> Int- PyQa

<sup>6</sup> ep. omn. CaOaPfTbTc; omn. ep. LfMg

<sup>7</sup> -ionem CaPfMgTbTc; -iones CePa; -ione Lf

<sup>8</sup> ambitione (vel dominatione ss) Bb; donacione Ce. Exemplum as rubric to new text add. PtSl, in mg. BeDaGcLd<sup>2</sup>Pr

<sup>9</sup> potius prof. BdBeCbDaLdLfLjLmMgPc<sup>2</sup>PfTb; om. Ca; positus prof. PcTc

<sup>10</sup> parva BeCaCbLdLfLjMgPr<sup>2</sup>PwTbTc; prava FcPfPr

<sup>11</sup> in BeCaDbLdLfMgTbTc; om. CbLjPf

<sup>12</sup> parva civitate - Felix de CaMgPfTbTc; om. Lm

<sup>13</sup> doct. et bon. vit. CaMgPfTbTc; bon. vit et doct. Ld

sacerdotum ac populorum<sup>16</sup> consilio<sup>17</sup> translatus est Ephesum. Non enim transit de civitate in civitatem qui non suo libitu aut ambitu hoc facit, sed utilitate quadam aut<sup>18</sup> necessitate aliorum hortatu et consilio potiorum transfertur. Nec etiam transfertur de minori civitate ad maiorem qui hoc non<sup>19</sup> ambitu nec propria voluntate facit, sed aut vi a<sup>20</sup> propria sede pulsus<sup>21</sup>, aut necessitate coactus aut utilitate loci aut populi non superbe sed humiliter ab aliis cum huius sancte sedis auctoritate translatus<sup>22</sup> et intronizatus<sup>23</sup>. Alia<sup>24</sup> est enim<sup>25</sup> causa utilitatis et necessitatis<sup>26</sup>, et<sup>27</sup> alia avaritiae et<sup>28</sup> presumptionis et proprie voluntatis.

4L 1.127 (74T 188) nearer than ID 5.183] C 7 q 1 c 34

<sup>14</sup> communi ep. BeMgOaPfPrTcVoVp; coepiscoporum AdBdCaDaLjTf; communi ep. utilitate CePa; cum omni ep. Pk; communi consilio ep. Tb

<sup>15</sup> bellicorum Pr; belli quorum Vm. ep. et rel.] utilitate Pa; ep. utilitate Pk

<sup>16</sup> populorum BeCaDaFcGcLd<sup>2</sup>LjMgMoOaPaPcPdPh(after consilio)PkPqPrPw<sup>2</sup>Ra<sup>2</sup>RfTbVmVoVp; apostolorum BdBdCeDbLmMfMhMkMjMmMqPfPwSbTfWc; plurimorum LdRa; populorum communi Lf; ac populorum Mj<sup>2</sup>; episcoporum Pt; et reliquorum - populorum om. Tc

<sup>17</sup> consilio CaMgPfPhTcVo; om. Tb

<sup>18</sup> quadam aut CaCbLdLlLjLmMgPfTb; vel Tc

<sup>19</sup> hoc non CaMgPfTbTc; non hoc Lf

<sup>20</sup> a CaMgPf<sup>2</sup>Tc; aut BdBeLdLlLjTb; om. Lm

<sup>21</sup> pulsus BdGcMgPfTbTc; depulsus BeCaLf

<sup>22</sup> est add. CbLjMoTc, om. BeCaGcLdLgLfLmMgPfTbVo

<sup>23</sup> est add. AdBbBeCaCeDaGcLd<sup>2</sup>LgLmMfMgMmOaOdPdPhPkPtRaTbVmVo, om.

BdBdMkMhMjMmMoMqObOeOfPfSeTcTfWc. ID and BD 1.77 (the source for ID) end here. Nam sicut episcopi habent potestatem regulariter ordinare episcopos et reliquos sacerdotes, quotiens utilitas aut necessitas coegerit supradicto modo et mutari et intronizare potestatem habet, non tamen sine auctoritate sacrosancte Romane sedis add. Brant, 74T; om.

AbBdBeCaCbCeDaDbEcEgFcGcLbLdLlLgLfLmKaMgMoMqOaObOdOeOfPaPcPdPfPhPkPrPtPwQaRaRfSbSdSITbTcTfVmVoVpWaWbWcZa. 74T also has the last sentence, Alia - voluntatis as here, but BD, ID lack it.

<sup>24</sup> ss Lf<sup>2</sup>

<sup>25</sup> est enim CaMgPfPhSeTc; enim <est> TbTf; est Vo

<sup>26</sup> et nec. ss Ha<sup>2</sup>

<sup>27</sup> et CaCbFcLdLlLjLmMgPfSe; om. PhTbTc

<sup>28</sup> et CaMgPfSeTbTc; om. Lm

## 70

[Quod mutatio episcoporum non debeat fieri nisi in presentia sinodi, mutatio vero aliorum<sup>1</sup> clericorum consilio suorum<sup>2</sup> episcoporum]<sup>3</sup>. Ex concilio Cartaginensi IV, cap. xxvii<sup>4</sup>

Ut episcopus de loco ignobili ad nobilem per ambitionem non transeat, nec<sup>5</sup> quisquam inferioris ordinis clericus. Sane si pro utilitate<sup>6</sup> ecclesie faciendum

<sup>1</sup> cler. al. CaGcPrVm; al. cler. BeMg; cler. PfSbVm

<sup>2</sup> suorum BeMgPf; aliorum Ca

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSb, in text VmVo(adding lxx); De eodem Pa; om.

CeMqOaPaPcPtRfTbTcVp

<sup>4</sup> xxvii \*BeCaMgPfTb; xxvi Ad; xvii Tc

poposcerit, decreto<sup>7</sup> pro eo<sup>8</sup> clericorum et laicorum episcopis porrecto<sup>9</sup>, in presentiam<sup>10</sup> sinodi transferatur, nihilominus alio in loco eius<sup>11</sup> episcopo<sup>12</sup> subrogato. Inferioris vero gradus sacerdotes vel<sup>13</sup> alii clerici concessione suorum episcoporum possunt ad alias ecclesias transmigrare.

ID 5.125] +C 7 q 1 c 37

<sup>5</sup> ss Ca

<sup>6</sup> pro util. BbBeCaDbGcLgMfMgMhMjMkMmObOdOeOfPdPfPtRaTbVmVoVpWcIDcp; id utilitas MoTcIDm; utilitas Brant

<sup>7</sup> -eto \*BeCaPfTbTc; -eti Mg

<sup>8</sup> aliquorum add. Mg, om. \*BeCaPfTbTc

<sup>9</sup> ep. porr.] porr. ep. Be

<sup>10</sup> -tiam BbBeCaDbLgMfMhMjMkMmObOdOeOfPdPfPtPwVmVoIDcp Brant; -tia GcMgTbTcIDm; poenitentiam Migne

<sup>11</sup> alio in loco eius OaPhQeTbIDcp; alio eius loco

AdBbBdBeCaEaMjMmMoObOdOeOfPcPdRaVpBrant; alio eis Db; alio eius

CeGcLgMfMkMqPaPkVo<sup>2</sup>; alio loco eius MgMhTc; alio eius conloco Mm<sup>2</sup>; alio ei Pf; alio eius in loco PrVm; alio in locum eius IDm

<sup>12</sup> om. Bb; before loco Pt

<sup>13</sup> vel \*BeMgPfTbTc; et Ca

## 71

*[Quod nec presbiter nec<sup>1</sup> clericus<sup>2</sup> relicta cura ecclesie sue debeat proficisci ad orationes<sup>3</sup> inconsulto<sup>4</sup> episcopo suo<sup>5</sup>]. Ex dictis<sup>7</sup> Augustini*

Interdicendum est ut nullus ordinatus migret<sup>8</sup> de sua parochia<sup>9</sup> ad<sup>10</sup> aliam, nec ad limina<sup>11</sup> apostolorum causa orationis, sue ecclesie<sup>12</sup> cura derelicta, nec ad palatium causa<sup>13</sup> interpellandi. Quod si fecerit, nihil valet huiusmodi<sup>14</sup> aut ordinatio aut<sup>15</sup> demigratio, et hoc omnibus denuntiandum<sup>16</sup>, ut qui causa orationis ad limina beatorum apostolorum pergere cupiunt, domi confiteantur peccata sua, et sic

<sup>1</sup> presbiter nec BeCaDaEaMgTc; laicus nec Gc; clericus nec SbVo; om. Pf

<sup>2</sup> laicus SbVo. nec laicus add. Pf, om. BeCaEaMgOaTc

<sup>3</sup> -ones CaPfMg; -onem Tc

<sup>4</sup> -to CaMgTc; -tu Pf

<sup>5</sup> suo epis. BeDa

<sup>6</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text after Aug. EaPaVo; om. CeMqPcPtRfTbVp

<sup>7</sup> Ex dictis \*BeCaPfTc; Ex decr' Ph; Ex decretis Tb; om. Ea

<sup>8</sup> ss Sb

<sup>9</sup> sua par. \*CaMgPfTb; par. sua Tc

<sup>10</sup> ad \*Mg; in CaPfTbTc

<sup>11</sup> ad limina CaMgPfTc; in limina Ph; in limino Tb

<sup>12</sup> sue eccl. \*CaMgTc; eccl. sue PfPhTb

<sup>13</sup> causa \*CaPfTbTc; cura Mg

<sup>14</sup> huiusmodi \*EaOaPfTc; huiuscemodi BeCaCeEa<sup>2</sup>GcMgPaPhTb

<sup>15</sup> aut ord. (orditiario Ea) aut CaEaMgPfTbTc; om. Brant

<sup>16</sup> demandandum Brant; est add. PhTb, om. \*BeCaEaMgPfTc

proficiscantur, quia a proprio episcopo suo aut<sup>17</sup> sacerdote ligandi aut solvendi<sup>18</sup> sunt, non ab extraneo.

ID 6.170]

<sup>17</sup> aut CaPfTbTc; vel Mg

<sup>18</sup> -endi \*CaMgPfPhTc; -andi Tb

## 72

*[Quid faciendum sit de presbiteris et diaconibus sua loca relinquentibus et ad alia<sup>1</sup> se transferentibus]<sup>2</sup>. Ex concilio Arelatensi<sup>3</sup>, cap. ii*

De presbiteris aut<sup>4</sup> diaconibus qui<sup>5</sup> solent dimittere loca sua in quibus ordinati sunt, et ad alia loca se<sup>6</sup> transferunt, placuit ut isdem<sup>7</sup> locis<sup>8</sup> ministrent, quod si derelictis locis suis ad alium se locum<sup>9</sup> transferre voluerint, deponantur.

ID 6.172]

<sup>1</sup> alia BeCaEaPfTc; aliam Mg

<sup>2</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)Vo; De presbiteris et diaconibus ad alia loca se transferentibus in text Pa; om. CeMqOaPcPtRfTbVp

<sup>3</sup> Arel. \*CaCbMgPcPfTb; Areticensi Ad; Aurelianensi RfTc

<sup>4</sup> aut \*CaMgTb; et PfTc

<sup>5</sup> qui \*MgPfTbTc; que Ca

<sup>6</sup> loca se \*CaPfTbTc; se loca Mg

<sup>7</sup> isdem CaGcLgOdOfPfTc(obsc. corr.)Vm; hisdem BeObOePhTb; his in Brant

<sup>8</sup> quibus prefixi sunt add. with IDm PcRfTc, om. AdCaCeEaLgMgObOdOeOfPaPfSbTbVmBrant

<sup>9</sup> se loc. \*CaMgPf; loc. se PhQeTbTc

## 73

*[Quod clericus non debeat conscribi simul<sup>1</sup> in ecclesiis duarum<sup>2</sup> civitatum]<sup>3</sup>. Ex concilio Chalcedonensi, cap. x<sup>4</sup>*

Non licere<sup>5</sup> clericum in duarum civitatum conscribi simul ecclesiis sed in qua ab initio ordinatus est ministret, nec ad aliam confugiat quasi ad potiore ob inanis glorie cupiditatem. Hoc autem faciens revocari debet ad suam ecclesiam in qua primitus<sup>6</sup> ordinatus est, et ibi tantummodo<sup>7</sup> ministrare.

ID 6.173]

<sup>1</sup> simul CaEaMgTc; om. Pf. simul before consc. Be

<sup>2</sup> secundarum Vo

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)PaVmVo(adding lxxiii); om. CeMqOaPcPtRfTb

<sup>4</sup> xv PrVm; xxxxi Vp

<sup>5</sup> -ere \*CeGcOaPaPrTbVm; -et AdBeCaEaEgHaLdMgPfRfTcTdTfVoVp

<sup>6</sup> prim. \*CaMgPfTb; primum Tc

<sup>7</sup> tantummodo \*CaMgPaPfPhQeTc; tantum Tb



## 74

*[Ut presbiteri<sup>1</sup> non mutantur<sup>2</sup> per diversa loca nisi cum magna discretione]<sup>3</sup>. Ex concilio Arelatensi, cap. iii*

Statutum est ut presbiteri sicut hactenus factum est indiscrete per diversa non mutantur loca<sup>4</sup>, nec ab episcopis nec a prelati, ne forte propter eorum absentiam et animarum pericula et ecclesiarum in quibus constituti<sup>5</sup> sunt, negligantur officia.

ID 6.176]

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<sup>1</sup> episcopi Be

<sup>2</sup> mittentur PrVm; mittantur Sb

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Ea((no insc.)VmVo(adding lxxiiii); Ut presb. – loca indiscrete Pa in text; om. CeMqOaPcPtTbVp

<sup>4</sup> diversa non mutantur loca AdBeCaGcOaPcPfTb; diversa loca non mutantur EaMgVp; diversa non mutantur Pr; singula loca non mutantur Tc; diversa non mittentur Vm

<sup>5</sup> -uti \*CaMgTbTc; -ute Pf

## 75

*[Quod alienus presbiter non debeat<sup>1</sup> recipi nisi legitimam causam sue migrationis<sup>2</sup> ostenderit et litteras episcopi sui inde<sup>3</sup> habuerit]<sup>4</sup>. Ex concilio Cabilonensi, cap. xli<sup>5</sup>*

Presbiter proprio<sup>6</sup> loco dimisso<sup>7</sup> ad alium migrans<sup>8</sup> nequaquam recipiatur, nisi sue migrationis causam dixerit, et se innocenter<sup>9</sup> vixisse in parochia in qua ordinatus est sub testibus probaverit. Litteras etiam habebit<sup>10</sup> in quibus sint nomina episcopi<sup>11</sup> et civitatis plumbo impressa. Quibus cognitis et talibus inventis quibus fides adhiberi possit, recipiatur.

ID 6.270]

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<sup>1</sup> -eat AdBeCaPf; -et GcMgTc

<sup>2</sup> transmig- Be

<sup>3</sup> inde CaMgPf; om. Tc

<sup>4</sup> Quod – habuerit (habeat Be) in mg. AdBeCaDaGcLdLnMgPfPrSbTc; Qualiter liceat recipere extraneum presbiterum in text Pa; Quod presb. al. non debeat – habuerit lxxv Vo; om.

CeMqOaPcPtRfTbVp

<sup>5</sup> no insc. Pt

<sup>6</sup> proprio] suo Ad

<sup>7</sup> prop. loc. dim.] dim. prop. loc. Db

<sup>8</sup> ad al. mig. \*CaMgPfTb; mig. ad al. Tc

<sup>9</sup> -ter \*CaMgPfTc; -tem PhTb

<sup>10</sup> -ebit \*CaMgPfTc; -uerit PhTb

<sup>11</sup> sint nom. ep. \*CaOaPfTb; nom. sint ep. Mg; ep. sit nom. Tc

## 76

*<sup>1</sup>Gregorius<sup>2</sup> Iohanni episcopo<sup>3</sup> Ravennati<sup>4</sup>*

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<sup>1</sup> (vi. add. Bd) De ordinatis non reordinandis in mg. Bd, in text Ph; Quod nec ordinatio nec baptismus debeat iterari add. in mg. CaDaLn; De ordinatis non reordinandis in text and mg. Db; De ordinatis et

Illud quod dicitis ut ille qui ordinatus est iterum ordinetur valde ridiculosum<sup>5</sup> est. Sicut enim baptizatus semel iterum baptizari non debet, ita qui consecratus est semel in eodem ordine iterum non valet consecrari<sup>6</sup>. Sed si quis cum levi forsitan<sup>7</sup> culpa ad sacerdotium venit, pro culpa indici penitentia debet, et tamen ordo servari<sup>8</sup>.

ID 6.82] D 68 c 1 var

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non reordinandis Mj mg; Quod nec ordinatus iterum ordinari nec baptizatus iterum baptizari debeat Pa text; Quod qui ordinatur reordinari non debet sicut qui baptizatur rebaptizari non debet in mg. Sb; Quod ordinatus reordinari non potest nec baptizatus rebaptizari TdVo

<sup>2</sup> Ier' PcRf

<sup>3</sup> Iohanni ep. DbMgOaOfPaTc; episcopus Iohanni AdBe; episcopo Iohanni CaCeEaGcMqPcPhPrRfSbVp; episcopo Iohannis LgObOdOePfVmBrant; papa ep. Iohanni Tb

<sup>4</sup> v add. in mg. Be<sup>2</sup>

<sup>5</sup> rid- CaMgPfTc; per- PhTb

<sup>6</sup> it. non val. cons. BeCaLgMgObOdOePfPrPtTcVmVo; non val. it cons. CeOaOfPaPhRaTb; it. baptizari non debet Gc; it. cons. non val. Brant. Ea here continues directly to first two lines of c 77, with no break, but Aug. in mg

<sup>7</sup> cum levi for. \*CaMgPfTc; for. cum levi PhTb

<sup>8</sup> serv- \*BeCaMgPfTb; reserv- MqTcWd; observ- Oa

## 77

### <sup>1</sup> Aug' libro II<sup>2</sup> contra epistolam Parmeniani<sup>3</sup>

Utrumque sacramentum est et quadam consecratione utrumque homini datur, illud<sup>4</sup> cum baptizatur, illud cum ordinatur<sup>5</sup>. Ideoque<sup>6</sup> in catholica utrumque non licet iterari<sup>7</sup>. Nam si quando ex ipsa<sup>8</sup> parte venientes<sup>9</sup> et<sup>10</sup> prepositi<sup>11</sup> bono<sup>12</sup> pacis correcto<sup>13</sup> errore schismatis suscepti sunt, etiam si visum<sup>14</sup> est opus esse ut eadem officia agerent que<sup>15</sup> gerebant, non sunt rursus<sup>16</sup> ordinati<sup>17</sup>, sed<sup>18</sup> sicut baptismus in

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<sup>1</sup> De eodem add. in mg. CaDa, Ca continuing Sententia huius capituli de hereticis tenenda est, in text Pa, De eodem quod scil' sacramentum baptismi nec ordinandi debeat iterari add. in mg. Sb

<sup>2</sup> om. Rf

<sup>3</sup> Parmeniani] ep. lib. ii Ad. lxxviii add. Vo

<sup>4</sup> quidem add. Mg, om. \*CaPfTbTc

<sup>5</sup> bapt. illud cum ord. \*CaMgPfTc; ord. illud cum bapt. PhTb

<sup>6</sup> Ideoque \*CaMgTc; Ideo BeTb; idemque Pf

<sup>7</sup> Ea omits all from here to Sicut non recte below

<sup>8</sup> impia Be

<sup>9</sup> parte ven. \*CaMgPfTb; ven. parte Tc

<sup>10</sup> et BeCaDbLgMgObOdOeOfTbVmIDcpBrant; vel Pf; etiam TcIDm

<sup>11</sup> prepositi AaBeCaDaDbHa<sup>2</sup>MfMgMhMjMkMmMoMqPfPh<sup>2</sup>PtSbTcVoIDc; propositi AdCeHaLgObOeOdPaPdPrVmTdTf<sup>2</sup>VpIDmBrant; vel proposito add. ss Ca; proposito BbGcOaOd<sup>2</sup>RaTbTfVm<sup>2</sup>; proposito Ph

<sup>12</sup> bonosi Brant

<sup>13</sup> correcto \*CaDbMgPfTb; correpto Tc; corrector Brant

<sup>14</sup> visum \*CaPfTbTc; iussum Mg

<sup>15</sup> quam Vo

<sup>16</sup> rursus \*CaMgPcPfTbVm; om. Tc; prorsus Vo

<sup>17</sup> -ati Ad<sup>2</sup>BbGcOeLgMfMhMjMkMmMo<sup>2</sup>PfPtTbVoIDcp; -andi

AaAdBeCaDbMgMoOaObOdOfPdPhPtRaTcIDmBrant; vel ordinandi add. Lg<sup>2</sup>

<sup>18</sup> om. Brant

eis<sup>19</sup> ita ordinatio mansit integra, quia in precisione fuerat vitium, quod unitatis pace correctum<sup>20</sup> est, non in sacramentis que ubicumque sunt ipsa, sunt. Et cum expedire ecclesie iudicatur ut prepositi eorum venientes<sup>21</sup> in catholicam societatem<sup>22</sup> honores suos ibi non administrent, non eis<sup>23</sup> tamen ipsa ordinationis sacramenta detrahuntur, sed<sup>24</sup> super eos manent. Ideo non eis in populo<sup>25</sup> manus imponitur, ne non homini sed ipsi<sup>26</sup> sacramento fiat iniuria. De his qui ab ecclesie catholice unitate separati sunt<sup>27</sup>, nulla iam<sup>28</sup> questio est quod<sup>29</sup> habeant<sup>30</sup> et dare possint, sed<sup>31</sup> perniciose habeant, pernicioseque tradant<sup>32</sup>. Extra vinculum pacis hi sunt. Neutri<sup>33</sup> sacramento iniuria facienda est<sup>34</sup>. Sicut non recte habet qui ab unitate discedit, sed tamen habet, et ideo redeunti non redditur, sic etiam non recte dat qui ab unitate discedit, sed tamen dat et ideo quod ab eo accipit<sup>35</sup>, venienti ad unitatem non iteratur.<sup>36</sup>

*ID 2.97 med.] C 1 q 1 c 97 med. var., and partly a later addn*

<sup>19</sup> bapt. in eis \*CaMgPfPhTc; in eis bapt. Tb

<sup>20</sup> correctum \*CaMgVm; correptum GcPfTbTc; correctus Ph

<sup>21</sup> eorum venientes \*CePaPkPqPrTbVm; eorum inde venientes AdCaDaMgPcRaTc; venientes Ad<sup>2</sup>Tf; convenientes BePhPwVo; eorum convenientes GcPh; etiam venientes Mq; cum venientes Pf

<sup>22</sup> vel unitatem *add. in mg.* Ra

<sup>23</sup> eis \*CaPfTbTc; manus Mg

<sup>24</sup> sed \*MgPfTbTc; *om.* Ca

<sup>25</sup> in pop. \*CaMgPfTb; impositio Mg<sup>2</sup>Tc

<sup>26</sup> ipsi \*CaMgPfTb; ipso Tc

<sup>27</sup> eccl. cath. un. sep. sunt \*CePaPfPhTbTc; eccl. un. cath. sep. sunt Be; eccl. cath. sep. sunt un. Ca; un. eccl. cath. sep. sunt Gc; un. cath. eccl. sep. sunt Mg; un. eccl. sep. sunt Vm

<sup>28</sup> nulla iam \*CaMgPfTb; iam nulla Tc

<sup>29</sup> est quod PhTb; quod BeCePfVmVo; que BdCaTf; quam Gc; quin Mg; est quin Tc

<sup>30</sup> habeant \*MgPfPhTbTc; habuerant Ca

<sup>31</sup> si *add.* MgTc, *om.* CaPfTb

<sup>32</sup> habeant pernicioseque tradant \*CaMgPfTb; habent perniciose tradunt Tc

<sup>33</sup> -utri \*CaMgPfTb; -utro Tc

<sup>34</sup> in. fac. est \*CaMgPfPhTc; fac. est in. Tb

<sup>35</sup> -ipit CaMgPfTb; -epit \*Tc

<sup>36</sup> Neutri sacramento iniuria – iteratur *in smaller script over erasure* Sb

## 78

### <sup>1</sup>Augustinus<sup>2</sup> de unico baptismo, libro II<sup>3</sup>

Aliud est non habere aliquid, aliud<sup>4</sup> non iure habere vel illicite usurpare. Non itaque ideo non sunt sacramenta Christi et ecclesie, quia eis<sup>5</sup> illicite utuntur non

<sup>1</sup> De eadem re *add. in mg.* CaDa, *text* Vo, De eodem Pa, Quod si aliquis illicite utatur sacramentis Christi non ideo minus sunt sacramenta *in mg.* Sb

<sup>2</sup> Aug. \*CaMgOaTbTc; Idem Pf; Item Aug' *only* Ea

<sup>3</sup> De eodem *add.* Pa; lxxviii *add.* Vo

<sup>4</sup> est *add.* BdCaCeMgPaPfPwSbTc, *om.* \*PhPkTb

<sup>5</sup> eis \*CaMgPfTb; eius Tc

heretici solum sed etiam omnes<sup>6</sup> iniqui et impii, sed tamen illi<sup>7</sup> corrigendi aut puniendi, illa vero agnoscenda<sup>8</sup> et veneranda<sup>9</sup> sunt.

ID 2.93]

<sup>6</sup> etiam omnes BdBeCaCeEaGcMgPaPcPhPkPwTbVoVp; et omn. \*Tc; omn. etiam Pf

<sup>7</sup> set tamen illi] *corr fr.* agnoscend Vo

<sup>8</sup> agn- \*CaMgPfTc; cogn- Tb

<sup>9</sup> reverenda Wc

## 79

<sup>1</sup>In decr' Gregorii<sup>2</sup>, cap. i<sup>3</sup>

Augustinus in libro questionum Veteris Testamenti<sup>4</sup>. Dictum est a Domino in Numeris ad Moisen et Aaron, Vos ponite nomen meum super Israel, ego Dominus benedicam eos, ut gratiam traditio per ministerium ordinati<sup>5</sup> transfundat hominibus, <sup>6</sup>nec voluntas sacerdotis obesse<sup>7</sup> aut prodesse possit<sup>8</sup>, sed meritum benedictionem poscentis. Quanta autem sit dignitas ordinis sacerdotalis<sup>9</sup> hinc advertamus. Dictum est autem<sup>10</sup> de nequissimo Caipha interfectore Salvatoris inter cetera, Hoc autem a semetipso non dixit, sed cum esset<sup>11</sup> princeps sacerdotum<sup>12</sup> anni illius, prophetavit, per quod ostenditur Spiritum gratiarum non personam sequi aut digni aut<sup>13</sup> indigni<sup>14</sup>, sed ordinem traditionis, ut, quamvis aliquis boni meriti sit, non tamen possit benedicere nisi fuerit ordinatus, ut officium ministerii<sup>15</sup> exhibeat, Dei est<sup>16</sup> autem effectum<sup>17</sup> tribuere benedictionis<sup>18</sup>.

ID 2.100] C 1 q 1 c 96

<sup>1</sup> Item de eodem *add. in mg.* CaDa, Quod presbiter gratie tantummodo minister est, Deus autem dator *add. in text* Pa, Quanta sit dignitas sacerdotalis officii *add. in mg.* Sb, De eodem *add.* Vo

<sup>2</sup> pape *add.* GcMgPrTb, *om.* BeCaOaPfTc

<sup>3</sup> Quod presbiter gratie tantummodo minister est, Deum autem dator *add.* Pa; lxxviii *add.* Vo

<sup>4</sup> Aug. - Test. (-entum Gc) *in text* BeCaGcMgPfPhTc; *in mg.* Ra; *as second insc.* Tb

<sup>5</sup> ordinati \*MgPfPhTcVo; ordinantis CaTb; *ss* Ra

<sup>6</sup> Ea *omits insc. and preceding text, running text directly on from c 78 here*

<sup>7</sup> valeat *add.* Pa (*not* Ce)

<sup>8</sup> possit \*BeOaPrTbTc; potest MgVp; *om.* AdCaCeDaGcPaPf (ob. aut prod. *over erasure* Pf)Vo

<sup>9</sup> sacerdotalis \*CaMgTbTc; sacerdotis Pf

<sup>10</sup> autem \*CaMgPfTb; *om.* Tc

<sup>11</sup> pontifex *add.* Ca, *om.* \*MgPfTbTc

<sup>12</sup> princ. sac. \*CaMgPfPhTc; sacerdos Tb

<sup>13</sup> aut \*BeMgPfTc; vel CaDaMqPaPhPrTb

<sup>14</sup> indigni \*DaGcMgMqOcPqPrTc; mali Be; maligni AdBdBe<sup>2</sup>CaCePaPfPhPkSbTbTf; aut indigni *om. but suppl. in mg* Vo

<sup>15</sup> off. min. \*PfTcVo; officii ministerium CaGcMgPhTb

<sup>16</sup> est CaMgPfTb; *om.* TcIDc *bef. corr.*

<sup>17</sup> eff- \*CaMgPfTc; aff- Tb

<sup>18</sup> est *add.* Tc, *om.* \*CaMgPfTb

## 80

<sup>1</sup>*Ex concilio Toletano IV, cap. xxviii*<sup>2</sup>

Episcopus presbiter aut<sup>3</sup> diaconus, si a gradu suo iniuste<sup>4</sup> deiectus, in secunda synodo innocens reperiatur, non potest esse quod fuerat, nisi gradus amissos<sup>5</sup> recipiat coram<sup>6</sup> altario de manu episcoporum: si episcopus est, horarium, anulum<sup>7</sup> et<sup>8</sup> baculum, si presbiter horarium et planetam<sup>9</sup>, si diaconus horarium et albam, si subdiaconus patenam et calicem. Sic et reliqui gradus eam reparationem sui recipiant, quam cum ordinarentur perceperunt.

ID 6.237] C 11 q 3 c 65

<sup>1</sup> Qualiter presbiter gradus iniuste amissas recipere de manu episcopi debeat *in mg.* CaDaLn; Degradatus si peniteat quomodo restituatur *in mg.* Lj; Qualiter fiat reconciliatio episcopi, presbiteri, diaconi et ceterorum si iniuste depositi fuerint *in text* Pa; Quod quicumque a gradu suo iniuste deicitur iuxta ordinem suam gradus amissos recipiat *in mg.* Sb; Quomodo hi qui iniuste degradati sunt gradus suos recipiant TdVo

<sup>2</sup> xxvii Pa; IV cap. viii *om.* Ea ?; lxxx *add.* Vo

<sup>3</sup> aut \*BeCaGcMgOaPf; *om.* PhTbTc; an Vo

<sup>4</sup> iniuste \*CaMgPfTc; non iuste PhTb

<sup>5</sup> amissos \*CaMgTbTc; admissos Pf

<sup>6</sup> *Mf breaks off here and resumes at c. 86 - ? missing leaf*

<sup>7</sup> *in mg.* Ea

<sup>8</sup> et *corr.* to ut Mo<sup>2</sup>

<sup>9</sup> et planetam CaDa<sup>2</sup>GcMqPaPhPkPqPrTbVm; et patenam AdBdBcCeEaPcPfPwSbTcTfVo; panetam Da; patenam MgMo<sup>2</sup>; et casulam Ra; patenam et planetam Wc. baculum – patenam *in mg with tie mark* Mo<sup>2</sup>. Mo *main hand adds:* ut beati Innocentii pape sententia constat declaratum.

## 81

<sup>1</sup>*Urbanus II Petro Pistoriensi episcopo et Rustico*<sup>2</sup> *Vallis Umbrose*<sup>3</sup>

Daibertum<sup>4</sup> a Gnezelone<sup>5</sup>, licet simoniaco non<sup>6</sup> simoniace eiusdem<sup>7</sup> confessione<sup>8</sup> comperimus<sup>9</sup> in diaconum ordinatum, et beati<sup>10</sup> Innocentii pape constat

<sup>1</sup> Quod oporteat iterari ordinationem que fit ab heretico *add. in text* Pa; Quod ab hereticis ordinatus non est ordinatus quoniam qui nichil habet nil dare potuit *in mg.* Sb; Quod qui ordinatus est ab heretico, si iterum ordinatur a catholico, non <est> iteratio sed integra ordinis datio *add.* TdVo

<sup>2</sup> Urb. II Petro. Pist. ep. et Rustio (Rustico Vo) LmPtVoA; VII a Petro Pist. (hist- Se) ep. et (*om.* BdBcMmOeOf) R. BdBdBcGcMjMmMoMqOdOeOfPcPfPwRfSeSIWc; Gregorius VII (a *add.* LdMg) Petro Pist. ep. et (*om.* Ld) Rustico CaLdLfMgObOd<sup>2</sup>Pt; Titulus viii a Petro Pistor. ep. et Rust. Vallis Umb. Be; Pius papa VII a Petro Rustico Pistoriensi episcopo CbLj; VII a Petroensi (Petensi Ce) episcopo et Rustio CePa; VII a Petro Pastoriensi ep. et Rust. Vall. Da; Thelesphorus VII a Petro Rustico Pistoriensi ep. (*om.* Tc) EgTc; VII Petro (Petrus Tb) Pist. ep. et Rustico (Rustio Oa) OaPhTbVm; Gregorius Petro Pastoriensi ep. Qa; Systus Petro Pistoriensi ep. Ra; <Urbanus> II – Rustico Sb; Sextus a Petro Pist. ep. et Rust. Vp

<sup>3</sup> Vall. Umb. *om.* Tc

<sup>4</sup> Galbertum Ce; Daiab- Mg

<sup>5</sup> Gnezelone LdLjLmMq<sup>2</sup>OaPfPtPwSbVoA; Nezelone Aa; Gnezelone Ad; Gnezelone BeVp; Gnezo locie Ca; Nezelone CbLfMq; Negzelone DaGcRaRfVm; Negelone Mg; Guezelone OaPh; gne et Zolone Sl; Neszelone Tb; Gezelone Tc

<sup>6</sup> non CaCbLdLfLjLmMgPfTbA; *lacuna* Tc

<sup>7</sup> eiusdem CaMgPfTbTc; eius de Lm

sententia declaratum<sup>11</sup> quod<sup>12</sup> Guezelon<sup>13</sup> hereticus constat<sup>14</sup> ab hereticis ordinatus, quia<sup>15</sup> nihil habuit<sup>16</sup>, dare nil potuit ei cui<sup>17</sup> manus imposuit. Nos igitur tanti pontificis auctoritate firmati<sup>18</sup>, Damasi etiam pape testimonio roborati, qui ait reiterari oportere quod male actum<sup>19</sup> est<sup>20</sup>, Daibertum<sup>21</sup> ab hereticis corpore et spiritu digressum, atque utilitati<sup>22</sup> ecclesie pro viribus insudantem ex integro, necessitate ecclesie ingruente<sup>23</sup>, diaconem<sup>24</sup> constituimus, quod non reiterationem<sup>25</sup> estimari<sup>26</sup> censemus, sed tantum integram diaconii<sup>27</sup> dationem, quoniam quidem ut<sup>28</sup> prediximus, qui nihil habuit<sup>29</sup> nil dare potuit.

*Ars. 713 fo. 129] C 1 q 7 c 24*

<sup>8</sup> -one CaCbLdLlLjLmMgPfTbA; -onis Tc

<sup>9</sup> comp- CbLjPfTbVoA; rep- BeCaDaGcLdLlLmMgPrTcVm

<sup>10</sup> beati DaMgPfTbTc; beatum Ca

<sup>11</sup> const. sententia dec. BeLd<sup>2</sup>MgPfTcVo; sententia const. dec. AdCaCbGcLlLjLm; const. dec. LdOaPrVmA; const. dec. sententia Tb; constat <sententia> esse dec. Wc. Daibertum – declaratum] Constat Pq

<sup>12</sup> quod GcPfTbTcVoA; quia CaLd

<sup>13</sup> Guez- OaPtA; Gnez- Be; Negz- CbDa<sup>2</sup>GcLdLjMgPfTbVo; Nez- CaLfPrVm; Negelon Lm; Genez- Mq; Gez- Tc

<sup>14</sup> constat AdBdCaCbDaGcLdLlLjLmOaPhPqPrPtPwTfVmA; cum sit MgPcTc; constanter Mq; constet Pa; om. CeDa<sup>2</sup>PfSbTbVo. declaratum quod Gnezelon hereticus constat ss Be<sup>2</sup>.

<sup>15</sup> after corr. Ld

<sup>16</sup> -uit CaMgPfTbTc; -uerit Cb

<sup>17</sup> ei cui GcMgTbTcVmA; cui BeCaCbLdLlLjLmPfVo; ei qui Oa

<sup>18</sup> -ati CaCbLdLlLjMgMgPfTbA; -ate Tc

<sup>19</sup> actum BeMgPfTbTc; auctum CaLm

<sup>20</sup> est CaCbLdLlLjLmMgPfTbA; esset Tc

<sup>21</sup> Daib- MgPfTbTcA; Dahib- Ca; Diab- Lj

<sup>22</sup> -ati CaCbLdLlLjLmMgPfTbA; -atibus Tc

<sup>23</sup> corr. fr. -entem Ld

<sup>24</sup> -nem CbLdLlLjLmMgPfTbA; -ne Ca; -num Tc

<sup>25</sup> -onem CbLdLlLjLmMgPfTbA; -one CaTc

<sup>26</sup> -ari CaCbLdLjLmPfTbA; -are LfMgTc

<sup>27</sup> int. diac. CbLdLlLjPfTbVoA; int. diaconi CaMg; diac. int. Tc

<sup>28</sup> quon. quid. ut MgPfTbTcVoA; quando quod Ca; quandoquidem Lf

<sup>29</sup> -uit MgPfTbTcA; -uerit CaLf

## 82

*[Quod in<sup>1</sup> loco apostolorum sunt episcopi, <sup>2</sup>loco lxx discipulorum<sup>3</sup> presbiteri]<sup>4</sup>.*

*Anacletus in secundo decretali<sup>5</sup>*

In Novo Testamento<sup>6</sup> post Christum Dominum<sup>7</sup>, a Petro sacerdotalis cepit<sup>8</sup> ordo, quia ipsi primo<sup>9</sup> pontificatus in ecclesia Christi datus est, dicente Domino<sup>10</sup> ad

<sup>1</sup> om. pr

<sup>2</sup> in add. MgTc, om. CaEaPfVo

<sup>3</sup> lxx disc. GcTc; disc. AdCaDa; disc. lxx EaPf; lxxii disc. Mg

<sup>4</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)Vo(adding lxxxi); Unde incepit sacerdotalis ordo in novo testamento in text Pa; om. CeMqOaPcPtTbVp

eum, Tu es, inquit<sup>11</sup>, Petrus, et super hanc petram edificabo ecclesiam meam, et porte inferi non<sup>12</sup> prevalebunt adversus eam et tibi dabo claves regni celorum<sup>13</sup>. Hic<sup>14</sup> ergo ligandi solvendique potestatem primus accepit a Domino, primusque ad fidem populum virtute sue<sup>15</sup> predicationis adduxit. Ceteri vero apostoli cum eodem pari<sup>16</sup> consortio honorem et potestatem acceperunt, ipsumque<sup>17</sup> principem eorum esse voluerunt. Qui etiam iubente Domino in toto orbe dispersi, evangelium<sup>18</sup> predicaverunt. Ipsis quoque decedentibus in loco eorum surrexerunt episcopi. Quorum ordinatio pretaxato<sup>19</sup> fieri debet ordine et modo. Quos qui recipit et verba eorum, Dominum recipit. Qui autem spernit eos<sup>20</sup>, eum a quo missi sunt et cuius funguntur legatione spernit<sup>21</sup>, et ipse indubitanter spernetur<sup>22</sup> a Domino. Videntes autem ipsi apostoli<sup>23</sup> messem esse multam et operarios<sup>24</sup> paucos, rogaverunt dominum messis ut mitteret operarios in messem<sup>25</sup> suam. Inde electi ab eis sunt<sup>26</sup> lxx<sup>27</sup> discipuli, quorum tipum gerunt presbiteri, atque in eorum loco constituti sunt in ecclesia.

ID 5.1] +D 21 c 2

<sup>5</sup> sec. dec. \*BeCaGcMgPfTbVo; ii decretarii Ce; tertio decretali PcRf; tertio decreto RfTc

<sup>6</sup> Testamento \*BeCa<sup>2</sup>MqOaPcPhRaTbTcVo; sacramento AdBdCaCeDaEaEg(vel testamento ss)GcLcLdLnLlMgPaPfPkPqPrPwPySbTfVmVpVqWcWd; ...mento add. in mg. Ra<sup>2</sup>

<sup>7</sup> nostrum add. Tc, om. \*CaMgPfTb

<sup>8</sup> cepit \*BeCaPfTb; incepit EaGcMg; incipit Tc

<sup>9</sup> primo \*CaMgPfTb; primum Tc

<sup>10</sup> dic. Dom. \*CaPfTbTc; Dom. dic. Mg

<sup>11</sup> inquit \*CaMgPfTb; om. Tc

<sup>12</sup> non \*CaMgTb; isl' Pf; irl Tc

<sup>13</sup> e. t. d. c. r. c. \*CaMgPfTb; om. Tc

<sup>14</sup> Hic \*MgPfTbTc; Hoc Ca

<sup>15</sup> virt. sue \*CaMgPfTc; sue virt. PhTb

<sup>16</sup> pari \*CaMgTbTc; Patris Pf

<sup>17</sup> ipsumque \*MgPfTbTc; ipsum quoque Ca

<sup>18</sup> corr. fr. evangelii to doctrinam in mg. Ca

<sup>19</sup> pretaxato \*BeCaOaPfVo; pretextato EaGcPhPrTc; pretestato Mg; pretextato Tb

<sup>20</sup> obscurely corr. Ca, spernit add. Tc, om. \*CaMgPfTb

<sup>21</sup> spernit \*CaMgPfTb; om. Tc

<sup>22</sup> -etur \*CaMgPfTb; -untur Tc

<sup>23</sup> ipsi ap. \*CaMgTb; ap. ipsi Pf; ap. Tc

<sup>24</sup> in messem suam add. and canc. Ca

<sup>25</sup> -sem \*CaMgTbTc; -se Pf

<sup>26</sup> ab eis sunt \*CaPfTc; sunt ab eis PhTb [in IDc sunt is in mg]

<sup>27</sup> lxx CaEaPfTbTc; lxxii Mg

## 83

<sup>1</sup>Ex decretis<sup>2</sup> Clementis pape, cap. xxx

<sup>1</sup> De eodem add. in mg. CaLnSb, in text Vo; Quod episcopus episcopum, presbiter presbiterum diligere et adiuvere debeat (obsc. corr.) Pa text

<sup>2</sup> -etis MgPfTb; -eto Ca; dec' Tc

Episcopos vero<sup>3</sup> vice<sup>4</sup> apostolorum regere Dominum<sup>5</sup> docuisse dicebat<sup>6</sup>, et reliquorum discipulorum vicem tenere presbiteros debere insinuabat, et si quis<sup>7</sup> aliquem ex his scandalizaret, gravissimam penam inferri<sup>8</sup> debere predicabat. Cunctos se invicem diligere et adiuuvare debere, et neminem ab adiutorio fratris<sup>9</sup> se abstrahere instruebat.

ID 5.227]

<sup>3</sup> om. QeTf

<sup>4</sup> vice \*CaCbGcMbPfTb; vicem BePcTc

<sup>5</sup> regere Dominum \*AaFcOaPwRa<sup>2</sup>Tf; gr<e>gem Dominum Be; gregem Domini CaCeDaGc<sup>2</sup>Ld<sup>2</sup>MgPrRaSb<sup>2</sup>TbVmVp; regem Dominum CbLdPaPhSb; regem Domini Gc; gerere Dominum MqTcVo; legem Domini Pf

<sup>6</sup> Petrus add. Tc, om. \*CaMgPfTb

<sup>7</sup> si quis \*CaMgPfTb; quisquis Tc

<sup>8</sup> -erri PfTbVo; -erre BeCaGcMgTc

<sup>9</sup> fratris \*CeDa(over erasure)PaPhPkSbTbVoVm; om. BeCaGcMgPcPfPwRfTc

## 84

*[Quod in orientali ecclesia scilicet in Grecia<sup>1</sup> presbiteri, diaconi<sup>2</sup>, subdiaconi matrimonio copulantur<sup>3</sup>, in occidentali ecclesia<sup>4</sup> omnino prohibentur<sup>5</sup>]. Actus prime<sup>7</sup> sinodi<sup>8</sup> Stephani pape cap. iii<sup>9</sup>*

Aliter se habet<sup>10</sup> orientalium traditio ecclesiarum, aliter huius sancte Romane<sup>11</sup> ecclesie<sup>12</sup>. Nam eorum sacerdotes, presbiteri scilicet<sup>13</sup>, diaconi atque<sup>14</sup> subdiaconi, matrimonio copulantur. Istius autem ecclesie vel occidentalium<sup>15</sup>, nullus sacerdotum a subdiaconis usque ad episcopum licentiam habet coniugium sortiendi<sup>16</sup>.

Ars. 713 fo. 132] D 31 c 14

<sup>1</sup> sc. in Grecia CaDaGcMgTcSbVq; om. BeEaPaPf

<sup>2</sup> et add. PaTc, om. CaEaMgPf

<sup>3</sup> qui add. Mg, om. CaPfTc

<sup>4</sup> om. Vo

<sup>5</sup> occ. eccl. omn. prohibentur EaSbTc; eccl. occ. prohibentur omn. AdCaDa; occ. eccl. omn. prohibetur BePf; eccl. occ. prohibentur (-etur Gc) GcMg

<sup>6</sup> in mg. AdBeCaDaGcLdLnMgPfSbTc, in text Ea(no insc.)PaVo(adding lxxxiii); (vii. add. Bd) De continentia ordinatorum in mg. BdLjPt<sup>2</sup>(?)RaVp, in text Ph; om. CeMqOaPcPrRfTbVm (cf c 85). vi add. in mg. Be<sup>2</sup>

<sup>7</sup> Actus i BdBeGcMgPhPtRfTcVoVpA; Actis primi Ca; Actus Oa; Aug' prime Pf; Actus iii Ra; Actus idem Tb

<sup>8</sup> om. Pt

<sup>9</sup> cap. iii AaBeCaMgMqPfPtRaTcVoVp; iii Ph; tertii TbA

<sup>10</sup> se habet DaMgPfTbTcA; vero Ca

<sup>11</sup> Romane BeCaMgPfTbA; om. Tc

<sup>12</sup> traditio add. Tc, om. BeCaMgPfTbA

<sup>13</sup> scil. MgPfTbA; om. BeCaTc

<sup>14</sup> atque BeCaPfA; et MgTc; om. PhTb

<sup>15</sup> -alium CaPfTbTcA; -alis Mg

<sup>16</sup> sociandi Aa



## 85

[Pasmutius<sup>1</sup> confessor<sup>2</sup> episcopos<sup>3</sup>, presbiteros, diacon', subdiac' cum suis si vellent coniugibus<sup>4</sup> debere dormire rationabiliter exposuit<sup>5</sup>].<sup>6</sup> <sup>7</sup>*Tripartita Historia, libro II, cap. xviii*<sup>8</sup>

Nicena<sup>9</sup> sinodus volens corrigere hominum vitam in ecclesiis commorantium, posuit leges quas canones vocamus, in quorum<sup>10</sup> tractatu videbatur aliquibus introducere legem ut episcopi, presbiteri, diaconi, subdiaconi, cum coniugibus quas ante consecrationem duxerunt, non dormirent. Surgens autem Pasmutius<sup>11</sup> confessor contradixit<sup>12</sup>, honorabiles confessus nuptias, et castitatem dicens esse cum propria coniuge concubitum, suavitque<sup>13</sup> concilio ne talem poneret legem, gravem esse<sup>14</sup> asserens causam<sup>15</sup> que aut ipsis aut eorum<sup>16</sup> iugalibus occasio fornicationis existeret<sup>17</sup>, et hec<sup>18</sup> quidem Pasmutius<sup>19</sup>, licet nuptiarum esset inexpertus, exposuit, sinodusque laudavit sententiam eius, et nihil ex hac parte sancivit, sed hoc in uniuscuiusque voluntate non necessitate permisit<sup>20</sup>.

*Ars. 713 fo. 132] D 31 c 12*

<sup>1</sup> Pascunt- Pr; Pam- Vo

<sup>2</sup> Pasm. conf. CaPfTc; Pathnutius conf. Be; Pasuncius Gc?; Pausinicius Mg

<sup>3</sup> episc. BeCaMgPf; om. Tc

<sup>4</sup> si vel. con. BeMgPfTc; con. si vel. Ca

<sup>5</sup> sinodus laudavit add. CaGcHa<sup>2</sup>LdLnMg, et hoc synodus laudavit add. Sb, sinodus add. Tc, om. Pf

<sup>6</sup> in mg. BeCaGcMgPfSbTc; against Surgens below PrVm, in text Vo(adding Synodus laudav' [see text below]. lxxxv); Quod episcopi, presbiteri, diac', subd' cum coniugibus quas ante consecrationem acceperint dormire possint si velint Pa text; Quod in orientali – copulantur (cf c 84) in mg. Pr, in text Vm; Leo primus dedit constitutum de continentia clericorum in mg. Ra; om. CeMqOaPcPtRfTbVp

<sup>7</sup> Ex add. Tc, om. CaMgPfTbA

<sup>8</sup> xviii BeCaMgPfTbA; xxviii Tc. cap. xviii om. Oa

<sup>9</sup> Vic- Rf

<sup>10</sup> quorum TbA; quarum BeCaGcMgPfTcVo

<sup>11</sup> Pasm- CaDaOaPaRaTcVoA; Pasinit- Ad; Pannut- Be; Panificius Ce; Pasunt- GcPrRa; Pausinicius MgPc; Pasmut- PfPh<sup>2</sup>; Pathnut- Tb; Pafnut- Vm; Pausitius Vp<sup>2</sup>

<sup>12</sup> contrad. CaMgTbTcA; om. Pf

<sup>13</sup> suavitque CaMgTbTcA; suasit with lacuna Pf

<sup>14</sup> esse CaMgTbA; om. PfTc

<sup>15</sup> talem add. Tc, om. CaMgPfTbA

<sup>16</sup> eorum CaPfTbTcA; ipsorum Mg

<sup>17</sup> existeret MgPfTbTcA; assistent Ca

<sup>18</sup> hec CaA; hoc Pf; MgTbTc uncertain

<sup>19</sup> Pasm- DaPaPh<sup>2</sup>TcVoA; Pasinitius Ad; Pann- Be; Pafn- Ca; Panificius Ce; Pasuntius GcPr; Pausinicius MgPc; Pasm- Pf; Paphn- Ra; Pathn- Tb; Pausitius Vp

<sup>20</sup> permisit CaMgPcPfTbA; posuit Tc

## 86

[*Quod presbiteri, diaconi, subdiaconi, si uxores habuerint, professionem continentie<sup>1</sup> non faciant in tempore sue ordinationis sed tamen continentes sint in<sup>2</sup> tempore sue ministrationis*]<sup>3</sup>. *Sexta<sup>4</sup> sinodus, cap. xiii<sup>5</sup>*

Quoniam<sup>6</sup> in Romani ordine canonis<sup>7</sup> esse cognovimus traditum eos qui ordinati sunt diaconi vel presbiteri, confiteri<sup>8</sup> quod iam suis non copulentur uxoribus, nos antiquum sequentes canonem, apostolice diligentie et constitutionis sacrorum virorum, legales nuptias, et<sup>9</sup> amodo valere volumus, nullo modo cum uxoribus suis eorum connubia dissolventes, aut privantes eos familiaritate ad invicem in tempore opportuno. Quicumque ergo<sup>10</sup> dignus fuerit inventus subdiaconali<sup>11</sup> ordinatione aut diaconali<sup>12</sup>, aut sacerdotali, hi nullo modo prohibentur ad talem<sup>13</sup> ascendere gradum, pro uxoris sue cohabitatione, nec<sup>14</sup> in tempore ordinationis sue<sup>15</sup> profiteri cogantur, quod abstinere debeant a legalis uxoris familiaritate. Item. Oportet eos qui altari ministrant, in tempore oblationis sanctorum continentes esse in omnibus, ut a Deo possint consequi que<sup>16</sup> simpliciter postulant. Si quis igitur<sup>17</sup> presumpserit<sup>18</sup>, contra apostolicos canones, aliquos presbiterorum, diaconorum privare<sup>19</sup> a contactu et communione legalis uxoris sue, deponatur. Similiter et<sup>20</sup> presbiter aut<sup>21</sup> diaconus, qui religionis causa uxorem suam<sup>22</sup> expellit, excommunicetur. Si vero in hoc permanserit, deponatur.

<sup>1</sup> om. Sb

<sup>2</sup> in CaMgSbTc, om. GcPfVo

<sup>3</sup> in mg. AdBeCaDaGcGaLdLnMgPfPrSbTc, in text VmVo; Quod clerici coniugati ordinari debeant absque professione abstinentie legalis uxoris nisi in tempore oblationis in text Pa; om. CeMqOaPcPtRfTbVp

<sup>4</sup> Sexta BeCaPfTbTcA; VII Mg

<sup>5</sup> cap. xiii BeCaGcMgPfPwSbTbA; cap xiii Greco sermone facta PcRaRfTc; Greco sermone facta cap. xiii Fc; cap. xiiii Pt; cap. xvi Vo; cap. iii Vp; Sexta – xiii om. PrVm

<sup>6</sup> etiam add. BeCaCbGaMgPySb<sup>2</sup>TcTd, om. CeGcOaPaPfPhRfSbTbVmA

<sup>7</sup> ordine canonis BeCaGcMgPfTb; ordinis canone Tc; in ordine canonis A

<sup>8</sup> corr. ss fr. constitutis Ad

<sup>9</sup> et GcMgPfTcA; om. CaTb

<sup>10</sup> ergo CaPfTbTcA; igitur Mg

<sup>11</sup> -onali MgPfTbTcA; -oni Ca

<sup>12</sup> ord. aut diac. CaMgPfPhTcA; aut diac. Tb; aut diac. ordine Tc

<sup>13</sup> ad talem CaPfTbTcA; om. Mg

<sup>14</sup> nec CaMgPfTbA; ne Tc

<sup>15</sup> cohabitatione nec – sue in upper mg. Pa

<sup>16</sup> que CaMgPfTbA; quod Tc

<sup>17</sup> igitur CaMgPfPhTbA; ergo Tc

<sup>18</sup> presum- CaMgPfPhTcA; sum- Tb

<sup>19</sup> -are PfPhTcA; -ari BeCaMgTb

<sup>20</sup> et CaMgPfTbA; om. Tc

<sup>21</sup> aut CaMgPfTb; et Tc; cui A

<sup>22</sup> suam CaMgTbTcA; om. Pf

Ars. 713 fo. 132] D 31 c 13

## 87

[*Diaconus cum ordinatur si se non posse continere dixerit<sup>1</sup>, uxorem libere sortiatur<sup>2</sup>, si autem<sup>3</sup> tacuerit vel<sup>4</sup> professionem continentie fecerit<sup>5</sup> uxori postea non copuletur, copulatus a ministerio<sup>6</sup> removeatur<sup>7</sup>. Anchiranum concilium<sup>8</sup>, cap. x<sup>9</sup>*

Diaconi quicumque ordinantur, si in ipsa ordinatione protestati<sup>10</sup> sunt, et dixerunt<sup>11</sup> se velle coniugio copulari, quoniam sic manere non possunt. Hi, si postmodum uxorem duxerint, in ministerio maneant, propterea quod eis<sup>12</sup> episcopus licentiam dederit. Quicumque sane tacuerunt et susceperunt manus impositionem, professi<sup>13</sup> continentiam, et<sup>14</sup> postea nuptiis obligati sunt, a ministerio sane cessare<sup>15</sup> debent.

Ars. 713 fo. 131v] D 28 c 8

<sup>1</sup> non posse (possit Ca) continere dixerit (dux- Ca) BeCaMgTc; incontinentem Pf; cont. non posse dix. Vo

<sup>2</sup> ux. libere sortiatur BeCaTc; ux. lib. societur Mg; ux. sortiatur Pf

<sup>3</sup> autem BeCaMgTc; ante Ad; om. Pf

<sup>4</sup> vel BeCaMgTc; om. Pf

<sup>5</sup> fecerit BeCaMgTc; facies Pf

<sup>6</sup> ministerio BeMgPfTc; ministracione Ca

<sup>7</sup> in mg. AdBeCaDaGcLdLnMgPfSbTc, text Vo; as separate canon, in black RaVm; Quod diacones possunt habere uxores et quod non Pa; om. CeMqOaPcPtRfTbVp

<sup>8</sup> Anc. conc. BeCaMgPfPhTbA; Anciluradum conc. Pa; Ex Anciritano concilio Tc; Anchirane conc. Vo

<sup>9</sup> ix Da; vi PcRf. Anc. – x in mg. Mq

<sup>10</sup> protestati BeCaCeDaGcMgOaPaPcPkPqPrRaRfSbTcVm; prestolati BdPfPw(vel protestati ss)Tf; postulati PhTbVo; pretestati Vp; protestata A

<sup>11</sup> -unt CaPfTbTcA; -int Mg

<sup>12</sup> eis RaTc; ei A; om. CaMgPfPhTb

<sup>13</sup> sunt add. GcMgMoPcTc; et add. Mo<sup>2</sup>; om. BbBeCaCeMfMhMjMkMmPaPdPfPhRaTbVoA

<sup>14</sup> si add. Mg, om. CaPfTbTcA

<sup>15</sup> sane cessare BeCaPcPfTbA; cessare sane Mg; sane abstinere Tc

## 88

<sup>1</sup>Toletanum concilium I<sup>2</sup>, cap. ii<sup>3</sup>

Placuit diaconos si vel integri vel casti sunt etiam si uxores habeant<sup>4</sup>, in ministerio constituentur<sup>5</sup>.

Ars. 713 fo. 131v]

<sup>1</sup> De eodem add. PaVo

<sup>2</sup> Tol. conc. I BeCaMhMkMmOaPfTb; Toletano conc. I Mg; Ex Toletano concilio Tc; Tol. conc. ... MfPtA; Toletano concilio Rf; Toletanus conc. I Vo

<sup>3</sup> Ixxxviii add. Vo. Aa here has rubric to c 89 and no insc.

<sup>4</sup> ut add. Tb, om. CaMgMhMjMkMmPfPhPtTcA

<sup>5</sup> -uantur CeGcOaMhMkMmMqPaPkTbA; -tui BdBeDaMjMoPfPhPwRaSbTcVo<sup>2</sup>; -tuti CaMgVo; studeantur Mf

## 89

[*Mos Romane ecclesie est<sup>1</sup> ut non ordinetur presbiter, diaconus, subdiaconus nisi professionem continentie<sup>2</sup> fecerit<sup>3</sup>]*<sup>4</sup>. *Gregorius<sup>5</sup> Petro subdiacono Sicilie<sup>6</sup>*

Ante triennium omnium ecclesiarum subdiaconi<sup>7</sup> Sicilie<sup>8</sup> prohibiti fuerant, ut more Romane ecclesie suis uxoribus nullatenus<sup>9</sup> misceantur<sup>10</sup>, quod mihi durum atque incompetens<sup>11</sup> videtur, ut qui usum continentie non invenit neque castitatem promisit, compellatur a<sup>12</sup> sua uxore separari, atque per hoc, quod absit<sup>13</sup>, deterius cadat<sup>14</sup>. Unde<sup>15</sup> videtur mihi<sup>16</sup> ut a presenti die episcopis omnibus<sup>17</sup> dicatur ut nullum facere subdiaconum presumant, nisi qui se victurum caste promiserit<sup>18</sup>, quatenus et<sup>19</sup> preterita que<sup>20</sup> per<sup>21</sup> propositum<sup>22</sup> mentis appetita non sunt, violenter<sup>23</sup> non exigantur, et futura caute caveantur. Qui vero post eandem prohibitionem que ante triennium<sup>24</sup> facta est continenter cum suis coniugibus vixerunt, laudandi atque<sup>25</sup> remunerandi sunt, atque ut<sup>26</sup> in bono suo permaneant exhortandi. Eos autem qui post prohibitionem factam, se a suis uxoribus continere noluerunt<sup>27</sup>, ad sacrum ordinem nolumus

<sup>1</sup> Rom. eccl. est CaMgTc; est Rom. eccl. BePfSb

<sup>2</sup> ss Vo

<sup>3</sup> -erit BeMgPfTc; -erint Ca

<sup>4</sup> in mg. BeCaDaGcLdLnMgPfPrSbTc, in text Vo; Quod episcopus nullum facere presumat subd' nisi promiserit se caste victurum Pa; om. CeLaMqOaPcPtRfTbVp

<sup>5</sup> Greg. BePhPrTbTcA; Ieronimus AaCaBdDaGcMgMqPaPcPfSbWc; om. Vp

<sup>6</sup> Sicilie BeCaPfTbTcA; Cilicie AaOa; Scilicie Mg. No insc., AdCeLa, no break CeLa

<sup>7</sup> omn. eccl. subd. CaMgPfTbA; subd. omn. eccl. Tc

<sup>8</sup> Sicilie CaFcPfTbTcA; Scilicie Mg

<sup>9</sup> in mg. Ra

<sup>10</sup> -eantur CaMgPfTbA; -erentur Tc

<sup>11</sup> incompetens Ca

<sup>12</sup> a CaMgPfTbA; ab Tc

<sup>13</sup> in add. Tc, om. CaMgPfTbA

<sup>14</sup> cadat CaMgSb<sup>2</sup>TbTcA; om. PfSb

<sup>15</sup> Unde CaTbTcA; Inde MgPf

<sup>16</sup> vid. mihi CaPfTcA; mihi vid. PhTb

<sup>17</sup> ep. omn. CaPfTbTcA; omn. ep. Mg

<sup>18</sup> caste prom. CaFcPfTcA; caste promisit Mg; prom. caste PhTb

<sup>19</sup> que add. BeCaMgPfPhTf, om. TbTcA

<sup>20</sup> que PhTbTcA; queque BeCaMgPfTf

<sup>21</sup> per MgPfTbTcA; om Ca

<sup>22</sup> corr. fr. appetitum Tf

<sup>23</sup> violenter CaMgPfTbA; om. Tc

<sup>24</sup> corr. fr. testimonium Vo

<sup>25</sup> atque CaMgPfTbA; et Tc

<sup>26</sup> atque ut CaPfTbTcA; utque Mg

<sup>27</sup> -unt CaMgPfTcA; -int PhTb

promoveri, quia nullus debet ad altaris ministerium accedere, nisi cuius castitas ante susceptum ministerium<sup>28</sup> fuerit approbata.

*Ars. 713 fo. 131v] D 31 c 1*

<sup>28</sup>here Lg fo 40vb continues without a break with the end of 3.186 at et religioni semper inhereat, with partly ploughed mg. note.

## 90

<sup>1</sup>Leo IX<sup>2</sup> contra epistolam Nicete<sup>3</sup> abbatis de monasterio Studii<sup>4</sup>

Apud nos, nec ad subdiaconatus gradum quisquam admittitur<sup>5</sup>, nisi perpetuam continentiam etiam<sup>6</sup> a propria coniuge profiteatur<sup>7</sup>, nec post gradum cuiquam<sup>8</sup> uxorem ducere<sup>9</sup> conceditur.

*Ars. 713 fo. 149v]*

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> *om.* Vp

<sup>3</sup> -ete BeCaMgPfTbA; -eti Tc; -eni Vp

<sup>4</sup> monasterio Studii (unii Oa) BeCaCbGcMgOaPfRfTbVo(*adding* xc)A; ab. de monaster' Studii *in mg.* Ra; monasterii Studio Tc; monasterio Studio Vp

<sup>5</sup> -itur BeCaMgPf<sup>2</sup>PhTcA; -atur PFTb

<sup>6</sup> etiam MgPfTbTcA; et Ca

<sup>7</sup> prof- CaMgPfTbA; conf- Tc

<sup>8</sup> admittitur nisi – cuiquam *om.* Pa

<sup>9</sup> ux. duc. CaPfTbTcA; duc. ux. MgWd

## 91

*Neocesariense concilium<sup>1</sup>, cap. i<sup>2</sup>*

Presbiter si uxorem acceperit<sup>3</sup> ab ordine<sup>4</sup> deponatur. Si vero fornicatus fuerit aut adulterium perpetraverit amplius<sup>5</sup> pelli debet, et ad penitentiam redigi.

*Ars. 713 fo.150, ID 6.185a] D 28 c 9*

<sup>1</sup> Neoc. conc. CaEaEgGcOaPfPkPrPwQaQeRaSeTbA; Ex Cesariensi conc. Be; Leo Cesariensi concil' FcPc; Neocesariensi conc. Mg; Leocesarense conc. Mo; Neoc. Pa; Leo Casanense conc. Rf; Ex concilio Neocesariensi Tc; De continentia presbiterorum TdVo, xci *add.* Vo

<sup>2</sup> cap. i BeCaGcMgMqPfQeTbTc; cap. ii Mo; cap. xv Vp; *om.* Qa. Quod presbiter deponatur nisi caste vixerit *add.* Pa

<sup>3</sup> acceperit \*AdBdBeCaCeDaDbEaLdMkMmMoMqOaPaPcPfPhPkPqPtPwQeRfSbSeTbTcTfVoA; duxerit EgGcMfMgMjPrQaRaVm

<sup>4</sup> ab ord. *om.* Ra

<sup>5</sup> adult. - amplius

\*AbAdBdBeCaCbCeEaEcEgFcGcLbKaMfMgMjMoObOdOeOfPaPfPkPtPwQaRaSdSeSgTbTcTfVm VoVpWaWbWcA; adult. perp. eo amplius MhMkMmMq; adulterii perpetratus fuerit amplius Oa; ad alterum properaverit coniugium extra ecclesiam *Brant*

## 92

<sup>1</sup>*Beda super Lucam, libro I, cap. ii*<sup>2</sup>

Sacerdotibus ut semper queant altari<sup>3</sup> assistere, semper ab uxoribus continendum<sup>4</sup> castitas observanda precipitur.

*Ars. 713 fo. 149v] D 31 c 2 var.*

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<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> xcii *add.* Vo

<sup>3</sup> semper queant alt. CaFcPfTbTcVo; queant semper (*ss* Be) alt. BeGcMg; super altare (-ari A) queant OaA

<sup>4</sup> cont- CaFcMgPfTbA; abst- Tc

## 93

*Concilium II Cartaginense*<sup>1</sup>, *cap. ii*<sup>2</sup>

Episcopos<sup>3</sup>, presbiteros, diaconos<sup>4</sup> ita<sup>5</sup> placuit<sup>6</sup>, ut decet sacrosanctos<sup>7</sup> antistites aut<sup>8</sup> Dei sacerdotes<sup>9</sup> et levitas, vel qui sacramentis divinis inserviunt<sup>10</sup>, continentes esse<sup>11</sup> in omnibus<sup>12</sup>.

*Ars. 713 fo. 150] D 31 c 3 var.*

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<sup>1</sup> Conc. II Cart. BeDaGcMfOaPaPrRaTbVpA?; Ex Cart. conc. II Pf; Conc. Cartag. CaMj; Ex conc. Cart. II MgTc; Cart. conc. II MhMq; Carthag. conc. Pt; Ex conc. II Cartag. Rf

<sup>2</sup> ii BeCaMgMfMhOaPfTcVoA; iii Tb. De eodem et de episcopis et diachonibus *add.* TdVo, De eodem *add.* Pa, xciii *add.* Vo

<sup>3</sup> Cpos Pf

<sup>4</sup> presb. diac. (-es Ca) BeCaOaMfMjRaTcA; diac. pres. AaGcMgPaPfPhPkPrPtPhQeRfSbTbVoWd. et levitas - inserviunt *add.* (*from below*) Tb, *om.* CaMgPfTcA

<sup>5</sup> ut *add.* CaGcMfMgMjMkMmPtVoVp, *om.* BeMoPfPhTbTcA

<sup>6</sup> et *add.* Vp

<sup>7</sup> decet sacrosanctos BeCaMfMhMjMmMoPfPtPhTcA; sacrosanctos decet Mg; decet sacros Tb

<sup>8</sup> aut BeCaMfMgMjTbA; ac Pf<sup>2</sup>Tc

<sup>9</sup> Dei sac. BeCaMfPfTbTcA; sac. Dei MgMj; Dei sac. necnon Ph

<sup>10</sup> et lev. - ins. *here* CaMgPfTcA; *after* diac. presb. *above* PhTb

<sup>11</sup> debent *add.* Oe

<sup>12</sup> decet *add.*

Ad<sup>2</sup>BdBeCaCeDaDbGcLdMfMgMhMjMkMmMoMqObOdOfPaPdPkPqPt(?)PwRaRfSbTfVoVpWcWdBrant, docet *add.* Ad, esse *add.* Pf, *om.* OePcPhPrQeTbTcVmA

## 94

[*Qua*<sup>1</sup> *dispensatione in veteri lege Zacharie et aliis sacerdotibus usus uxoris relaxatus est*]<sup>2</sup>. *Innocentius Victorico*<sup>3</sup> *Rothomagensi episcopo*<sup>4</sup>

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<sup>1</sup> Qua AdBeCaDaGcPf; Quia Ln; Quod MgTc

<sup>2</sup> *in mg.* AdBeCaDaLdLnMgPfPrSbTc, *in text* Ea(*no insc.*)Vo(*adding* xc et iiiii); Quod sacerdotes et levite cum uxoribus non debent misceri ex auctoritate veteris testamenti Pa; Qua disp. – sac. rel. est usus Gc; *om.* CeMqOaPcPtRaRfTbVp

<sup>3</sup> -ico \*BeCaMgOaPfVo; Victorio Rf; Victrico Tb; -ino Tc; *corr. fr.* Victroco to Victroci A

<sup>4</sup> ep. \*BeCaLdLnMgPfPhTcA; ep. cp. viiii DaSb; archiep. Tb

Tenere debet ecclesia omnimodo, ut sacerdotes et levite cum uxoribus suis<sup>5</sup> non misceantur, quia<sup>6</sup> ministerii quotidiani necessitatibus occupantur. Scriptum est enim, Sancti estote, quoniam ego<sup>7</sup> sanctus Dominus Deus vester. Nam<sup>8</sup> priscis temporibus de templo<sup>9</sup> Dei anno vicis sue non discedebant, sicut de Zacharia legimus<sup>10</sup>, nec domum suam omnino tangebant<sup>11</sup>. Quibus utique propter sobolis successionem uxoris<sup>12</sup> usus fuerat relaxatus<sup>13</sup>, quia ex alia tribu et preter ex semine<sup>14</sup> Aaron, ad sacerdotium nullus fuerat preceptus<sup>15</sup> accedere<sup>16</sup>, quanto magis hi sacerdotes vel<sup>17</sup> levite pudicitiam<sup>18</sup> ex die ordinationis sue servare<sup>19</sup> debent, quibus<sup>20</sup> vel<sup>21</sup> sacerdotium vel ministerium sine successione<sup>22</sup> est, nec preterit dies qua vel a sacrificiis divinis vel a<sup>23</sup> baptismatis officio vacent.

*ID 6. 94 var. at beginning; Ars. 713 fo. 149v has to occupantur only] D 31 c 4*

<sup>5</sup> ux. suis \*CaPfTcA; ux. Mg; suis ux. PhTb

<sup>6</sup> cum uxoribus – quia *in mg* Mk<sup>2</sup>

<sup>7</sup> ego \*PhSbTb; *om.* AdBdBcCaCeDaMgPaPcPfPkPrPwTcTfVmVp; ego sum Ph<sup>2</sup>

<sup>8</sup> Nam \*MgPfTbTc; Quoniam Ca

<sup>9</sup> de templo \*CaMgTbTc; *om.* Pf

<sup>10</sup> -imus \*CaMgPfPhTc; -itur Tb

<sup>11</sup> -ant \*CaPfTbTc; -at Mg

<sup>12</sup> uxoris \*DaPhPrSb<sup>2</sup>TbTcVm; *om.* AdBdBcCaCeMgPaPcPfPkPwSbTfVp

<sup>13</sup> us. fu. rel. \*CaMgPfPhTc; rel. us. fu. Tb

<sup>14</sup> ex semine \*CaMgPfTb; semen Tc

<sup>15</sup> prec- \*MgPfTc; *om.* Ca; acc- PhTb

<sup>16</sup> nullus accedere permittebatur *add. Migne, om.* \*BeCaDbEaMgOaPcPfTbTcVmVoBrant

<sup>17</sup> vel CaMgPfPh; et Tb; *om.* Tc

<sup>18</sup> -ti- ss Mg

<sup>19</sup> serv- \*GcPfTbTc; observ- CaMg

<sup>20</sup> quibus \*MgPfTbTc; quibusque Ca

<sup>21</sup> vel \*CaMgPfPTc; *om.* PhTb

<sup>22</sup> sine succ. \*MgPfTbTc; ante successionem Ca

<sup>23</sup> a CaPfTbTc; *om.* Mg

## 95

*[Sacerdos quia semper debet pro populo<sup>1</sup> offerre, matrimonio semper debet<sup>2</sup> carere]<sup>3</sup>.*

*Innocentius<sup>4</sup> Exuperio<sup>5</sup> Toletano<sup>6</sup> episcopo<sup>7</sup>*

Eos<sup>8</sup> ad sacrificia fas sit<sup>9</sup> admitti qui non<sup>10</sup> exercent, vel<sup>11</sup> cum uxore carnale officium<sup>12</sup>.

<sup>1</sup> semper deb. pro pop. CaPfRaTc; debet semper pro pop. Be; semper pro pop. deb. Mg

<sup>2</sup> semper deb. mat. Vo

<sup>3</sup> *in mg.* BeCaDaLdMgPfPrRaSbTc, *in text* VmVo(*adding xcv*), *before c 96* Aa; *om.*

CeLnMqOaPaPcPtRfTbVp. *cf c 96*

<sup>4</sup> Inn. CaMgPfTbA; Idem Tc

<sup>5</sup> Victorico Aa; ex concil' PcRf

<sup>6</sup> Tol. CaMgPfTbA; *om.* Tc

<sup>7</sup> cp. i *add.* Da (*not* Sb)

<sup>8</sup> Eos DaGcMqOaQePaPhPrTbTcTfVmA; [ Jos Ca; Hos BdBeCeLdMgPfSbVoVpVqWc; Nos Pk

Ars. 713 fo. 149v] D 31 c 6

<sup>9</sup> sit CaPfTbA; est Mg; om. Tc

<sup>10</sup> qui non CaMgPfTbA; non est qui Tc

<sup>11</sup> vel MgPfTcA; om. CaTb

<sup>12</sup> off. CaMgPcPfTbA; vel commercium add. ss Pc<sup>2</sup>; commercium Tc

## 96

### <sup>1</sup>Hieronimus<sup>2</sup> contra Iovinianum<sup>3</sup>

Si<sup>4</sup> laicus et<sup>5</sup> quicumque fidelis orare non potest, nisi careat officio coniugali, sacerdoti cui semper pro populo offerenda sunt<sup>6</sup> sacrificia, semper orandum est<sup>7</sup>. Si semper orandum<sup>8</sup>, ergo<sup>9</sup> semper carendum matrimonio.

Ars. 713 fo. 149v] D 31 c 7

<sup>1</sup> Sacerdos (et add. Pr) quia semper debet pro populo offerre matrimonio semper carere debet add. in mg. BeCaGcPr, in text Vm; Quod sacerdos semper orare debet et semper vivere caste add. Pa; De eodem add. Vo; Quando diaconus ordinatur si dixerit se non posse continere non ordinetur add in mg. Wc

<sup>2</sup> Hieron. BeCaMgTbTcA; Greg' Pf

<sup>3</sup> contra Iov. om. Ce. xcvi add. Vo; Aa has here insc. to c 100; insc. as here in mg. Mq

<sup>4</sup> Si quis Py

<sup>5</sup> et CaMgPfRaTbA; vel Ra<sup>2</sup>Tc

<sup>6</sup> pro pop. off. (offenda Oa) sunt OaPrRaVmA; off. sunt

AdBdBeCaCeDaGcLdMgPaPfPkPqPwSbTbTfVoVp; off. sunt pro pop. PcTc

<sup>7</sup> est CaMgPfPhTcA; om. Tb

<sup>8</sup> est add. Tb, om. CaMgPfPhTcA

<sup>9</sup> ergo CaPfTbTcA; om. Mg

## 97

[Quando diaconus ordinatur, si dixerit se non posse<sup>1</sup> continere non ordinetur]<sup>2</sup>.

[Araunicum concilium cap. xxii]<sup>3</sup>

Diaconus qui eligitur si contestatus fuerit pro accipiendi matrimonio, et dixerit non posse in castitate<sup>4</sup> permanere, hic non ordinetur. Quod si in ordinatione tacuerit et ordinatus fuerit<sup>5</sup> et postea matrimonium desideraverit, alienus sit a ministerio, et vacet a clero.

ID 6.376] D 27 c 1

<sup>1</sup> se non posse BeMgPfTc; non posse Ad; non possit Ca

<sup>2</sup> in mg. AdBeCaDaGcLdMgPfPrSbTc, in text Vo(adding xcvi); Quod diaconus non ordinetur si dixerit se non posse continere Pa; om. CeLnMqPcPtRfTb

<sup>3</sup> Araunicum (Arausicum Be, Aurnuncium Ln) concilium cap. xxii BeCaLdLnMgPtVp; Item idem Cb; Araun. conc. Mq; Ex concilio Bracharensi III cap. xxxix Sb, cf XP 3.28.2 (9); Ex canone Martini Bracharensis episcopi. Quando diaconus ordinatur Tc; om. AdDaGcOaPaPcPfRfTbVo

<sup>4</sup> non posse in cast. \*CaGcMgTb; in cast. (se add. Tc) non posse BePfTc

<sup>5</sup> ord. fu. \*CaMgPfPhTc; fu. ord. Tb



## 98

*Araunicum concilium<sup>1</sup>, cap. xxii<sup>2</sup>*

Si quis<sup>3</sup> post acceptam benedictionem leviticam cum uxore sua incontinens invenitur, ab officio removeatur.

*Ars. 713 fo. 149v] D 50 c 29a, var.*

<sup>1</sup> Araunicum (Aununcium Ln) concilium BeCaGcLdLnMqOaPaPhPtTbVoA; Arausicum conc. DaSb<sup>2</sup>; Araunico concilio MgPc; Ex Ar. concilio PfTc; Araunicum concilio Vp

<sup>2</sup> xxii BeCaCbGcLdLnMqOaPaPcPfPtTbVoVpA; xxiii DaSb; xxvii Mg; xvii Tc. Quod levita incontinens ab officio removeatur *add.* Pa; Item de castitate diaconorum ac subdiaconorum observanda xcvi *add.* Vo

<sup>3</sup> diaconus aut presbiter *add. Brant, om.* BeCaDbGcMgPfTbTcA

## 99

*Gregorius<sup>1</sup> Bonifacio episcopo Regitano<sup>2</sup>*

Subdiaconibus tuis, hoc quod de singulis<sup>3</sup> statuimus decernimus observari<sup>4</sup> nec illam<sup>5</sup> diffinitionem nostram cuiusquam contumacia sinas aut temeritate corrumpi<sup>6</sup>.

*Ars. 713 fo. 149v] D 32 c 9*

<sup>1</sup> *om.* Vo

<sup>2</sup> Regitano BeCaMgPfTbVo(*adding* xcvi *iii*)A; Rogitano Ad; Reitano GcTc; Reginato Pt; *om.* PcRf

<sup>3</sup> quod de sing.] de Sicul OaPrVm; quod de singulis (*with* vel Siculis *in mg*) Ra

<sup>4</sup> statuimus decernimus (decrev- DaGcPrVmVp) observari DaGcMgPhPqPrTbVmVpA*Brant*; statuimus AaAdCaCeObOdOePaPfPkPtPwSbVo; constituimus BdOf; stat. obs. decernimus Be; statuimus observari decrevimus OaRa; constituimus decrevimus observare PcRfTc; et decernimus observari (*partly in mg.*) Sg

<sup>5</sup> ullam Ob

<sup>6</sup> nec illam - corrumpi BdBeCaCeDbGcMgOaObOdOeOfPaPfPhSgTcVmVoA*Brant*; *om.* Tb

100<sup>1</sup>*Innocentius<sup>2</sup> Anastasio episcopo Thessalonicensi<sup>3</sup>*

Ad exhibendam tamen perfecte continentie puritatem nec subdiaconibus quidem carnale connubium conceditur ut et<sup>4</sup> qui habent sint tanquam non habentes<sup>5</sup>, et qui non habent permaneant singulares.

*cf 4L 1. 124 but widely var.; ID 6.98 med.]D 32 c 1 med.*

<sup>1</sup> *inscription retained but canon om.* Pq

<sup>2</sup> Leo [*cf 74T 172 etc*] DaSb

<sup>3</sup> Thess. BeCaMgPcPfTbVo; *om.* LdTcVp; c *add.* Vo. No *insc.* Pt

<sup>4</sup> et CaOaMgTbVm; etiam Gc; *om.* BePfTc

<sup>5</sup> sint tanquam non hab. CaMgPfTb; tanquam non hab. sint Tc

## 101

*Urbanus II, in sinodo apud Melfiam<sup>1</sup>*

Eos<sup>2</sup> qui post subdiaconatum<sup>3</sup> uxoribus vacare noluerint<sup>4</sup> ab omni sacro ordine removemus, officioque atque beneficio ecclesie carere decernimus<sup>5</sup>. Quod si ab episcopo commoniti non correxerint, principibus licentiam indulgemus<sup>6</sup>, ut eorum feminas mancipient servituti. Si vero episcopi consenserint eorum pravitatibus, ipsi officii interdictione multentur.

*Ars. 713 fo. 149v] D 32 c 10*

<sup>1</sup> Melfiam BeDaGcMgMqOaPaPfPrPtSbTbVoVpWcA; Melfiani Ca; Nicetiam Tc. II – Melfiam] papa Ea ; *no insc.* Pq

Quod presbiteri, diaconi coniugati ab omni sacro ordine <et> officio et beneficio removeatur ecclesie, et episcopus eis consentiens multetur officio *add.* Pa; Quod ultio exercenda est in subd' incontinentes. ci *add.* Vo.

<sup>2</sup> Eos AaDaGcMqOaPaPhPrQeRaRfTbTcTfVpA; < >os CaPt; Hos AdBdBcCbCeEaLaMgPcPfPkPwPySbTdVqWc; Ees Vo

<sup>3</sup> subdiac. AaAd<sup>2</sup>CePaPhPkPr<sup>2</sup>QeRaTbVmVoA; diac.

AdBdBcCaDaEaGcMgOaPcPfPwRf<sup>2</sup>SbTfVpWc; diaconum MqPqPt; subdiaconum Pr; diac. ab Tc

<sup>4</sup> nol- AaAdCeGcMgOaPcPfPhPkPtPwTcTfVmVoVpWc; vol- BdBeCaDaMqPaPq?QeRaRfSbTbA

<sup>5</sup> decernimus AdBdBcCaCeMg?MqPaPcPfPhPrPtPwTbTfVoA; decrevimus

GcOaPqPrRaRfSbTcVmWc

<sup>6</sup> lic. ind. AdDaGcMgMqPcPfPhPtSbTcTfVmVoA; ind. lic. BeCaOaPw; ind. Tb; lic. tribuimus Wc

## 102

*<sup>1</sup>Sexta<sup>2</sup> sinodus, cap. vii<sup>3</sup>*

Si quis eorum qui ad clerum accedunt voluerit<sup>4</sup> nuptiali lege mulieri copulari<sup>5</sup> hoc<sup>6</sup> ante ordinem subdiaconatus faciat.

*Ars. 713 fo. 149v] D 32 c 7*

<sup>1</sup> e eodem *add.* Vo

<sup>2</sup> Gr' Vp

<sup>3</sup> vii BdBeDaGcMgOaPcPfRfVo(*adding* cii)A; vi CaSbTc; ii Tb

<sup>4</sup> *corr. fr.* -unt Ca

<sup>5</sup> mul. cop. CaMgPfTbA; cop. mul. Tc

<sup>6</sup> hoc CaMgPfPhTcA; *om.* Tb

## 103

*Dominico Gradensi patriarche<sup>1</sup>*

Erubescant impii, et<sup>2</sup> aperte nos intelligant, iudicio sancti Spiritus eos qui in tribus sacris<sup>3</sup> gradibus presbiteratu scilicet<sup>4</sup>, diaconatu, subdiaconatu positi,

<sup>1</sup> Grad. (Gardensi Be, -ensis Ea) pat. BeCaCeEaGcMgPfTcVoA; pat. Cartaginensi Tb; *om.* Pa. Quod presbiteri, diaconi, subdiaconi deponantur nisi caste vixerint (*p.c.*) *add.* Pa; Ut hii qui in tribus gradibus presbiteratu, diaconatu, subdiaconatu positi mulieres non abiecerint ab eorum graduum dignitate excludantur *add.* Vo

<sup>2</sup> imp. et] nuptii Rf

mulierculas non abiecerint<sup>5</sup>, et caste non vixerint<sup>6</sup>, excludere ab eorundem<sup>7</sup> graduum dignitate. De manifestis quidem loquimur. Secretorum<sup>8</sup> autem cognitor et iudex Deus est<sup>9</sup>.

*Ars 713 fo. 150v] D 32 c 11*

<sup>3</sup> sacris Ca<sup>2</sup>MgPcPfTbOaA; sacros Ca; *om.* Tc

<sup>4</sup> scil. Da<sup>2</sup>GcMgPfTbA; *om.* BeCaCbDaTc

<sup>5</sup> -erint CaMgPfTbA; -erunt Tc

<sup>6</sup> -erint CaMgPfTbA; -erunt Tc

<sup>7</sup> eorundem CaMgPfTcA; eorum PhTb

<sup>8</sup> *lacuna follows in Pf*

<sup>9</sup> Deus est CaMgPfTbA; est Deus RaTc

## 104

<sup>1</sup>*Urbanus II*<sup>2</sup> *Meldensi*<sup>3</sup> *sinodo presidens ait*<sup>4</sup>

Nemo ad sacrum ordinem permittatur accedere, nisi aut virgo aut probate castitatis, et qui usque ad subdiaconatum unicam et virginem uxorem<sup>5</sup> habuerit.

*Ars 713 fo. 152] D 32 c 12*

<sup>1</sup> Quod nemo ordinetur nisi virgo aut probate castitatis vel qui unicam virginem uxorem habuerit *add.* Pa; Item de castitate clericorum *add.* Vo

<sup>2</sup> *om.* Oa

<sup>3</sup> Meldensi AdBeCaCeMgMqPaPcPrPtRaRfSbTcTb; Meldenso Pf; *obsc. corr.* Ph; Melfiensi Vo; Moldensi Wc; Melfensi A

<sup>4</sup> pres. ait BeCaCeMgOaPaPfRfTbA; pres. dixit Mq; *om.* PtTc. Meld. – ait *om* Ea; *no insc.* La

<sup>5</sup> et virg. ux. BeCaEaMgOaPfPtA; virg. et ux. Ph; virg. ux. Tb; ux. et virg. Tc

## 105

*[Quod episcopi, presbiteri<sup>1</sup>, diaconi<sup>2</sup>, subdiaconi a suis<sup>3</sup> debeant etiam<sup>4</sup> uxoribus abstinere aut ab officio cessare]<sup>5</sup>. <sup>6</sup>Carthaginensi concilio<sup>7</sup>, cap. iii<sup>8</sup>*

Placuit episcopos, presbiteros, diaconos<sup>9</sup>, subdiaconos secundum priora statuta<sup>10</sup>, etiam ab uxoribus abstinere<sup>11</sup>. Quod nisi fecerint, ab ecclesiastico

<sup>1</sup> et *add.* GcTc, *om.* CaMgPfPr

<sup>2</sup> et *add.* GcPrTc, *om.* CaMgPf

<sup>3</sup> a suis BeCaMgPaTc; *om.* Pf

<sup>4</sup> etiam BeGcMgPaPrTc; *om.* AdCaDaVo; ab Pf

<sup>5</sup> abstinere Ln. *Rubric in mg.* AdBeCaDaGcLdLnMgPfPrSbTc, *in text* PaVo(*adding cv*); *om.* CeMqOaPcPtTbVp

<sup>6</sup> Ex *add.* Pf, *om.* CaMgTbTcVpA

<sup>7</sup> Cartaginensi concilio GcPfRfTc; Cartaginense concilium BeCaOaPaTbVo; Carth. conc. V (*ss Sb*) DaSb; Cartag' conc' VII Mg; Cart' conc' A

<sup>8</sup> iii BeCaGcPhTcVoVpA; iiii MgPf; ? Tb

<sup>9</sup> diac. CaMgPfPhTcA; *om.* Tb

<sup>10</sup> priora stat. CaPfTbTcA; propiora (propria Gc) constituta GcMg

<sup>11</sup> ab ux. abs. MgPfTbTcA; abs. ab ux. Ca

removeantur officio. Ceteros vero<sup>12</sup> clericos ad hoc non cogi, sed secundum uniuscuiusque ecclesie consuetudinem observari debere.

*Ars 713 fo. 149v] D 32 c 13, +D 84 c 4b*

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<sup>12</sup> vero CaMgPfTbA; autem Tc

## 106

*[Quod<sup>1</sup> clerici<sup>2</sup> licenter<sup>3</sup> possint<sup>4</sup> uxores ducere et filios procreare]<sup>5</sup>. Leo<sup>6</sup> Rustico Narbonensi, cap. vi<sup>7</sup>*

Lex<sup>8</sup> continentie eadem est altaris ministris<sup>9</sup> que episcopis atque<sup>10</sup> presbiteris, qui cum essent laici, sive lectores licite et uxores ducere et filios procreare potuerunt, sed cum ad predictos pervenerunt gradus, cepit eis<sup>11</sup> non licere quod licuit. Unde ut de carnali fiat spirituale<sup>12</sup> coniugium, oportet eos<sup>13</sup> dimittere uxores et quasi non habeant habere, quo<sup>14</sup> et<sup>15</sup> salva sit qualitas connubiorum et<sup>16</sup> cessent opera nuptiarum.

*ID 6.68 with var. insc., Ars. 713 fo. 149v] D 31 c 10*

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<sup>1</sup> Quod BeCaMgTcVo; Qui Pf

<sup>2</sup> laici subs. corr. Ln

<sup>3</sup> licenter BeCaLd<sup>2</sup>MgPfVo; qui licent Tc; om. Ld

<sup>4</sup> -int CaMgPf; -unt BeTc

<sup>5</sup> in mg. AdBeCaDaGcMgPaPfPrSbTc, in text PaVo; om. CeMqOaPtTbRfVp

<sup>6</sup> papa add. Tc, om. CaMgPfTbVoA. Leo – vi as insc. to c 107 Ln

<sup>7</sup> vi CaCeOaPfTb?TcA; iii DaSb, cf ID 6.68; vii Mg. Leo IX contra ep. Nicete abbatis de monasterio Studii Pc (repeated before c 107)

<sup>8</sup> Sex Rf; Rex Vo

<sup>9</sup> alt. min. \*MgPfTbTcA; min. alt. Ca

<sup>10</sup> atque CaPfTbA; et Mg; om. Tc

<sup>11</sup> eis \*MgPfTbTcA; eos Ca

<sup>12</sup> fiat sp. CaMgPfTbA; sp. fiat Tc

<sup>13</sup> non add. Sb

<sup>14</sup> quo \*MgPfRaTbTc; que Ca; ?A

<sup>15</sup> et \*PfPrA; ut CaMgPhRaTbTcVm

<sup>16</sup> et \*MgTbTcA, om. CaPf

## 107

*[Quod clerici nec<sup>1</sup> viduas nec repudiatas accipiant uxores, quia post tale matrimonium non possunt provehi<sup>2</sup> ad subdiaconatum]<sup>3</sup>. Leo IX<sup>4</sup> contra epistolam Nicete<sup>5</sup> abbatis de monasterio Studii<sup>6</sup>*

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<sup>1</sup> vel Ad

<sup>2</sup> etiam add. Be

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTc, in text Vo; Quod acolitus et infra virginem ducens provehi possit si tamen coniux permittat, nec eidem nec cuiquam se carnaliter postea iungat Pa; om. CeMqOaPcPtRfTbVp

<sup>4</sup> XI Vo; om. DaLdVp

<sup>5</sup> -ete CaCbMgPfTbA; -eti Tc

Seriatim et<sup>7</sup> aperte prosequamur<sup>8</sup> quod sancta Romana ecclesia<sup>9</sup> in gradibus clericorum agat<sup>10</sup>. Clericos tantum<sup>11</sup>, ostiarios, lectores, exorcistas, acolithos, si extra votum et habitum monachi<sup>12</sup> inveniantur, et continentiam profiteri nolunt, uxorem ducere virginem cum benedictione sacerdotali permittit. Non autem viduam aut<sup>13</sup> repudiatam, quia propter hoc<sup>14</sup> deinceps nec ad subdiaconatum provehi poterunt, nec laicus non<sup>15</sup> virginem sortitus uxorem, aut bigamus ad clericatum<sup>16</sup>. Quod si quis ex prefatis ordinibus desiderat ad subdiaconatum ascendere<sup>17</sup>, non potest sine consensu uxoris sue, ut fiat de carnali deinceps coniugium spirituale, nemine eos cogente. Nec permittitur<sup>18</sup> postea uxor iungi eidem marito suo carnaliter, nec cuiquam nubere<sup>19</sup> in vita aut post mortem illius.

*Ars 713 fo. 149v] D 32 c 14*

<sup>6</sup> monasterio Studii (Studui Vo) BeCaGcMgOaTbVoA; monasterii studio PfTc; monasterio Vp; Ln *has here insc. to c 106*

<sup>7</sup> Ser. et] Veritatem SeWc

<sup>8</sup> -amur BeCaGcMgPhPrRaTc; -imur PfTb; -emus Vo; -emur A. per- (vel pro ss) Qe

<sup>9</sup> etiam *add.* Mg, *om.* CaPfTbTcA

<sup>10</sup> agat PhTbA; agit BeDaGcMgPfRaTc; ag' CaPr

<sup>11</sup> tantum PhPrA; enim BeCaMgPfTcVo; tamen Tb

<sup>12</sup> -achi CaMgPfPrTc; -achorum PhTb; ?? A

<sup>13</sup> aut CaPfTbTcA; et Mg

<sup>14</sup> hoc CaMgPfTbA; *om.* Tc

<sup>15</sup> non BeCaMgPrTcA; nec Pf; nisi PhTb

<sup>16</sup> potest ascendere *add.* Brant, *om.* BeCaGcMgOaPfTbTcVoA

<sup>17</sup> ad subd. asc. CaMgPfTbA; asc. ad subd. Tc

<sup>18</sup> Nec permittitur MgPfTbTcA; Neque permittatur Ca

<sup>19</sup> nubere CaPfTbTcA; permittitur Mg

## 108

[*Quod clerici uxorati stipendia exterius<sup>1</sup> accipiant*]<sup>2</sup>. *Beda in historia Anglorum libro I<sup>3</sup>, cap. xxix<sup>4</sup>*

Si qui sunt clerici extra sacros ordines constituti, qui se continere non possint<sup>5</sup>, sortiri uxores debent<sup>6</sup>, et stipendia sua exterius accipiant.

*Ars. 713 fo. 149, ID 6.86a] D 32 c 3a*

<sup>1</sup> ext. Ad<sup>2</sup>BeCaEaGcPaPf; *om.* LcMgTc

<sup>2</sup> *in mg.* AdBeCaDaGcLdLnMgPfPrSbTc, *in text* Ea(*no insc.*)PaVo; *om.* CeMqOaPcPtTbVp

<sup>3</sup> *in Rf*

<sup>4</sup> xxix BeDaOaPfTbTcVoA; xxviii Ca; ? Mg

<sup>5</sup> -int BeCaGcMgPfPrA; -unt PhTbTc

<sup>6</sup> ux. deb. CaMgPfPrTcA; deb. ux. PhTb

## 109

<sup>1</sup>*Canones apostolorum, cap. xxvii*<sup>2</sup>

Innuptis<sup>3</sup> qui ad clerum propecti sunt precipimus ut, si voluerint, uxores accipiant, sed lectores cantoresque<sup>4</sup> tantummodo.

*Ars 713 fo. 149]*

<sup>1</sup> Quod clerici uxores alterius secte non accipiant (*cf c 110*) *add.* BeLn; De eodem *add.* Vo

<sup>2</sup> cap. xxvii BeCaDaOaSbTbTcVo(*adding* cviii)A; cap. xxviii GeMgMqPaPrVp; xxvii Pf. *Insc. in mg.* Ha<sup>2</sup>

<sup>3</sup> Innuptis AaAdCeDaMgMqPcPhPrRa<sup>2</sup>SbTcTfA; [ ]nnuptis Ca; Innupti GcPa; In nuptiis PfRaRfTb; Nupti Wd

<sup>4</sup> cantoresque BeCaCeMgPaTbVoABrant; res cantoresque Pf; et cantores PcTc; cantores Tf; *om.* Mq

## 110

[*Quod clerici uxores alterius secte non accipiant*]<sup>1</sup>. <sup>2</sup>*Calcedonensi concilio*<sup>3</sup>, cap. xiv<sup>4</sup>

Quoniam in quibusdam provinciis concessum est lectoribus et psalmistis uxores ducere, constituit sancta sinodus non licere cuiquam ex his accipere secte alterius uxorem.

*Ars 713 fo. 149v] D 32 c 15*

<sup>1</sup> *in mg.* AdCaDaGeLdMgPfPrSbTc, *in text* PaVo; *om.* BeCeMqOaPcPtTbVp. *cf c 109 for* BeLn

<sup>2</sup> *Ex add.* MgPf, *om.* BeCaTbTcA

<sup>3</sup> Calc. concilio MqPfTc; Calcedonense concilium BeCaGcTbVo; conc. Calcedonensi Mg; Calcedon' conc' A

<sup>4</sup> xiv BeCaOaPfPrTbVoA; xxiii Mg; xiii GcTc; xv Vp; *om.* PcRf

## 111

<sup>1</sup>*Ex concilio Cartaginensi III, cap. xix*<sup>2</sup>

Lectores<sup>3</sup> cum ad annos pubertatis veniunt<sup>4</sup>, cogantur aut uxores ducere, aut continentiam profiteri.

*Ars 713 fo. 149v] D 32 c 8*

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> Concil. Cart. III, cap. ixx (xviii Ce, xix PaSb) CeOaPaSbA; Ex conc. Cart. III cap. xix Mg; Conc. Cart. iii cap. AdCaPrRfVp; Cart. conc. cap. iii BePcTc; Cart. conc. III (l. *add.* Pr) cap. xix DaGcPr?; Conc. Cart. III cap. xx Mq; Ex eodem, cap. iii Pf; Conc. Cartag. cap. iii PhTb; Ex conc. Cartaginense III cp. cxi Vo. Quod lectores in pubertate cogantur aut uxores ducere aut continentiam profiteri *add.* Pa; *neither insc. nor rubr.* Ea

<sup>3</sup> Luxores Pa

<sup>4</sup> -iunt BeMgPfTbA; -iut Ca; -erint Tc

## 112

*Nicenum concilium<sup>1</sup>, cap. iii<sup>2</sup>*

Interdixit per omnia sancta sinodus, non episcopo, non presbitero, non diacono<sup>3</sup>, non alicui omnino qui in clero est licere subintroducendam habere mulierem, nisi forte matrem aut sororem aut amitam, aut eas etiam idoneas<sup>4</sup> personas que fugiunt<sup>5</sup> suspiciones.

*Ars 713 fo. 151, cf ID 6.186] D 32 c 16*

<sup>1</sup> Nic. concilium BeDaEaGcMgOaTbVo; Niceno concilio Tc; Concilium Nic. Ca; Ex Niceno concilio Pf; ? A

<sup>2</sup> cap. iii om. Ea. Quod nullus ordinatus suspiciosam secum habeat mulierem add. Pa; Quas mulieres liceat tantum cum clericis habitare add. Vo. No insc. Qe (cf c 113)

<sup>3</sup> non subdiacono add. Be<sup>2</sup>DaGcMgPc<sup>2</sup>PrRaVmVp, non sub [sic] add. Rf, om.

\*AdBdBeCaCeEaLdMqPcPfPaPhPkPqPtSbTbTcTfVoA

<sup>4</sup> eas etiam id. CaGcPfPhRaTb; eas tantum id. Be; etiam eas id. EaVoVp; etiam id Ld; tantum eas Mg; eas tantum Oa Ra<sup>2</sup>A; tamen eas etiam id. Tc

<sup>5</sup> fug- CaPfTbTcA; effug- \*Mg

## 113

*[Ut episcopi, presbiteri, diaconi, subdiaconi<sup>1</sup> proprias non relinquant uxores sustentando sed cohabitando]<sup>2</sup>. Canones apostolorum, cap. vi<sup>3</sup>*

Episcopus aut presbiter propriam uxorem nequaquam<sup>4</sup> sub obtentu religionis<sup>5</sup> abiciat. Si vero reiecerit<sup>6</sup> excommunicetur.

*Ars. 713 fo. 151]*

<sup>1</sup> diac. (et add. CaGc) subdiac. AdBeCaDaGcLdPrVm, d. s. Mg, subdiaconi Vo; om. PaPf

<sup>2</sup> in mg. AdBeCaDaLdGcMgPfPrSb (cf Ea c 114), in text PaVmVo; om. CeMqOaPcPtRfTbTcVp

<sup>3</sup> vi BeCaGcMgOaTcVoVpA; v PfPhTb. Nicenum concil' cp. iii Qe (cf c 112)

<sup>4</sup> Ca uncertain; ss Pc

<sup>5</sup> non add. Ca, om. MgPfTbTcA

<sup>6</sup> reiecerit CaMgTbTcA; reicit Pf

## 114

*<sup>1</sup>Gregorius in dialogo, libro IV<sup>2</sup>*

Presbiter quidam commissam sibi regebat ecclesiam cum magno timore Domini, qui ex tempore<sup>3</sup> accepti ordinis, presbiteram suam ut sororem diligens, sed quasi hostem cavens, ad se propius nunquam accedere sinebat, eamque sibimet<sup>4</sup>

<sup>1</sup> De eodem add. PaVo

<sup>2</sup> IV BeCaCeEaOaPaPfPhPrSbTbVo(adding cxiiii)VpA; III DaGcMgPcQeRfTc (insc. in mg. Gc). Ut episcopi, presbiteri, diaconi, subdiaconi proprias non relinquant uxores sustentando sed cohabitando add EaWd (cf c 113, in Wd this is in black in mid-text)

<sup>3</sup> ex timore (vel ex tempore ss) Ad

<sup>4</sup> sibimet CaGcPfTbTcA; sibi BeMg

propinquare<sup>5</sup> nulla occasionem<sup>6</sup> permittens<sup>7</sup>, ab ea sibi communionem funditus familiaritatis absciderat. Habent quippe sancti viri hoc proprium, nam<sup>8</sup> ut semper ab illicitis longe sint, a se plerumque etiam<sup>9</sup> licita abscidunt. Unde idem vir nequam<sup>10</sup> per eam incurreret culpam, sibi per eam etiam ministrare refutabat necessaria<sup>11</sup>.

*Ars 713 fo. 151] D 32 c 18 to familiaritatis abscidit*

<sup>5</sup> appropinquare, *after* occasione Be

<sup>6</sup> -ionem MgPfTcA; -ione BeCaGcTb

<sup>7</sup> *corr. fr.* nul. occ. perm. Tb

<sup>8</sup> nam CaMgPfTbA; *om.* Tc

<sup>9</sup> a se pler. et CaMgPfPhTcA; et. a se pler. Tb

<sup>10</sup> nequam CaMgPfTbA; ne Tc

<sup>11</sup> etiam ministrare ref. nec. CaEaOaPfQeTbVoVpA; etiam min. nec. refut. Be; ministrare ref. nec. GcPrSe; ministrari etiam ref. nec. Mg; ref. ministrari etiam nec. Ra; ministrari ref. etiam nec Tc

## 115<sup>1</sup>

<sup>2</sup>*Ambrosius super epistolam secundam<sup>3</sup> ad Corintios<sup>4</sup>*

Omnes apostoli, Iohanne excepto<sup>5</sup> et Paulo, habuerunt<sup>6</sup> uxores<sup>7</sup>.

*Ars. 713 fo. 149v]*

<sup>8</sup>*Leo IX contra epistolam Nicete<sup>9</sup> abbatis de monasterio Studii<sup>10</sup>*

Omnino<sup>11</sup> confitemur<sup>12</sup> non licere episcopo, presbitero, diacono, subdiacono propriam uxorem causa<sup>13</sup> religionis abicere a<sup>14</sup> cura sua, scilicet ut<sup>15</sup> ei victum et vestitum<sup>16</sup> largiatur, sed non ut cum illa ex more carnaliter iaceat<sup>17</sup>. Sic<sup>18</sup> et sanctos

<sup>1</sup> *Insc. and text in mg. Wc. Pt has insc. but not text*

<sup>2</sup> De eodem *add.* Vo

<sup>3</sup> ep. sec. EgGcLcLmMgPfPrRaTc; sec. BdBeDaLc<sup>2</sup>OaPkPtQeSe; sec. ep. Be<sup>2</sup>CaCbLjMqObPhPt<sup>2</sup>TbVo; ep. *and lacuna* Pa; ep. Rf; Amb. secundam *only* A

<sup>4</sup> Amb. - Cor. *after* hab. ux. Lf, *om.* Qa. Ambrosius Leo Ea. cxv *add.* Vo

<sup>5</sup> Ioh. exc. CaEaEgMgPaPfPkTbTcA; exc. Ioh. BeLmOaObOfRa

<sup>6</sup> hab. CaEaGcLd<sup>2</sup>MgPf(*with lacuna*)TbTc; hab. omnes LdPkSe; omnes hab. A

<sup>7</sup> Omnes - uxores *after* Omnino – coniugium TfBrant; *as here*

AaAbBdBcCaCbCeDaDbEcEgFcGcLbLdLfLjLmKaMgMqOaObOdOeOfPaPcPfPhPkPqPrPwQaQeRaRfSbSdSeSgSkSlTbTcVmVoVpWaWbWd, *as rubric* Ad; *om.* Td. EaLc *omit rest of c 115*

Explicit iii, incipit iiiii *add.* Lc

<sup>8</sup> De eodem *add.* Vo

<sup>9</sup> -ete BeCaCbEgLdLfLjLmMgObSeTbA; -eti Pf; -etii Tc

<sup>10</sup> monasterio (*corr. fr.* -erio Tb) Studii BeCaCbGcLdLfLjLmMgPaSeTbVo(*adding* cxii)VpA; de mon. St. *om.* ObEg; monasterii studio PfTc; Ambr' super sec. ep. Qa. Ad *has* Leo – Studii *as insc. to c 116*, Lf *has* Leo - Stud. *in mg., with* Ambros. - Corint. (*above*) *in text here.* Qua auctoritate non debeant ordinari. proprias abicere uxores sustendendo sed commiscendo *add.* Pa

<sup>11</sup> *corr. fr.* Omnes Ld

<sup>12</sup> conf- CaMgObPfTbTcA; prof- Lf

<sup>13</sup> ss Cb

<sup>14</sup> a BeCaCbFcGc<sup>2</sup>Ld<sup>2</sup>LfLjMgObTbTc; *om.* GcLdLmPrPfVo

<sup>15</sup> non *add.* CbLj, *om.* BeCaGcLdMgObPfTbTcVoA

<sup>16</sup> vict. et vest. BeCaMgObPfTbTcA; vestium et vict. Lf

<sup>17</sup> iaceat BeCaCbFcLdLfLjLmMgObPfTbA; dormiat Tc



apostolos legimus egisse, beato Paulo dicente. Nunquid non<sup>19</sup> habemus<sup>20</sup> potestatem sororem mulierem circumducendi<sup>21</sup>, sicut frater<sup>22</sup> Domini et Cephas. Vide insipiens quia<sup>23</sup> non dixit<sup>24</sup>, Nunquid non habemus potestatem sororem mulierem amplectendi<sup>25</sup>, sed circumducendi, scilicet ut mercede predicationis sustentaretur ab eis, nec tamen deinceps foret inter eos ulterius<sup>26</sup> carnale coniugium<sup>27</sup>.

*Ars 713 fo. 151] D 31 c 11*

<sup>18</sup> *corr. fr.* sicut Ld

<sup>19</sup> non CaMgObPfTbTcA; *om.* Lm

<sup>20</sup> habemus CaCb(*obsc. corr.*)MgObPfTbTcA; habeo Lf

<sup>21</sup> -ducendi CaCbLdLfLjLmObPfTbA; -cidendi Tc

<sup>22</sup> frater CaCbLdLfLjLmObPfTbA; fratres Tc

<sup>23</sup> hoc *add. ss* Vo

<sup>24</sup> dixit BeCaCbLfLjLmTbTcVoA; dixi GcLdObPf. Numquid non - dixit *om.* Mg

<sup>25</sup> -ectendi BeMgObPfTbTcVoA; -ectectendi Ca; -ectandi CbLd

<sup>26</sup> dein. foret inter eos ult. BeCaCbFcGcLfLjLmMgObPfPwTb<sup>2</sup>Vo; deinde foret inter eos Ld; inter eos foret dein. Tc; foret dein. inter eos A

<sup>27</sup> *corr. fr.* carn. off. Ce, *fr.* carn. officium ult. Tb; carnale officium (*omitting ult.*) Qe (*but not Ph*).

Incipit sextus *add.* Ce; Explicit liber v. Incipit liber vi *add.* Pa

## 116

<sup>1</sup>[*Si quis*<sup>2</sup> *pro ordinibus aliquid dederit vel*<sup>3</sup> *acceperit vel*<sup>4</sup> *promiserit*<sup>5</sup>, *ordinator et ordinatus*<sup>6</sup> *ab officio deponantur*<sup>7</sup>]<sup>8</sup>. *Ex canone*<sup>9</sup> *apostolorum, cap. xxx*<sup>10</sup>

Si quis<sup>11</sup> episcopus<sup>12</sup> aut<sup>13</sup> presbiter aut abbas<sup>14</sup> per pecuniam hanc obtinuerit dignitatem, deiciatur ipse et ordinator eius, et a communione sancta modis omnibus<sup>15</sup> abscondatur, et<sup>16</sup> sit anathema sicut Simon magus a Petro.

*ID 5.78]*

<sup>1</sup> Incipit sextus *add.* Ce, Explicit liber tertius. Incipit quartus *add. and canc.* Ld

<sup>2</sup> Si quis BeCaEaMgPf; Qui BeTc

<sup>3</sup> vel BeCaEaMgTc; *om.* Pf

<sup>4</sup> vel BeCaEaMgTc; *om.* Pf

<sup>5</sup> -erit BeCaEaPfTc; -it Mg

<sup>6</sup> ordinator et ordinatus BeCaGcMgPf; ordinator et ordinator Tc

<sup>7</sup> ab off. deponantur BeDaGcMgPfPr; deponantur ab off. Ca; ab off. deponatur Tc

<sup>8</sup> Si quis – deponantur *in mg.* AdBeCaDaGcLdLnMgPfPrSbTc, *in text* EaVo, *in mg. against c 118* ?Td, *as separate cap.* Tf; viii. De simoniace ordinatis et eorum ordinatoribus *in mg.* Bd; De simoniace ordinatis et ordinatoribus *in mg.* Db<sup>2</sup>Lj; De simoniace ordinatis et ordinatoribus qui omnino deponendi et qui misericorditer (merito La) sunt reconciliandi LaPh; Quod si quis pro ordinibus ante vel post aliquid dederit vel acceperit vel promiserit, ordinator et ordinatus ab officio deponantur Pa; *om.* LcMqOaPcPfRfTbVp

<sup>9</sup> canonice Vo

<sup>10</sup> xxx \*BeCaGcMgObOdOeOfPfPhPfRfTc; i PaPk; lxxx, lib. iiii [*cf* Ld] Vo; *om.* Tb. Ex can. ap. c. ii *in mg.* Ad (*cf c 115*); Ex can. ap. *only, before rubr.* Ea. vii *add. in mg.* Be<sup>2</sup>

<sup>11</sup> Si quis *with large initial* LdPaPk] Quisquis Ph(*with large initial*)Qe. quis *ss* Be

<sup>12</sup> vel abbas *add.* Tc<sup>2</sup>, *om.* \*BeCaMgPfTbTc

<sup>13</sup> aut \*BeCaPfTbTc; vel Mg

<sup>14</sup> abbas \*BeCaMgPcPfTb; vel diaconus *ss* Pc<sup>2</sup>; diac' Tc

<sup>15</sup> mod. omn. \*BeCaMgPfTb; omn. mod. Tc

<sup>16</sup> et \*BeCaMgPfTc; ut Ph; *om.* Tb

## 117

<sup>1</sup>*Ex concilio Bracarense IIII<sup>2</sup>, cap. viii<sup>3</sup>*

Quicumque<sup>4</sup> pro conferendo cuiquam sacerdotii gradu, aut munus quodcumque aut promissiones muneris<sup>5</sup> antequam ordinetur acceperit, vel etiam postquam ordinatus fuerit, in aliquo se pro hoc ipso presumpserit munerari, sive ille qui dederit, sive qui acceperit, iuxta sententiam Chalcedonensis concilii, gradus sui periculum sustinebit.

ID 5.85]

<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> Ex - IIII LdLnMgPf; Bracarense concil' IIII BeGcMgPhPrRf; Bracarense concilio CaTcVp; Bracharense conc. II DaSb; Bracarense conc. OaVo; VII Bracarense concilio iiii capitulo SI; ? Tb

<sup>3</sup> cp. vii DaSb; cp. iiii Ln. cxiii *add.* Vo

<sup>4</sup> Unicumque Oa

<sup>5</sup> prom. mun \*BeMgOaTbVo; mun. prom. PfTc

## 118

<sup>1</sup>*Ex concilio Calcedonensi<sup>2</sup>, cap. ii<sup>3</sup>*

Si<sup>4</sup> quis episcoporum, accepta pecunia ordinationem fecerit, et sub pretium<sup>5</sup> deduxerit impretiabilem gratiam atque ordinaverit per pecunias episcopum<sup>6</sup> sive<sup>7</sup> coepiscopum<sup>8</sup> sive presbiterum sive diaconum aut quemcumque alium<sup>9</sup> qui connumeratur inter clericos, aut accepta pecunia ordinaverit euconomum<sup>10</sup>, id est defensorem<sup>11</sup> sive paramonarium<sup>12</sup>. Quicumque ergo hoc<sup>13</sup> meditatus<sup>14</sup> fuerit, si convictus fuerit, ipse quidem subeat gradus sui periculum. Et qui sic<sup>15</sup> ordinatus

<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> conc. Calc. BeCaMgOaTbTcIDp; Calc. conc. PfIDm

<sup>3</sup> cxv *add.* Vo. Ex – ii] Item Ea. For rubric in Td see above, c 116

<sup>4</sup> Large initial S here Pk

<sup>5</sup> -ium \*EaTb; -io BeCaMgPfTc

<sup>6</sup> impretiabilem (-alem Tb)- episcopum \*CaMgPfTbTcVo; impreciablem pecunia ordinationem fecerit Brant

<sup>7</sup> sive \*CaMgPfTb; om. Tc

<sup>8</sup> sive coep- MgPfTbTcVo; sive corep- CaPf<sup>2</sup>Vo<sup>2</sup>; om. Be

<sup>9</sup> alium \*MgPfTbTc; om. Ca

<sup>10</sup> Euconomus qui res interiores domus Dei dispensat, paramonarius qui res exteriores tantum ad domum Dei pertinentes procurat. Vel secundum alios paramonarius quasi parans monasterium. Sb(mg.) Ra(mg.)Td, Ra *continuing* Iconomus vero portans imaginem Dei. Icon imago.

<sup>11</sup> defensorem \*BeCaMgPfTb; dispensatorem PcTc; id est dispensatorem *add.* ss. Lk<sup>2</sup>

<sup>12</sup> param- \*BeGcOaPfTbTc; pamon- Ca; paxam- Mg; Parim- Vo. id est defensorem *add.* Eg<sup>2</sup>Tc

<sup>13</sup> hoc \*MgTbTc; hec BeCaOaPf

<sup>14</sup> obsc. corrected Pf

<sup>15</sup> sic \*CaPfTbTc; om. Mg

fuerit<sup>16</sup>, nullum habeat fructum ex huiuscemodi<sup>17</sup> mercimonio et creatione probrosa, sed sit alienus et<sup>18</sup> dignitatis et sollicitudinis eius in quam per<sup>19</sup> pecunias<sup>20</sup> intravit<sup>21</sup>. Sed et ille<sup>22</sup> qui tam turpibus et illicitis<sup>23</sup> intercessor apparuit<sup>24</sup>, si quidem clericus fuerit, de proprio decidat gradu<sup>25</sup>, si vero<sup>26</sup> laicus sive monachus<sup>27</sup> fuerit<sup>28</sup>, anathema sit.

ID 5.118] C 1 q 1 c 8 is very remote

<sup>16</sup> ipse quidem subeat – ordinatus fuerit *in mg.* Be<sup>2</sup>

<sup>17</sup> huiuscemodi CaMgPfTb; huiusmodi Tc

<sup>18</sup> et \*CaMgTb; *om.* PfTc

<sup>19</sup> per \*MgPfTbTc; *om.* Ca

<sup>20</sup> -ias \*MgPf; -iam BeCaTbTc

<sup>21</sup> -avit \*CaMgPfTc; -averit Tb

<sup>22</sup> in *add.* Tb, *om.* \*CaMgPfPhTc

<sup>23</sup> et ill. *ss* Ra<sup>2</sup>

<sup>24</sup> -uit \*CaMgPfTc; -uerit PhTb

<sup>25</sup> dec. gradu BeCaGcMgObOdOeOfPfTbVmVoIDcpBrant; gradu deiciatur Tc; gradu decidat IDm

<sup>26</sup> vero \*CaMgPfTc; *om.* PhTb

<sup>27</sup> laicus sive mon. \*CaPfTb; mon. vel laicus Tc

<sup>28</sup> de proprio - fuerit *add.* *ss* Oe

## 119

### <sup>1</sup>Omelia XIII<sup>2</sup>

Vendentes et ementes e<sup>3</sup> templo eliminat Christus, quia vel eos qui pro munere impositionem manuum tribuunt, vel eos qui<sup>4</sup> donum Dei emere nituntur, dampnat<sup>5</sup>. Item. In templo vendentes sunt qui hoc quod quibusdam iure competit, ad premium largiuntur. Iustitiam enim vendere est hanc pro premii acceptione servare. Ementes vero in templo sunt, qui dum hoc quod iustum est proximo persolvere nolunt, dumque rem iure debitam facere contempnunt, dato patronis pretio emunt peccatum.

ID 5.88] +C 1 q 3 c 10

<sup>1</sup> Greg' in libro x omeliarum *add.* Ca (*cf c 120 below*)

<sup>2</sup> Omelia XIII \*AdBeCaCeGcMgMqOaPaPcPfPhPrRf; Quid sit columbas vendere Ea (*cf c 120*); Omelia XIII Ld; Omelia Gregorii XXII Ln; Omel. XIII Gr' Pt; Omelia Greg' XXIII Ra; Omel. XIII Greg. pape Tb; Ex omelia XIII Greg. Tc; De eodem. Urbanus Herimano episcopo Metensi. Qui sint vendentes et ementes cxviii Vo (*cf below 122*); Omel' Gg' XIII Vp. Qua auctoritate dampnantur vendentes et ementes, et qui sint vendentes et ementes in templo, et quid iusticiam vendere *add.* Pa

<sup>3</sup> e PfPhPrTb; ex BeCaMgTcVo; de MqPcRaVp

<sup>4</sup> pro munere impositionem – qui *in mg.* Pc

<sup>5</sup> dampnat \*MgPfTbTc; *corr. fr.* dampnatum to dampnati Ca

## 120

[*Quid sit<sup>1</sup> columbas vendere*]<sup>2</sup>. *Gregorius in libro omeliarum XL, omelia iiii*<sup>3</sup>

Columbas vendere est impositionem manus qua Spiritus sanctus datur non ad vite meritum, sed ad premium dare. [121]. Sed sunt nonnulli qui quidem<sup>4</sup> nummorum premia ex ordinatione non accipiunt, et tamen sacros ordines pro humana gratia largiuntur atque de largitate eadem laudis solummodo retributionem querunt. Hi<sup>5</sup> nimirum quod gratis<sup>6</sup> acceptum est gratis non tribuunt, quia de impenso officio sanctitatis nummum favoris expetunt. Unde bene cum<sup>7</sup> virum iustum describeret propheta, ait, Qui excutit manus suas ab omni munere. Neque enim dicit, Qui excutit manus suas a munere<sup>8</sup>, sed adiunxit ab omni, quia aliud est munus ab obsequio, aliud munus<sup>9</sup> a manu, aliud munus<sup>10</sup> a lingua. Munus quippe ab obsequio est subiectio indebite impensa. Munus a manu pecunia, munus a lingua favor<sup>11</sup>. Qui ergo sacros ordines tribuit<sup>12</sup>, tunc ab omni munere manus excutit, quando in divinis rebus non solum pecuniam, sed etiam humanam gratiam non requirit.

ID 5.86] C 1 q 1 c 114 from Sunt nonnulli

<sup>1</sup> sit CaMgPf; est OaTc

<sup>2</sup> Quid – vendere in mg. AdCaDaGcLdLnMgPfPrSbTc, in text after insc. OaVo(adding cxvii); Qui sint (corr. fr. sunt) vendentes et ementes in mg. Be; Quid sit columbas vendere et quid munus obsequii manus et lingue add. Pa; De eodem Vo before Greg.; in mg. to previous cap. Wc; om.

CeEaPcPtRfTbVp

<sup>3</sup> in libro omel. xl (xi Mg) om. iiii BeDaEaGcMgMqPcPfVo; om. Ca; omel' XL omelia iiii Ph; Omelia IIII Pt; ... xl omeliarum, omelia IIII Tb; omelia iiii Tc

<sup>4</sup> quidem \*CaPfTbTc; quod Mg

<sup>5</sup> Hi \*Da<sup>2</sup>MgPfTbTc; om. CaDa

<sup>6</sup> gratis \*DaMgPfTbTc; om. Ca

<sup>7</sup> bene cum \*CaMgTbTc; cum bene Pf

<sup>8</sup> manus - munere \*CaPfTbTc; a munere manus Mg

<sup>9</sup> munus \*CaMgPfTb; om. Tc

<sup>10</sup> munus \*CaMgPfTb; om. Tc

<sup>11</sup> est add. Mg, om. \*CaPfTbTc

<sup>12</sup> ord. trib. \*CaMgPfTb; trib. ord. Tc

## 122

[*Qui sunt<sup>1</sup> vendentes et ementes*]<sup>2</sup>. *Urbanus Herimanno<sup>3</sup> Metensi episcopo*

Vendentes vel<sup>4</sup> ementes honores ecclesiasticos, et sacerdotes<sup>5</sup>, diaconos<sup>6</sup> ac<sup>7</sup> subdiaconos<sup>8</sup> coniugatos, quamdiu in suo errore permanserint nullam sui<sup>9</sup> ordinationis<sup>10</sup> potestatem in ecclesia habere<sup>11</sup> permittas.

<sup>1</sup> sint GcVo

<sup>2</sup> in mg. AdCaGcLdLnMgPfPrTc, in text EaVo(adding cxviii); Quid faciendum sit de vendentibus honores ecclesiasticos et ementibus in text Pa; om. BeCeDaMqOaPcPtRfSbTbVp (cf c 120)

<sup>3</sup> Erimantiis Pc; Ermantio Rf; et Herimantio Vp

<sup>4</sup> vel AaOaPfPtTbVoA; et BeCaGcMgMqPkPrRaTcVp

Ars. 713 fo. 149v]

<sup>5</sup> et sacerdotes CaPcPfTbVoA; ac sacerdotes ac Mg; sacerdotium Tc

<sup>6</sup> -nos CaMgPfA; -nes Tb; diac' Tc

<sup>7</sup> ac CaMgPfTbA; om. Tc

<sup>8</sup> -nos CaMgA; -nes Tb; subd' PfTc

<sup>9</sup> sui MgTcA; sue AdBeCa?PfTbTfVp

<sup>10</sup> ordinationis AdBeCaCeDaPaPfPhTbTfVpA; ordinis GcMgMqPrRaTc

<sup>11</sup> in eccl. hab. om. Tf

## 123

### *Ex<sup>1</sup> decretis<sup>2</sup> Paschasii pape, cap. xviii<sup>3</sup>*

Si quis autem obiecerit non consecrationes emi, sed res ipsas que ex consecratione proveniunt, penitus desipere probatur. Nam cum corporalis ecclesia aut episcopus aut abbas aut tale aliquid<sup>4</sup> sine rebus corporalibus et exterioribus in nullo proficiat, sicut nec anima sine corpore corporaliter vivit, quisquis horum alterum vendit, sine quo nec alterum haberi<sup>5</sup> provenit, neutrum vendere non<sup>6</sup> derelinquit<sup>7</sup>. Quam tamen obiectionem sacer penitus canon<sup>8</sup> exterminat, cum procuratorem vel defensorem ecclesie, vel regule subiectum, adeo per pecunias ordinari prohibeat, ut mediatores quoque huius sceleris<sup>9</sup> anathematis mucrone incidat.

*ID 2.84 med.] C 1 q 3 c 7 to invenditum derelinquit, then distinct.*

<sup>1</sup> Ex BeCaMgPfTb; In Tc

<sup>2</sup> Ex dec. om. PcRfVp

<sup>3</sup> (cap. cxviii add. Vo) Contra eos qui dicunt non consecrationes (*corr. fr.* obsecrationes Vo) emi sed res que ex consecratione proveniunt add. PaTdVo

<sup>4</sup> aut tale aliquid MgOaPcPfTb; aut aliquid tale Be; aliquid tale Ca; aut talis aliquis Tc

<sup>5</sup> -eri CaMgPfTb; -ere Tc

<sup>6</sup> non \*BeCaGcPfSbTb; om. MgPrTcVm

<sup>7</sup> derelinquit BeCaGcMgOaObOd<sup>2</sup>PfPrSbTbVmVoIDmp; relinquit Ea; derelinquant Od; derelinquit OeOf; derelinquit Tc; derelinquat IDc

<sup>8</sup> pen. can. \*CaPfTbTc; can. pen. Mg

<sup>9</sup> scel. \*PhPrRaSb<sup>2</sup>TbVp; om. CaDaMgMqPfSbTc

## 124

### *<sup>1</sup>Beda in libro omeliarum XX<sup>2</sup>*

Non solum venditores<sup>3</sup> sunt<sup>4</sup> columbarum et domum<sup>5</sup> Dei faciunt domum<sup>6</sup> negotiationis qui sacros ordines largiendo<sup>7</sup> pretium pecunie vel laudis, vel etiam<sup>8</sup>

<sup>1</sup> Qui sint venditores columbarum add. Pa, (Item Vo) De symoniacis add. TdVo

<sup>2</sup> in – XX om. Ea; Bede - XII Pt; XX om. Vo

<sup>3</sup> *corr. fr.* –entes Wd<sup>2</sup>

<sup>4</sup> sunt \*CaMgPcPfPwTb; sed etiam emptores Tc

<sup>5</sup> et domum \*BeCaFcMgOaPwTb; et donum Pf; domum Tc

<sup>6</sup> domum \*CaMgPfTc; om. PhTb

<sup>7</sup> -iendo \*CaPfTbTc; -iando Mg

honoris<sup>9</sup> inquirunt. Verum hi quoque qui gradum vel gratiam<sup>10</sup> in ecclesia spiritualem quam Domino largiente perceperunt<sup>11</sup> non simplici intentione sed cuiuslibet humane causa retributionis exercent contra illud<sup>12</sup> Petri apostoli: Qui loquitur quasi sermones Dei, qui ministrat tanquam ex virtute quam administrat Deus, ut in omnibus honorificetur Deus per Iesum Christum<sup>13</sup>. Quicumque ergo tales sunt, si nolunt veniente Domino de ecclesia auferri, auferant ista de actibus suis, ne faciant domum Dei domum negotiationis.

ID 5.97] +C 1 q 3 c 11

<sup>8</sup> etiam \*BeMgPfTb; om. CaTc

<sup>9</sup> honoris \*BeCaFcPfPwTbTcBrant; honores GcMg; vel etiam laudis add. Tc

<sup>10</sup> grad. vel grat. \*CaMgPf; grat. vel grad. Tb; grad. et grat. Tc

<sup>11</sup> corr. fr. -cip- Tb

<sup>12</sup> agunt add. Tc, om. \*CaFcMgPfPwTb

<sup>13</sup> Iesum Christum \*CaMgPfTb; Christum Iesum Tc

## 125

*[Quod simoniaci<sup>1</sup> sine misericordia deponantur]<sup>2</sup>. Nicolaus iunior sinodo presidens in ecclesia Constantiana dixit*

Erga Simoniacos nullam misericordiam in dignitate servanda habendam<sup>3</sup> esse decernimus<sup>4</sup>, sed iuxta canonum sanctionem, et sanctorum patrum decreta, eos omnino dampnamus, ac deponendos eos apostolica auctoritate<sup>5</sup> sancimus<sup>6</sup>. [126] Item<sup>7</sup>. De cetero si quis<sup>8</sup> in posterum ab eo quem simoniacum esse non<sup>9</sup> dubitat, se consecrari permiserit, et consecrator et consecratus non disparem dampnationis sententiam subeant, sed et uterque depositus penitentiam agat, et privatus a propria dignitate persistat.<sup>10</sup>

ID 5.79] +C 1 q 1 c 110, C 1 q 1 c 109

<sup>1</sup> si monachi Ce

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc, in text Ea(no insc.)PaVo(adding cxxi); om.

MqOaPcPtRfTbVp

<sup>3</sup> -dam \*MgPfTbTc; -da Ca

<sup>4</sup> decernimus \*BeDaEaPfRaSbTbTfVo; decrevimus CaGcMg?OaPrTc

<sup>5</sup> ap. auct. \*CaMgPfPhTc; auct. ap. Tb

<sup>6</sup> sancimus \*BeCaPf; sanctimus GcMgRaTb; sentimus Tc

<sup>7</sup> Item \*CaCbMgPfTb; Iterum Tc

<sup>8</sup> si quis \*DaMgPfTbTc; quicquid Ca

<sup>9</sup> esse non \*AdCaMgPfTcTf; nemo esse PhTb

<sup>10</sup> -ant Pa

## 127

*[Determinatio sententie qui simoniaci<sup>1</sup> omnino sint<sup>2</sup> deponendi, qui misericorditer reconciliandi<sup>3</sup>]<sup>4</sup>. In decretis Nicolai, , cap. ii<sup>5</sup>*

Nicolaus episcopus episcopis omnibus<sup>6</sup>. Statuimus decretum de simoniaca tripertita heresi, id est de simoniacis simoniace<sup>7</sup> ordinatoribus vel<sup>8</sup> ordinatis, et de simoniacis simoniace<sup>9</sup> a non simoniacis, et<sup>10</sup> simoniacis non simoniace a simoniacis. Simoniaci<sup>11</sup> simoniace ordinati vel ordinatores<sup>12</sup>, secundum ecclesiasticos canones a proprio gradu decidant. Simoniaci quoque simoniace a<sup>13</sup> non simoniacis ordinati similiter ab officio male accepto removeantur. Simoniacos autem non simoniace a simoniacis<sup>14</sup> misericorditer per manus impositionem pro tempore et necessitate concedimus permanere<sup>15</sup> in officio.

4L (Arundel 173 vers.) fo. 98v after 2.50] C 1 q 1 c 107, widely var.

<sup>1</sup> simoniaci CaMgPfTc; om. GcPrVm

<sup>2</sup> omn. sint BePfSbVo; sunt omn. CaTc; sint omn. GcMgPrVm

<sup>3</sup> revocandi Be; reconcilia Ce

<sup>4</sup> in mg. BeCaCeDaGcLdLnMgPfPrSbTc, in text Vo(adding cxxii); Qui omnino sunt deponendi et qui misericorditer reconciliandi in text and mg. Db, Quod simoniaci omnino sunt sint deponendi, qui misericorditer reconciliandi in text Pa; om. MqOaPcPtRfTbVp

<sup>5</sup> ii CaMgPfRfTb; iii PcTc. Be has In decretis Silvestri pape cp. vii, subsequently partly erased (cf c 128)

<sup>6</sup> epp. omn. CaGcPfTb; omn. epp. BeMgTc

<sup>7</sup> simoniace CaMgPcPfTb; om. Tc

<sup>8</sup> vel CaMgPfTb; et Tc

<sup>9</sup> ordinatoribus – simoniace in mg. Vo<sup>2</sup>

<sup>10</sup> de add. Tb, om. CaMgPfTc

<sup>11</sup> -aci CaMgPfTb; -ace Tc

<sup>12</sup> ordinatores CaMgPcPfTb; ordinantes Tc

<sup>13</sup> erasure follows Ca

<sup>14</sup> ordinatis add. Tb, om. CaMgPfTc

<sup>15</sup> perman- BeCaCeDaGcLdMgPaPfPrRfTfVoVp; per munere after officio Oa; man- PhQeTbTc

## 128

*[Quod ordinati ab hereticis omnino non sunt<sup>1</sup> ordinati]<sup>2</sup>. In decretis Silvestri pape, cap. vii*

Silvester papa in generali residens<sup>3</sup> synodo dixit, Constituimus ut presbiterum Arianum resipiscentem nemo suscipiat, nisi episcopus eiusdem loci<sup>4</sup> eum

<sup>1</sup> sunt BeCaGcTcVmVo; sint MgPf

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc, in text PaVo(adding cxxiii); ix. Qui omnino sunt deponendi et qui misericorditer reconciliandi in mg. Bd; De dampnandis et de misericorditer reconciliandis in mg. Lj; om. MqOaPcPtRfTbVp

<sup>3</sup> residens sin. CaMgPcPfPh; sin. residens Tb; respondens Tc

<sup>4</sup> eiusd. loci CaMgPfTc; loci illius PhTb

reconciliaverit, et sacrosancto chrismate per episcopalis manus<sup>5</sup> impositionem sancti Spiritus gratia, que ab hereticis dari non potest, confirmaverit.

4L 2.131]

<sup>5</sup> manus CaMgPfPhTc; om. Tb

## 129

*[Quod ordinati ab hereticis debeant deponi<sup>1</sup>, quia heretici gratiam quam amiserunt dare non potuerunt]<sup>2</sup>. In decretis Innocentii<sup>3</sup>, cap. ii<sup>4</sup>*

Innocentius papa Romanus Alexandro Antiocheno episcopo. Arianos<sup>5</sup> ceterosque huiusmodi pestis<sup>6</sup>, quia eorum laicos conversos ad Dominum sub imagine penitentiae ac sancti Spiritus<sup>7</sup> sanctificatione<sup>8</sup> per manus impositionem suscipimus, non videtur clericos eorum cum<sup>9</sup> sacerdotii ac ministerii cuiuspiam suscipi<sup>10</sup> debere dignitate<sup>11</sup>. Quoniam quibus solum baptisma ratum esse<sup>12</sup> permittimus, quod utique in nomine Patris et Filii et Spiritus sancti perficitur, nec Spiritum sanctum eos habere ex illo<sup>13</sup> baptismate, illisque ministeriis arbitramur, quoniam cum a catholica fide<sup>14</sup> eorum auctores discederent<sup>15</sup>, perfectionem Spiritus quam<sup>16</sup> acceperant amiserunt, nec dare eius plenitudinem possunt, que maxime in<sup>17</sup> ordinationibus operatur, quam per impietatis sue<sup>18</sup> perfidiam potius quam per fidem dixerim<sup>19</sup> perdiderunt. Quomodo fieri<sup>20</sup> potest ut eorum profanos sacerdotes dignos Dei honoribus arbitremur, quorum laicos<sup>21</sup> imperfectos ut dixi ad<sup>22</sup> sancti Spiritus percipiendam<sup>23</sup> gratiam, cum

<sup>1</sup> debeant deponi BeDaEaGcMgPfVo; deponi debeant Ca; deponi Tc

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc, in text Ea(before c 130)Vo; Quare ordinati ab hereticis non debeant suscipi in text Pa; De professione hereticorum in mg. Vp; om. MqOaPcPtRfTb

<sup>3</sup> in dec. Inn. BeOaPfPhRfSbTcVo; Inn. in dec. CaGcMgPr; in dec. Inn. pape LnTb; om. Pt

<sup>4</sup> cap. ii om. Ld. In – ii] Idem Rufo et Eusebio cp. iiii Da

<sup>5</sup> presbiteros add. CaMg, pravos add. Tc, om. AaBeOaPfPrRaTbVo

<sup>6</sup> -tis MgPfTbTc; -tes Ca

<sup>7</sup> s. Sp. PfTc; Sp. s. CaMgTb

<sup>8</sup> sanctificatione BeOaPfPrSbTbVpBrant; sanctificationem AaCeTc; fornicatione Ad; significatione CaGcMg

<sup>9</sup> cum CaMgPcPfTb; non Tc

<sup>10</sup> -ipi CaMgPfPhTc; -ipere Tb

<sup>11</sup> -ate CaMgPfPhTc; -atem Tb

<sup>12</sup> esse BeMgTbTc; est CaPf

<sup>13</sup> illo BePfTbTc; eo CaMg

<sup>14</sup> cath. fide CaMgPfTb; fide cath. Tc

<sup>15</sup> after corr. Pf

<sup>16</sup> quam CaMgPfTb; quem Tc

<sup>17</sup> in CaMgTbTc; cum Pf

<sup>18</sup> penam add. Ca, om. MgPfTbTc

<sup>19</sup> dix- CaPfTbTc; dux- Mg

<sup>20</sup> Quomodo fieri CaMgPfTbTc; propter quod fieri non Brant

<sup>21</sup> laicos CaMgPfPhTc; om. Tb



penitentiae imagine recipiamus<sup>24</sup>? Gravitas<sup>25</sup> itaque tua<sup>26</sup> ad notitiam coepiscoporum, vel per synodum, si potest, vel per nostrarum recitationem litterarum faciat pervenire, ut hoc quod ipse tam necessario percunctatus es, et nos tam eliminate<sup>27</sup> respondimus communi<sup>28</sup> omnium<sup>29</sup> consensu, studioque servetur.

4L 2.132] C 1 q 1 c 73 as here to fidem domini perdiderunt, then very different

<sup>22</sup> ac Pr

<sup>23</sup> percipiendam CaMgPfPhTc; pertinendam Tb

<sup>24</sup> -iamus CaPfTbTc; -imus Mg

<sup>25</sup> Gravitas BeMgTbTc; Gratuitas Pf; Gravimus Ca

<sup>26</sup> hoc add. PcTbTc, om. BeCaGcMgPfBrant

<sup>27</sup> eliminate CaMgPfTb; elimate Tc

<sup>28</sup> cum omni Pa

<sup>29</sup> omnium AaBeCaCeGcLdOaPfTbTf; coepiscoporum omnium Ad; vel coepiscoporum omnium MgVp; hominum Pa; omnium coepiscoporum PcTc

### 130

#### <sup>1</sup>Item de eadem re<sup>2</sup>, cap. iii<sup>3</sup>

Innocentius Rufo et Eusebio episcopis. Ordinati ab hereticis vulneratum per illam<sup>4</sup> manus impositionem caput habent. Ubi autem<sup>5</sup> vulnus infixum est, medicina est adhibenda<sup>6</sup> qua possit recipere sanitatem. Que sanitas post vulnus secuta sine cicatrice esse non poterit, atque ubi penitentiae remedium necessarium est, illic<sup>7</sup> ordinationis honorem<sup>8</sup> locum habere non posse. Nam si, ut legitur, Quod<sup>9</sup> tetigerit immundus immundum<sup>10</sup> erit, quomodo ei tribuetur<sup>11</sup> quod munditia ac<sup>12</sup> puritas consuevit accipere? Sed econtra asseritur eum qui honorem amisit, honorem dare non posse, neque illum aliquid accepisse, quia nihil in dante erat quod ille<sup>13</sup> posset accipere. Aquiescimus, et verum est certe, quia quod non habuit<sup>14</sup> quis, dare non potuit. Damnationem utique quam<sup>15</sup> habuit per pravam manus impositionem dedit, et qui

<sup>1</sup> Quam professionem debent facere heretici clerici si ad ecclesiam reconciliandi venerint add. in mg. Ad (cf c 131)

<sup>2</sup> Item de eadem re BeCaGcLdMgOaPhRfSbTbVo; Idem Rufo et Eusebio Da; De eodem Ln<sup>2</sup> over erasure; Idem MgPf; om. Pt; Idem de eodem Tc; Ea has here rubr. to c 129, but no insc.

<sup>3</sup> cxxv add. Vo. cap. iii om. PaPt

<sup>4</sup> illam BeEaPfSbTbVo; illorum CaGcMgTc

<sup>5</sup> autem MgPfTbTc; habent Ca

<sup>6</sup> est ad. BeCaGcPfPhTc; ad. est MgTb

<sup>7</sup> illic BeCaCeGcLdOaPaPrRaTbTdTfVoBrant; certum est illic MgRa<sup>2</sup>; illic certum est Tc; om. Pf

<sup>8</sup> -rem MgPfTbTc; -re Ca

<sup>9</sup> Quod CaMgPfTb; Qui Tc

<sup>10</sup> immundus immundum CaMgPfTb; immundum immundus Tc

<sup>11</sup> trib- BeMgTbTc; retrib- CaPf

<sup>12</sup> ac BePfTbTc; aut CaMg

<sup>13</sup> ille CaMgPfTb; ipse Tc

<sup>14</sup> habuit BePfTbTc; habuerit CaMg

<sup>15</sup> quam CaPfTbTc; om. Mg

particeps factus est dampnati<sup>16</sup> quomodo debeat honorem accipere, invenire non possum<sup>17</sup>. Verum<sup>18</sup> dicitur, vera ac iusta legitimi sacerdotis benedictio<sup>19</sup> auferre omne vitium quod a vitioso fuerat iniectum. Et si ita est applicentur ad ordinationem<sup>20</sup> sacrilegi, adulteri atque<sup>21</sup> omnium criminum rei. Quia per benedictionem ordinationis crimina vel vitia putantur auferri, nullus sit<sup>22</sup> penitentie locus<sup>23</sup>, quia id potest prestare ordinatio, quod longa satisfactio prestare consuevit<sup>24</sup>. Sed nostre lex est<sup>25</sup> ecclesie venientibus ab hereticis, qui tamen illic baptizati sunt<sup>26</sup>, per manus impositionem laicam tantum<sup>27</sup> tribuere communionem, nec ex his<sup>28</sup> aliquem in clericatus honorem vel exiguum subrogare.

4L 2.133, cf ID 6.59-60] +C 1 q 1 c 18 begins var.

<sup>16</sup> fac. est dam. CaMgPfTc; dam. fac. est PhTb

<sup>17</sup> inv. non (ss Ld) possum LdPfTbTc; non possum inv. CaMg

<sup>18</sup> Verum BdCeDaLdPaPcPfPhPkPqPwSbTbTcTfVvm; Unum? Be; Unde CaGc; Sed Ld<sup>2</sup>Mg; Verum si Pa<sup>2</sup>

<sup>19</sup> vera ac iusta - benedictio BeCaEaMgPfTb; veram ac iustam - benedictionem Pf<sup>2</sup>Tc

<sup>20</sup> ordinationem CaPfTbTc; ordinem Mg

<sup>21</sup> atque CaMgPfTb; et Tc

<sup>22</sup> nullus sit CaMgPfTb; ita nullus

<sup>23</sup> sit add. Tc, om. CaMgPfTb

<sup>24</sup> prest. con. CaMgPfTb; con. prest. Tc

<sup>25</sup> est CaMgPfPhTc; om. Tb

<sup>26</sup> illic bapt. sunt CaMgPfPhTc; ibi baptizentur Tb

<sup>27</sup> tantum CaMgPfTb; om. Tc

<sup>28</sup> ex his CaMgPfTb; om. Tc

## 131

[*Quam<sup>1</sup> professionem debeant facere heretici clerici si ad ecclesiam reconciliandi venerint.*]<sup>2</sup> *In decretis Leonis<sup>3</sup>, cap. vi<sup>4</sup>*

Leo urbis Rome episcopus Ianuario episcopo. Omnis cuiuslibet ordinis clericus qui catholicam deserens communionem heretice se pravitati miscuerit<sup>5</sup>, si ad ecclesiam et<sup>6</sup> communionem<sup>7</sup> catholicam reverti voluerit, prius errores suos et ipsos auctores<sup>8</sup> suos<sup>9</sup> dampnatos a se sine ambiguitate fateatur, et proprie manus scriptis

<sup>1</sup> Quam BeCaEaGcPfTc; Quod Mg

<sup>2</sup> in mg. Ad(against c 130)BeCaCeDaEa(no inscr.)GcLdLnMgPfPrSbTc, in text Vo(adding cxxvi); De professione hereticorum in text and marg. Db, in text Ph; Quomodo heretici sunt reconciliandi in text Pa; om. MqOaPtRfTbVp. viii add in mg Be<sup>2</sup>

<sup>3</sup> pape add. MqRfTbTc, om. BeCaMgPf

<sup>4</sup> vi BeCaCe<sup>2</sup>Pf<sup>2</sup>PrTbTcVo; vii CeGcMgVp; iii Oa. viii add. in mg. Be<sup>2</sup>

<sup>5</sup> misc- MgPfTbTc; inmisc- Ca

<sup>6</sup> ad add. CePkTb, om. CaMgPaPfPrTc

<sup>7</sup> heretice se – comm. in mg. Pa

<sup>8</sup> auct- CaMgPfPhTc; act- Tb

<sup>9</sup> suos AdBeDaMgTbTc; om. CaCeDa<sup>2</sup>LdPaPfPhPkPr

protestationibus<sup>10</sup> plene et aperte loquatur, et sic in eo gradu quo erat, sine aliqua promotione recipiatur. Qui tamen pro magno habeat beneficio, si adepta<sup>11</sup> sibi omni<sup>12</sup> spe promotionis, in eo quo invenitur ordine<sup>13</sup>, stabilitate perpetua permaneat<sup>14</sup>, si tamen iterata tinctione non fuerit maculatus<sup>15</sup>. Non levem apud Dominum noxam incurrit, qui de talibus ad sacros ordines promovendos<sup>16</sup> iudicaverit. Quod si cum<sup>17</sup> grandi<sup>18</sup> examinatione promotio conceditur inculpatis, multo magis non debet<sup>19</sup> licere suspectis. Igitur apostolica auctoritate precipimus ut circumspecte ab omnibus amodo impleantur, que ad totius ecclesie incolumitatem et laudabiliter suggesta sunt et salubriter ordinata.

4L 2.134]

<sup>10</sup> -ationibus CaMgPfTb; -antibus Tc

<sup>11</sup> adepta BeMgPfTb; adempta Ca?Gc; adepti Tc

<sup>12</sup> omni CaMgPfTb; om. Tc

<sup>13</sup> quo inv. ord. in mg. Pa

<sup>14</sup> perp. perm. CaMgPaPfPkTc; perm. perp. PhTb

<sup>15</sup> non fuerit mac. CaPfTbTc; mac. non fuit Mg

<sup>16</sup> ord. prom. CaMgPfTb; prom. ord. Tc

<sup>17</sup> cum CaMgTbTc; eum Pf. Ad has one obscure word

<sup>18</sup> grandi AdBdCeLdMqPaPfPkSbTbTfVo; gravi AaBeCaDaEaRaTf; grandi gravi Gc; grandi et gravi MgPcTcVp; grande Ph; gratia Dei PbPrVm

<sup>19</sup> debet CaMgPfTb; om. Tc

## 132

[De illo qui de aliqua<sup>1</sup> heresi infamatur quod<sup>2</sup> in sacro conventu formulam<sup>3</sup> istius libelli recitare<sup>4</sup> debeat<sup>5</sup>]. Ex epistola<sup>7</sup> Cirilli ad Iohannem Antiochenum<sup>8</sup>

Ego ille<sup>9</sup> nomine hac<sup>10</sup> scriptura quam manu mea scripsi, profiteor sequens sanctum<sup>11</sup> iudicium patrum Nicene sinodi cccxviii, vel Chalcedonensis sinodi universale concilium, cuius definitionem sedes apostolica confirmavit, quod etiam beatissimi<sup>12</sup> pape Leonis<sup>13</sup> epistola ad sancte memorie Flavianum Constantinopolitane

<sup>1</sup> De illo qui de aliqua BeCaEaGcMgVo; Qui de aliqua Pf; De illo qui de Tc

<sup>2</sup> quod BeCaEaMgTc; om. Pf

<sup>3</sup> conv. form] conventa formula Ce

<sup>4</sup> -are BeMgPfTc; -ari AdCeEa

<sup>5</sup> -eat AdBeCaEaGcMgVo; -et PfTc

<sup>6</sup> in mg. AdBeCaCeDaLnMgPfPrSbTc, in text Vo(adding cxxvi); x. (om. Lj) De professione hereticorum in mg. BdLj; De professione catholice fidei quam facere debet heresi infamatus Pa; om. EgMqOaPtQeRfTbVp

<sup>7</sup> Ex ep. \*BeCaEgGcPfTbTc; Exempla Mg

<sup>8</sup> episcopo add. Tc, om. \*BeCaEgMgPfPwTb; no insc. Ea

<sup>9</sup> ill' AdBdCeDaGcMqOaPa<sup>2</sup>PfPhPkPqPtSbVmWc; Iohannes BePw; ille CaLdMgQeTb; ille N. Cb; Cirillus DbEgFcPcPyRfTcVp; N. Ea; illis PaVo

<sup>10</sup> ac Mg

<sup>11</sup> seq. sanct. CaMgPfTb; sanct. seq. Tc

<sup>12</sup> beatissimi \*CaMgPfTb; beati Tc

urbis episcopum<sup>14</sup> data predicatione lucidissime veritatis exposuit. Confiteor unum eumdemque Dominum nostrum Iesum Christum unigenitum Dei Patris, perfectum eumdem<sup>15</sup> in deitate, perfectum eumdem<sup>16</sup> in humanitate<sup>17</sup>, Deum verum et hominem verum, ipsum eumdem<sup>18</sup> ex anima rationali et carne, consubstantialem<sup>19</sup> Patri secundum deitatem<sup>20</sup>, consubstantialem nobis eumdem<sup>21</sup> secundum humanam rationem<sup>22</sup> in omnibus similem, absque peccato, ante secula quidem de Patre genitum secundum deitatem, in novissimis vero<sup>23</sup> diebus eumdem propter nos et propter nostram salutem de virgine Maria natum, que eumdem Deum peperit secundum humanitatem, unum eumdemque Christum Filium Dei unigenitum in duabus naturis inconfuse, inconvertibiliter, individue et<sup>24</sup> inseparabiliter cognitum<sup>25</sup>, nequaquam naturarum differentia sublata, propter unionem, sed potius salva manente proprietate utriusque nature<sup>26</sup>, in unam, non in duas concurrisse personas, sed unum eumdemque Filium unigenitum Deum<sup>27</sup> verum Dominum<sup>28</sup> Iesum Christum, sicut olim prophete, de eo vel ipse nos<sup>29</sup> Christus per semetipsum Dominus<sup>30</sup> erudivit. Qui autem ita non sentiunt, cum Nestorio et Eutiche vel<sup>31</sup> eorum sectatoribus eterno anathemate dignos esse pronuntio.

ID 5.344]

<sup>13</sup> pape Leon. \*MgPfTbTc; Leon. pape Ca

<sup>14</sup> confirmavit *add.* Tc, *om.* \*CaDcMgPfTb

<sup>15</sup> -dem \*MgPfTb; -demque Ca

<sup>16</sup> perf. eumd. BeCaFcObOdPfPhPkRa<sup>2</sup>; eumd. perf. Eg; eumd. GcMgRa; perf. eumdemque Tb

<sup>17</sup> eumdem in deitate - hum. CaEgFcMgObOdOeOfPcPfSgTbVm; *om.* Tc

<sup>18</sup> -dem DaMgPfTbTc; -demque \*CaGc. Patris, perfectum – eumdem *over erasure* Da

<sup>19</sup> consub- \*BeCaDa<sup>2</sup>TbTc; sub- AdDaGcLdMgPfPr

<sup>20</sup> deitatem AdBeCeDaDbLdPfTbTc; divinitatem CaGcMg. Patri sec. deit. *om.* Pa

<sup>21</sup> consubst. nobis eumdem *susbs. canc.* Pa

<sup>22</sup> humanam rationem \*AdBeCeEaGcLdMgPaPfTb; humanam naturam CaDaTf; humanitatem Tc

<sup>23</sup> vero \*MgPfTb<sup>2</sup>Tc; nec Ca

<sup>24</sup> et \*CaMgPfTb; *om.* Tc

<sup>25</sup> cognitum \*AdCaLdMgPfPrTc; congenitum PhTb

<sup>26</sup> -ure \*CaMgPfTb; -uram Pf

<sup>27</sup> ss Gc

<sup>28</sup> nostrum *add.* BeMgPfTc, *om.* \*CaGcPrTb

<sup>29</sup> nos \*CaMgPfPrTc; *om.* Tb

<sup>30</sup> Dominus \*CaMgPfTb; *om.* Tc

<sup>31</sup> vel CaMgPfTb; et Tc

### 132bis<sup>1</sup>

[*Quod consecrati ab excommunicatis deponantur*]<sup>2</sup>. Gregorius Maximo<sup>3</sup> presumptori

Salone

<sup>1</sup> Whole canon in cramped script at foot of column in Sb

Auditur<sup>4</sup> inauditum nefas, quod post interdictionem quoque nostram, que sub excommunicatione quoque nostra<sup>5</sup> ordinarumque te facta est, cesis<sup>6</sup> presbiteris diaconibus<sup>7</sup> manu militari ad medium diceris<sup>8</sup> deductus. Quam rem nos consecrationem dicere nullo modo<sup>9</sup> possumus, quia ab excommunicatis est<sup>10</sup> hominibus<sup>11</sup> consecrata<sup>12</sup>.

*ID 14.54; cf 5.134 med., var.]*

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgOaPfPrTc, Ea(in text after Greg. only)PaVo(adding cxxviii); De lapsis in sacris ordinibus qui non debeant ministrare in text and mg. Db; De lapsis qui - ministrare et qui misericorditer ad ministrandum possint accedere (cf c 133) LaPh; om. MqOaPcRfPtTb

<sup>3</sup> Maximo \*BeFcGcMgPfPwTbVo; Maxime Ca; Martino Tc; Marino Rf

<sup>4</sup> -itus Rf

<sup>5</sup> nostra CaPfTbTc; tua Mg

<sup>6</sup> ceteris Pa

<sup>7</sup> -onibus BdBeCaCeOaPaPfPkPqSbTcVm; -onibus ceteroque clero Mg; -onis PhTb

<sup>8</sup> diceris MgPfTbTc; dictis Ca

<sup>9</sup> dic. nullo modo CaMgPfTb; nullo modo dic. Tc

<sup>10</sup> est MgPfTbTc; cum Ca

<sup>11</sup> hom. AdCaDaMgPaPfSb<sup>2</sup>Tb; omnibus Ce; om. SbTc

<sup>12</sup> consecrata AdBdBeCaCeGcPaPfPhPkPqPwTbVm; celebrata AaMgPcTc; est consecrata Vo

### 133

*[Quod clerici in sacris ordinibus constituti si in peccato carnis<sup>1</sup> fuerint, deponantur]<sup>2</sup>. Gregorius Ianuario episcopo Caralitano<sup>3</sup>*

Pervenit<sup>4</sup> etiam ad nos<sup>5</sup> quosdam de sacris ordinibus lapsos, vel post penitentiam, vel ante penitentiam<sup>6</sup> ad ministerii sui officium revocari. Quod omnino prohibemus, et in hac<sup>7</sup> sacratissimi canones contradicunt. Qui igitur post acceptum sacrum ordinem lapsus in peccato<sup>8</sup> carnis fuerit, sacro ordine ita careat ut ad altaris ministerium ulterius non accedat.

*4L 3.18a; Ars 713 fo. 150v; ID 6.78] D 50 c 9*

<sup>1</sup> lapsi add. BeTc, om. AdCaEaGcMgPf

<sup>2</sup> in mg. AdBeCaDaGcLdLnMgPfSbTc, against c 134 CePr mg., in text EaVo(adding cxxviii), before c 134 Vm; xi. (om. Lj) De lapsis in sacris ordinibus qui non debeant ministrare et qui misericorditer ad ministrandum possint accedere in mg. BdLj; De lapsis qui sunt deponendi, qui vero per misericordiam reconciliandi Of; Quod lapsi in sacris ordinibus post penitentiam etiam non ministrent in text Pa; om. MqOaPcPtRfTbVp

<sup>3</sup> Gregorius Ianuario episcopo Caralitano (Catal' Mq) BeCaMgMqObOdOeOfTcVo; Greg., before rubr. Ea; Idem Ianuarii episcopi Caralitan' Pf; Greg. Ian. Caral. ep. PhTb; Ian. ep. Caral. Greg. A. ix add. in mg. Be<sup>2</sup>

<sup>4</sup> Prev- Vp

<sup>5</sup> et. ad nos \*BeGcMgPfPhTcVo; ad nos et. Tb; ad nos RaA

<sup>6</sup> vel post pen. vel ante pen. \*BeMgPfTbTc; vel post pen. Ca; vel post vel ante pen. A

<sup>7</sup> hac PfA; hac re CaGcMgVo; hoc PhTb(obsc. corr.)Tc

<sup>8</sup> -ato \*CaPfTbTc; -atis GcMg

## 134

<sup>1</sup>*Gregorius omnibus per regnum Italicum<sup>2</sup> et Teutonicorum<sup>3</sup>*

Si qui sunt presbiteri vel diaconi vel subdiaconi<sup>4</sup> qui in crimine fornicationis iaceant, interdiciamus eis<sup>5</sup> ex Dei parte<sup>6</sup> omnipotentis, et sancti Petri auctoritate ecclesie introitum usque dum peniteant et emendent. Si qui vero<sup>7</sup> in peccato suo<sup>8</sup> perseverare maluerint<sup>9</sup>, nullus vestrum eorum audire presumat<sup>10</sup> officium, quia benedictio eorum vertitur<sup>11</sup> in maledictionem, et oratio<sup>12</sup> in peccatum, Domino testante<sup>13</sup> per prophetam, Maledicam, inquit, benedictionibus vestris. Qui vero huic saluberrimo precepto obedire noluerit<sup>14</sup> idolatrie peccatum incurrerunt<sup>15</sup>, Samuele teste et beato Gregorio instruente<sup>16</sup>, Peccatum ariolandi est, non obedire: et scelus idolatrie non acquiescere. Peccatum igitur paganitatis incurrit quisquis dum Christianum se asserit, sedi apostolice obedire contendit<sup>17</sup>.

*Ars. 713 fo. 150] +D 81 c 15*

<sup>1</sup> De eodem *add. in mg.* CaDaLn<sup>2</sup>; Quid faciendum sit de presbiteris, diac' subdiac' qui in fornicationem manent, et quid sit non obedire *in text* Pa; Ut presbiteri, diaconi, subdiaconi fornicantes ecclesiam non intrent, et si ministrare presumpserint nullus eorum officium eorum audiat *add.* TdVo; *cf c 133 for* CePrVm

<sup>2</sup> Italicum BeCaGcMgPfTbA; Italie PcTc; Itatorum Ra; Ytalicorum Vo; Italium Vp

<sup>3</sup> omn. – Teut. *om.* Ea

<sup>4</sup> vel sub. BeDaMgPfTbTcA; *om.* Ca

<sup>5</sup> *rep. and canc.* Tb

<sup>6</sup> Dei parte MgPfTbTcA; parte Dei Ca

<sup>7</sup> qui vero CaMgPfTcA; vero Ca; qui PhTb

<sup>8</sup> peccato suo PfTbTcA; peccatis suis MgPr

<sup>9</sup> maluerint BeCaMgPfPrA; voluerint PhTc; voluerunt Tb

<sup>10</sup> eor. aud. pres. MgOaTbA; eor. pres. aud. BeCaPf; pres. aud. eor. Tc

<sup>11</sup> vert- OaPfTbTcA; convert- BeCaMg

<sup>12</sup> oratio CaMgPfPhTcA; omnino Tb

<sup>13</sup> test- CaPfTbTcA; attest- Mg

<sup>14</sup> -erit PhTbTcA; -erint BeCaMgPf

<sup>15</sup> incurrerunt BeCaMgPfA; incurrunt PhTb; incurrunt Tc

<sup>16</sup> et beato Greg. inst. BeCaMgPfA; et b. Greg. astruente Tb; *om.* Tc

<sup>17</sup> contendit AdCeGcMqPaPhPkPrPwTbTfVmA; contempnit AaBdBeCaDaEaLdMgPcPfRfSbTcVo

## 135

<sup>1</sup>*Decretum Nicolai iunioris<sup>2</sup>*

Nullus missam audiat presbiteri, quem scit concubinam indubitanter<sup>3</sup> habere, aut subintroductam mulierem. Unde etiam<sup>4</sup> ipsa sancta sinodus hoc<sup>5</sup> capitulum sub

<sup>1</sup> Quod nullus audiat missam presbiteri quem scit concubinam habere *add. in mg.* CaDaLn<sup>2</sup>, Ut nemo audiat missam presbiteri concubinaris<sup>a</sup> *in mg.* Ce, De presbiteris, diac' subdiac' concubinariis qua sententia ferendi sint *in text* Pa, Quod non sit audienda missa presbiteri concubinam habentis *in mg.* Sb

<sup>2</sup> De eodem cxxxi *add.* Vo

<sup>3</sup> conc. ind. BeCaGcMgOaPfPrA; ind. conc. PhTbTc

<sup>4</sup> etiam CaMgPfTbA; hoc Tc

excommunicatione posuit dicens, Quicumque sacerdotum, diaconorum aut<sup>6</sup>  
 subdiaconorum post constitutum beate memorie predecessoris nostri sanctissimi<sup>7</sup>  
 Leonis pape de castitate clericorum concubinam palam duxerit<sup>8</sup>, vel ductam non  
 reliquerit<sup>9</sup>, ex parte omnipotentis Dei<sup>10</sup>, auctoritate beatorum apostolorum Petri et  
 Pauli precipimus et omnino contradicimus, ut missam non cantet, neque<sup>11</sup> evangelium  
 vel<sup>12</sup> epistolam legat ad missam, neque in presbiterio ad divina officia<sup>13</sup>, qui prefate<sup>14</sup>  
 constitutioni<sup>15</sup> fuerint<sup>16</sup> inobedientes<sup>17</sup> maneat<sup>18</sup>, neque partem ab ecclesia suscipiat<sup>19</sup>,  
 quousque a nobis sententia super<sup>20</sup> huiusmodi, Deo concedente, procedat.

*Ars. 713 fo. 150] +D 32 c 5, D 32 c 6 to ab ecclesia suscipiat, then distinct]*

<sup>5</sup> hoc MgPfTbTcA; vel Ca

<sup>6</sup> aut CaMgPfTbA; om. Tc

<sup>7</sup> corr. fr. -ime Mg

<sup>8</sup> dux- \*MgPfTbTcA; dix- Ca

<sup>9</sup> reliq- MgPfTbTcA; derelinq- Ca

<sup>10</sup> omn. Dei CaMgPfTbA; Dei omn. Tc

<sup>11</sup> neque CaPfTbTcA; nec Mg

<sup>12</sup> vel CaMgPfTcA; neque PhTb

<sup>13</sup> officia CaMgPfTb; maneat officia cum his PcTc

<sup>14</sup> -ate BePfTbTcA; -ata Ca; -ati Mg

<sup>15</sup> non add. ss Pa

<sup>16</sup> -erint MgOaTbTcA; -erit BeCaPfVo; fuerint om. Sb

<sup>17</sup> inobedientes Gc<sup>2</sup>Ld<sup>2</sup>MgOaTbTc; inobediens AaBeCaDaEaPfSbVo; obedientes CeGcLdPaPhPrTf; obediens A

<sup>18</sup> maneat BeCaEaPcPfPhVoA; maneant MgPrTb; om. Tc

<sup>19</sup> -iat BeCaPfTcA; -iant MgTb

<sup>20</sup> super MgPfTbTcA; om. Ca

## 136

<sup>1</sup>Nicolaus Carolo archiepiscopo<sup>2</sup> et eius suffraganeis<sup>3</sup>

Sacerdotes si in fornicationis ceciderint laqueum<sup>4</sup>, et criminis manifestus sive ostensus fuerit actus<sup>5</sup>, sacerdotii non possunt habere honorem secundum canonice institutionis auctoritatem.

*Ars. 713 fo. 150v] +D 50 c 33*

<sup>1</sup> De eodem add. in mg. CaDaLn<sup>2</sup>, De eadem re add. Pa, Quod sacerdotes diaconi si fornicatores vel incontinentes fuerint omni ecclesiastico honore debeant privari in mg. Sb

<sup>2</sup> Car. archiepiscopo Be<sup>2</sup>DaGcMgPaPtTcVoVpA; Car' Be; Car. archid' CaOaPf; arch'o Car. Tb

<sup>3</sup> xcv.. add. Pt; De eodem cxxxi add. Vo

<sup>4</sup> cec. laq. CaMgPfTbA; laq. cec. Tc

<sup>5</sup> sive ostensus fuerit (fuit Ca) actus BdBeCaCeDaLdMgPaPcPfPkSbTfVmA; fuerit actus sive ostensus PhTb; sive confessus fuerit Pq?; fuerit actus Tc

## 137

<sup>1</sup>*Innocentius Exuperio Tolosano*<sup>2</sup> *episcopo*<sup>3</sup>

Proposuistis<sup>4</sup> quid de his observari<sup>5</sup> debeat quos in diaconii ministerio an<sup>6</sup> in<sup>7</sup> officio presbiterii positos incontinentes esse aut fuisse generati filii prodiderunt. De his et divinarum legum est<sup>8</sup> disciplina et beate recordationis Siricii<sup>9</sup> episcopi monita evidentialia<sup>10</sup> cummeantur<sup>11</sup>, ut incontinentes in officiis talibus positi omni honore ecclesiastico<sup>12</sup> privarentur, nec admittantur<sup>13</sup> ad tale ministerium<sup>14</sup> quod sola continentia oportet impleri.

*Ars. 713 fo. 150v] D 82 c 2a*

<sup>1</sup> De eadem re *add.* Pa; De eodem *add.* Vo

<sup>2</sup> Tolosano BdBeCaCeDaLdOaPaPfPrSbVmA; Toletano GcMqPhPqRfTbTcVp; Tolestano Mg; Teletano Pc; Tolesano Pk; Thelosano Pw

<sup>3</sup> cxxxiii *add.* Vo

<sup>4</sup> Prep- Pc

<sup>5</sup> observari CaMgPfTbA; obseri Tc

<sup>6</sup> an GcMqPfPhA; aut BeCaGc<sup>2</sup>MgTc; vel Tb

<sup>7</sup> ss Tb

<sup>8</sup> est MgPfTbTcA; cum Ca

<sup>9</sup> Siricii MgPfTbTcA; Siriati Ca

<sup>10</sup> -tia MgPfPhTcA; -tius Tb

<sup>11</sup> cummeantur MgPfTcA; comeantur Ad(vel commemorant ss)BeCePhVo; commeantur (vel commemorant ss) Ca; comeantur GcRaBrant; commemorant Tb; emanaverunt *Migne*

<sup>12</sup> hon. ecc. CaMgPfTcA; ecc. hon. PhTb

<sup>13</sup> -antur CaMgPfPhTcA; -erentur Tb

<sup>14</sup> minist- MgPfTbTcA; mist- Ca

## 138

<sup>1</sup>*Alexander*<sup>2</sup> *II*<sup>3</sup> *episcopis et regi Dalmatiarum*<sup>4</sup>

Si quis amodo episcopus, presbiter, diaconus<sup>5</sup> feminam acceperit vel acceptam retinuerit, proprio gradu decidat usque<sup>6</sup> ad satisfactionem veniat, nec in choro psallentium maneat, nec aliquam portionem de rebus ecclesiasticis habeat.

*Ars. 713 fo. 150v] +D 81 c 16*

<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> Alex. Be<sup>2</sup>CaMgTbTcA; Aliis Ad; A. Be; *om.* (??) Pf; Ambrosius Vo

<sup>3</sup> Al. II] Urbanus II Sb; *om.* Da

<sup>4</sup> Dalmatiarum OaPfRaTbVo(*adding* cxxxiii)A; Dalmatiorum AdCaGcMgPr; Salmatiarum Be; Dalmaticarum PcTc

<sup>5</sup> diac. CaPfPhTcVpA; diac. vel subdiaconus Mg; *om.* Tb

<sup>6</sup> usque BeCeLdOaPaPhTbWcA; quousque CaPfTcTfVp; usque dum GcLd<sup>2</sup>MgPrRa; quoadusque Vo



## 139

<sup>1</sup>*Idem clero Mediolani*<sup>2</sup>

Si quis sacerdotum, vel diaconorum, vel subdiaconorum officium contumaciter deserens, feminam sibi potius eligit<sup>3</sup>, sicut sponte ob fornicationem dimittit<sup>4</sup> officium, ita<sup>5</sup> ob prevaricationem dimittere cogatur et invitus beneficium.

*Ars. 713 fo. 150v, has more] +D 81 c 17*

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<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> -lani BeCaOaPfVo(*adding* cxxxviA; -lano GcMgPrTb; -laneo Ph; -lanensi Tc

<sup>3</sup> eligit BeMgPfTbVoA; degerit Ca; eligerit Tc

<sup>4</sup> -tit BeCaMgTbTc; -tunt Pf; ?? A

<sup>5</sup> Oa *runs on* beneficio ecclesiarum privatos *etc at end of c 140, omitting rest of c 139, beginning of c 140*

## 140

<sup>1</sup>*Idem*<sup>2</sup> *populo Mediolano*<sup>3</sup>

Eos<sup>4</sup> etiam qui ut fornicari liceat divinum officium derelinquunt, et a Deo recedentes diabolo et eius operibus<sup>5</sup> serviunt, sicut se iustissime officio<sup>6</sup> alienos faciunt, ita beneficio ecclesiarum privatos esse abiudicamus<sup>7</sup>.

*Ars. 713 fo. 150v] +D 81 c 18*

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<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> Idem CaMgPfTb; Item Tc

<sup>3</sup> -lano CaMgPfPrTb; -lani SbVo(Vo *adding* cxxxvi); -lanensi Tc; *no break or insc.* A

<sup>4</sup> Eos CaCeDaGcMqPaPcPhPrRaTbTfA; Hos BdBeHaMgPfPkQeTcTdVoVpVqWc; Nos Py

<sup>5</sup> eius op. BeCaPfTbA; op. eius MgTc

<sup>6</sup> officio CaMgPfTbA; officii Tc

<sup>7</sup> abiud- BeCaMgPfTbA; audiamus Oa; iud- Tc

## 141

<sup>1</sup>*Martinus papa Amando*<sup>2</sup>

Qui semel post suam ordinationem<sup>3</sup> in lapsu cecidit<sup>4</sup>, deinceps iam<sup>5</sup> depositus erit, nullumque gradum sacerdotii<sup>6</sup> poterit adipisci.

*Ars. 713 fo. 150v] D 50 c 2*

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<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> De lapsis post ordinatione *add.* Pa; cxxxvii *add.* Vo

<sup>3</sup> ordinationem Mg

<sup>4</sup> in lapsu cec. GcPaPfPhPrRa; in lapsu (-sum Ce) ceciderit BeCeEaMgVo; de lapsu cec. Ca; in lapsu decidit Oa; lapsus cecidit Tb; in lapsum ceciderit TcVp; in laps... cecidit A

<sup>5</sup> *ss* Be

<sup>6</sup> gr. sac. CaPfTbTcA; sac. gr. Mg

## 142

<sup>1</sup>*Gregorius Venantio episcopo Lunensi*<sup>2</sup>

Statuimus diaconem et abbatem quem de portu Veneris indicas<sup>3</sup> cecidisse, ad sacrum ordinem non debere vel<sup>4</sup> posse aliquomodo reparari. Quem quidem sacro ordine<sup>5</sup> privatum<sup>6</sup> in penitentiam te deputare convenit. Cuius si postea actus<sup>7</sup> et<sup>8</sup> conversatio meruerit, priorem inter monachos, ubi tu tamen decreveris, standi locum obtineat. Subdiaconos<sup>9</sup> quoque quos similis culpa<sup>10</sup> constringit, ab officio suo irrevocabiliter depositi, inter laicos communionem accipiant. In portu<sup>11</sup> autem Veneris loco lapsi, diaconum<sup>12</sup> alium qui hoc officium implere<sup>13</sup> debeat ordinabis.

*Ars. 713 fo. 150] cf D 50 c 10 med.*

<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> ep. Lunensi BeCaMgOaTcVo(*adding* cxxxv)A; ep. Luversi Pf; Lunensi ep. PhTb. De clericis adulteris *add.* Ce

<sup>3</sup> -cas CaPfTbTcA; -cans Mg

<sup>4</sup> vel CaMgPfTbA; nec Tc

<sup>5</sup> ordine CaMgPfPcTbA; *om.* Tc

<sup>6</sup> puatum Ca

<sup>7</sup> auctus Ca

<sup>8</sup> et CaMgTbTcA; *om.* Pf

<sup>9</sup> -nos MgPfTbTc; -nes Ca; -ni Ph; ?A

<sup>10</sup> culpa CaMgPfPhTcA; pena Tb

<sup>11</sup> portu CaMgPfTcA; porticu PhTb

<sup>12</sup> -num CaMgPfTbA; -nem Tc

<sup>13</sup> impl- CaMgPfTbA; adimpl- Tc

## 143

<sup>1</sup>*Sinodus Aurelianensis*<sup>2</sup> *tempore Childeberti regis*<sup>3</sup>, *cap. vii*<sup>4</sup>

Si quis clericus adulterasse aut confessus fuerit aut convictus<sup>5</sup>, depositus ab officio suo<sup>6</sup> communione concessa<sup>7</sup> in monasterio toto vite sue tempore trucidatur<sup>8</sup>.

*Ars. 713 fo. 150v, ID 8.285] +D 81 c 10*

<sup>1</sup> Clericus adulterasse confessus aut convictus in monasterium trucidatur *add. in mg.* MgPfTc; De clericis adulteris *add. in text* Pa; De eodem Vo; *om.* AdBeCaCeEaGcLdMqOaPcPrPtTbTdVp

<sup>2</sup> Sin. Aurel. \*BeDaEaPfTbA; VII sinodus Aurel' CaGcMgPr; Si quis Sin. Aur. PcRf; Ex sinodo Aurelianensi Tc

<sup>3</sup> Child. reg. \*CaDaGcPrTcA; Hildeberty reg. Be; Childiperty regis Mg; Hyldiperty Mq; reg. Child. PhTb; ?? Pf; Gildeberty regis Vo

<sup>4</sup> cap. vii \*BeDaMgTbTcVo(*adding* cxxxviii)A; *om.* Ca; ? Pf; temp. – vii *om.* Ea

<sup>5</sup> fu. aut con. MgOaPfTbA; aut con. fu. \*CaDa

<sup>6</sup> suo \*BeCaDaTcTf; *om.* GcLdMgPfPhPrTbA

<sup>7</sup> *corr. fr.* decessa Ca

<sup>8</sup> trucidatur Ce

## 144

<sup>1</sup>*Pelagius Constantino defensori*<sup>2</sup>

Romanus ecclesie Teanensis clericus, pro crimine adulterii quod admisisse perhibetur, clericatus ordine deposito<sup>3</sup>, in monasterio<sup>4</sup> hic in urbe Romana<sup>5</sup> ad agendam penitentiam ex nostra iussione retrusus est<sup>6</sup>.

*Ars. 713 fo. 150v] +D 81 c 11*

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<sup>1</sup> De eodem *add.* PaVo

<sup>2</sup> cxxxx *add.* Vo

<sup>3</sup> -ito CaMgTbTcA; -itus Pf

<sup>4</sup> -erio CaMgPfTbA; -erium Tc

<sup>5</sup> est *add.* CaPfPtWc, est detrusus *add.* Be, detrusus *add.* Pw; est retrusus *add.* RfTc, *om.*

GcMgOaTbABrant

<sup>6</sup> retrusus est CeGcMgOaPaPhPkPqPrRaTbVmVoWdA; deputatus Aa; detrusus est DaLdBrant; etrusus est Mq; est retrusus Pc; retrusus *add.* Sb<sup>2</sup>; *om.* BdBeCaFcPfPtPwRfSbTcTfWc

## 145

<sup>1</sup>*Gregorius Constantino Mediolanensium episcopo*<sup>2</sup>

Si lapsis<sup>3</sup> ad suum ordinem revertendi licentia concedatur<sup>4</sup>, vigor canonice procul dubio frangitur discipline, dum pro reversionis spe, prave actionis desideria quisque concipere non formidat<sup>5</sup>. Et post pauca<sup>6</sup>. Illud pre omnibus studete, ut lapsos in sacrum ordinem nullius vobis<sup>7</sup> supplicatio aliquomodo revocare suadeat, ne huiusmodi non statuta, sed temporaliter dilata<sup>8</sup> credatur esse vindicta.

*ID 6.80 (Ars. 713 fo. 150r-v has to formidat and ends variant)] D 50 c 1*

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<sup>1</sup> Item de lapsis ab ordine quod non debeant reparari *add.* Pa; Quod pro nullius supplicatione nullus in sacro ordine lapsus restituatur *add. in mg.* Sb, Lapsi ad suum ordinem non revertantur *add. in mg.* Tc; De eodem *add.* Vo

<sup>2</sup> Const. – episc.] papa Ea; cxli *add.* Vo

<sup>3</sup> -sis \*BeMgPfTbTc; -sus Ca

<sup>4</sup> -atur \*PhOaTbVm; -itur BdBeCaCeMgPaPfPkPwSbTcVo

<sup>5</sup> -idat \*MgPfTbTc; -idet Ca

<sup>6</sup> Et post pauca \*CaEaMgPfPwTb; *om.* Tc

<sup>7</sup> vobis \*CaPfTbTc; nobis Mg

<sup>8</sup> dil- \*CaPfTbTc; del- Mg

## 146

*In decretis Gregorii*<sup>1</sup>, cap. xcvi<sup>2</sup>

Gregorius<sup>3</sup> Sabiniano<sup>4</sup> Ladertino episcopo. Presbiterum de quo nos fraternitas tua latoris presentium legatione<sup>5</sup> consuluit, nulla ratione in sacro ordine post<sup>6</sup> lapsum

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<sup>1</sup> Gregorii BeCaMgTbTc; Greg. de eodem Vo; eiusdem Pf; *om.* Ce. In – Greg. *om.* Pt

<sup>2</sup> xcvi<sup>2</sup> BdBeCaOaPfPrQeRfTb; cxcviii Cb; xviii Mg; xxviii GcPtTc; cp. xcvi<sup>2</sup>. cp. cxlii Vo. De eodem *add.* Pa

<sup>3</sup> presul *add.* PhQe, episcopus *add.* Tb, *om.* CaMgPfPrTc

aut permanere aut revocari posse cognoscas. Circa quem<sup>7</sup> tamen mitius agendum est propter commissum facinus, quia<sup>8</sup> facili<sup>9</sup> dicitur professione confessus.

*Coll. Sem. 3.124; AL 8.23] D 50 c 3*

<sup>4</sup> Sabiniano CaCbMgPfTb; Sabino Tc

<sup>5</sup> legatione CaMgPfTb; relatione Tc

<sup>6</sup> post CaMgPfTb; *om.* Tc

<sup>7</sup> *ss* Mg<sup>2</sup>

<sup>8</sup> quia CaMgPfTc; *om.* PhTb

<sup>9</sup> facili CaMgTbTc; fallaci *after corr.* Pf

## 147<sup>1</sup>

### <sup>2</sup>*Beatus Gregorius*<sup>3</sup> *ad Secundinum*<sup>4</sup> *inclusum*<sup>5</sup>

Sanctitas tua hoc<sup>6</sup> a nobis requisivit ut tibi rescriberem<sup>7</sup> de sacerdotali officio post lapsum resurgendi<sup>8</sup>, dum dicis de hoc canones diversos<sup>9</sup> te legisse, diversasque sententias alias resurgendi alias nequaquam. Nam nos generaliter a Nicena synodo incipientes, hanc cum reliquis quatuor veneramur<sup>10</sup>, que ipsam<sup>11</sup> sequentes in cunctis sententiis unanimes concordant. Nos ergo precedentes patres<sup>12</sup> sequimur, quia auctore Deo<sup>13</sup> a sacra doctrina illorum<sup>14</sup> non discordamus. A capite itaque<sup>15</sup> incipientes usque in quartum altaris ministrum<sup>16</sup> hanc formam servandam cognoscimus, ut quem<sup>17</sup> minorem maior precedit, sicut maior est<sup>18</sup> honore, ita sit in crimine. Et quem maior sequitur culpa, maior ei implicetur vindicta, et sic postea penitentia credatur esse<sup>19</sup> fructuosa. Quid enim prodest triticum seminare, et fructum eius non<sup>20</sup> colligere? Aut

<sup>1</sup> *Lc lacks all to* Quid est ergo gravius

<sup>2</sup> De lapsis ab ordine reparandis *add. in mg.* Ce, *in text* Pa; Et qui misericorditer ad ministrandum possint accedere *add. in text and mg.* Db; Lapsi post penitentiam ad ordinem redire possunt et honorem *add. in mg.* Tc

<sup>3</sup> Beatus Greg. BeCaCbMgOaTb; Beatus Greg. papa *only* Ea; Greg. PtTcVo; Idem Pf

<sup>4</sup> *ad Secundinum* BeGcMgOaPfPrTcVoIDcpd; *ad Sedunium* Ca; *Secundino* Pt; *ad Secundinum servum Dei* TbIDm

<sup>5</sup> Beatus – *inclusum* BeCaMgPfTbTc; *om.* Lc. Qualiter lapsi reparandi sunt (cxliii *add.* Vo) *add.* TdVo

<sup>6</sup> hoc \*BeCaMgTb; hec Pf; ??Tc

<sup>7</sup> rescr- \*CaMgPfTb; scr- Tc; *om.* Brant

<sup>8</sup> scriberemus Brant; scriberem dum de tali officio post lapsum resurgendi scriberemus *add. Migne, om.*

\*CaEaMgPfTbTcVoVp

<sup>9</sup> de hoc can. div. \*CaMgPfTb; div. de hoc can. Tc

<sup>10</sup> quat. ven. \*CaMgPfTc; ven. quat. PhTb

<sup>11</sup> ipsam \*CaMgPfTb(*after corr.*); se Tc

<sup>12</sup> patres \*CaMgPfTb; *om.* Tc

<sup>13</sup> Deo \*CaMgPfTb; *om.* Tc

<sup>14</sup> illorum \*CaPfTbTc; eorum Mg

<sup>15</sup> itaque \*CaMgPfPhTc; igitur Tb

<sup>16</sup> ministrum \*BeCaTbTc; ministerium MgPf

<sup>17</sup> quem \*CaPfTbTc; quia Mg

<sup>18</sup> sicut maior est \*CaMgPfTbTc; *om.* Brant

<sup>19</sup> pen. cred. esse \*CaMgPfTc; cred. pen.esse Ph; cred. esse pen. Tb

<sup>20</sup> fruc. eius non \*CaPfTbTc; non eius fruc. Mg

domum<sup>21</sup> construere et<sup>22</sup> non illic habitare?<sup>23</sup> Post dignam enim satisfactionem credimus lapsum redire posse<sup>24</sup> ad honorem, propheta dicente, Nunquid qui cadit, non adiciet<sup>25</sup> ut resurgat? Et, Qui aversus<sup>26</sup> est, non revertetur? Quid est ergo<sup>27</sup> gravius, carnale delictum admittere sine quo pauci inveniuntur, aut Dei Filium negare? In quo peccato ipsum beatum principem apostolorum<sup>28</sup> Petrum, ad cuius<sup>29</sup> corpus nunc<sup>30</sup> indigni sedemus, lapsum esse cognoscimus. Sed post negationem<sup>31</sup>, penitentia<sup>32</sup> secuta est, et post penitentiam indulgentia<sup>33</sup> data est, quia illum ab apostolatu non deiecit quem ante seipsum negaturum esse<sup>34</sup> predixit. Tibi hec, fili<sup>35</sup> carissime, dicta sufficient<sup>36</sup>, ut illum quem conspicias delicta fletu delere, non dubites in conspectu divinitatis misericordiam consequi, quia nullum peccantem reversum<sup>37</sup> despicit, qui peccatores sanguine suo<sup>38</sup> redimere venit.

4L 3.18 is widely variant; ID 6.85] D 50 c 16 to ipsum se negare predixit

<sup>21</sup> domum \*BeCaMgTbTc; om. Pf

<sup>22</sup> suppl. Pf<sup>2</sup>

<sup>23</sup> Aut domum construere – habitare in mg. Sb

<sup>24</sup> red. posse CaMgPfTb; posse red. Tc

<sup>25</sup> -iet \*CaPfTbTc; -iat Mg

<sup>26</sup> av- \*CaMgTc; adv- PfTb

<sup>27</sup> ergo \*CaMgPfTb; om. Tc

<sup>28</sup> beat. pr. ap. CaMgObOdOeOfPfTc; pr. ap. beatum PhTb

<sup>29</sup> Petri add. Ca, om. \*MgPfTbTc

<sup>30</sup> nunc \*CaMgPfTb; non Tc

<sup>31</sup> vel penitentia add. ss Bd

<sup>32</sup> venia vel indulgentia add. ss. Bd

<sup>33</sup> penitentiam indulgentia BeCaMgTbTc; negationem penitentia Pf

<sup>34</sup> esse \*RaTbTc; om. BeCaGcMgPf

<sup>35</sup> mi add. Ca, om. \*MgPfTbTc

<sup>36</sup> dicta sufficient \*CaMgTbTc; dicta <sufficient> Sb; om. Pf

<sup>37</sup> -sum \*MgPfTbTc; -sus Ca

<sup>38</sup> suo BeDa<sup>2</sup>MgTbTc; om. CaDaPf

## 148

### *In decretis<sup>1</sup> Calixti pape<sup>2</sup>, cap. ii<sup>3</sup>*

Calixtus papa Romanus, dilectis episcopis per Galliam constitutis. Errant qui putant Domini sacerdotes<sup>4</sup>, post lapsum, si condignam<sup>5</sup> egerint penitentiam Domino ministrare non posse, et suis honoribus frui, si bonam deinceps vitam duxerint, et

<sup>1</sup> decretali Ea

<sup>2</sup> In – pape om. Pt

<sup>3</sup> cap. ii BeCaGcLdLfLmMgOaPfPhPrPfTb; cap. v AdBdCbDaLjRfSbVo; om. Ea; cap. vi TcVp  
Quod post lapsum sacerdotes iterum possint ministrare, si condignam egerint penitentiam add. in mg.  
CaDaLn<sup>2</sup>; De eodem add. PaVo, Vo adding cxliiii

<sup>4</sup> Dom. sac. CaEaMgPfTbTc; sac. Dom. Cb

<sup>5</sup> condignam BeCaCbEaLdLfLjPfPrTbVo; dignam GcMgTc; cum dignam Lm

suum sacerdotium condigne<sup>6</sup> custodierint. Et ipsi quidem qui hoc putant, non solum errant<sup>7</sup>, sed etiam traditas ecclesie claves despicere videntur, de quibus dictum est, Quecumque solveritis<sup>8</sup> in terra<sup>9</sup>, erunt soluta et<sup>10</sup> in celo. Alioquin hec sententia aut Domini non<sup>11</sup> est, aut vera<sup>12</sup>. Nos vero<sup>13</sup> indubitanter tam Domini sacerdotes<sup>14</sup> quam reliquos fideles post dignam satisfactionem posse redire ad honores credimus, testante Domino per prophetam, Nunquid qui cadit non adiciet<sup>15</sup> ut resurgat? Et, Qui aversus est, non revertetur? Et alibi, Nolo, inquit Dominus<sup>16</sup>, mortem peccatoris<sup>17</sup>, sed ut<sup>18</sup> convertatur et vivat, et propheta David penitentiam agens dixit, Redde mihi letitiam salutaris tui<sup>19</sup> et spiritu principali confirma me<sup>20</sup>. Ipse namque<sup>21</sup> post penitentiam et alios<sup>22</sup> docuit, et sacrificium Deo<sup>23</sup> obtulit, dans exemplum doctoribus sancte ecclesie, si<sup>24</sup> lapsi fuerint, et condignam Deo penitentiam gesserint<sup>25</sup>, utrumque facere posse. Docuit enim quando dixit, Doceam iniquos vias tuas<sup>26</sup>. Sacrificium<sup>27</sup> pro se<sup>28</sup> obtulit dum dicebat<sup>29</sup>, Sacrificium Deo spiritus contribulatus<sup>30</sup>. Videns enim<sup>31</sup> propheta scelera sua munda per penitentiam<sup>32</sup> non dubitavit predicando et Domino libando, curare aliena.

<sup>6</sup> sac. cond. BePfTcVo; con. sac. GcMg; sac. cum digne Oa; sac. digne PhTb

<sup>7</sup> corr. fr. erant Lm

<sup>8</sup> solveritis BeCaCbLdLfLjLmMgTbTc; solveris Pf

<sup>9</sup> in terra BdGcMgPfPrTc; super terram BeCaLfPhTb

<sup>10</sup> et BeCaCbLdLfLjLmMgPfTb; om. LfTc

<sup>11</sup> Dom. non BeCaCbLdLfMgPfTb; non Dom. Lm; non Tc

<sup>12</sup> est add. Mg, om. PfTbTc

<sup>13</sup> vero CaCbLdLfLjLmMgPfTb; om. Tc

<sup>14</sup> -otes CaMfPfTbTc; -otis Cb

<sup>15</sup> adiciet CaCbLdLfLjMgPfTb; adiciat Lm; om. Tc

<sup>16</sup> Dominus CaDbEaMgPhTc; Deus Be; om. PfTb

<sup>17</sup> mort. pecc. BeCaCbLdLfLjLmMgTbTc; pecc. mort. Pf

<sup>18</sup> ut BeDa<sup>2</sup>Ld<sup>2</sup>OaLfPrTbTc; ut magis CaGcMg; om. CbDaDbEaLdLfLmPfTf

<sup>19</sup> sal. tui BeCaCbLdLfLjLmTbTc; sa' Ea; s. t. LfTc; salutis tue Mg; sal. Pf

<sup>20</sup> me CaCbLdLfLjLmMgPfTb; om. Tc

<sup>21</sup> et add. CaTc, om. BeDbMgPfTb

<sup>22</sup> post pen. et alios CaCbLdLfLjLmMgPfTb; et alios post pen. Tc

<sup>23</sup> Deo CaCbLdLfLjLmMgPfTb; om. Tc

<sup>24</sup> illi add. Lf, om. CaMgPfTbTc

<sup>25</sup> gesserint BeCaCbLdLfLjLmMgPf; egerint PhTbTcTf

<sup>26</sup> et impii ad te convertentur et add. CbDaLjBrant, om. TbTc

<sup>27</sup> Deo add. CbLj, om. TbTc

<sup>28</sup> pro se Tc; om. Tb

<sup>29</sup> Doceam (Docebo Tb) - tuas. Sacrificium - dum dicebat (dum dixit Eg, quando dixit Tb)

CbEgLfTbBrant; Sacrificium pro se – contribulatus. Sacrificium – pro se Mo. Doceam - tuas et Tc;

Docebo iniquo v. a. s. t. et i. a. t. c. et sacrificium – dicebat DaVo; om.

AbAdBbBdBeCaCeDbEaEbEcFcGcLbLdLfLmLnMfMgMhMjMkMmMqOaObOdOeOfPaPdPfPhPkPqPrPtPwQaRaRfSbSdSeSgSITfVmVpWaWbWcWdZa

<sup>30</sup> Sacr. - contrib. before Sacrificium pro se MoPcTc

<sup>31</sup> enim CaCbGcLfLjLmMgTbTc; om. BeEaFcLdPfPwTf

<sup>32</sup> proph. scel. sua mun. per pen. BeCaCbEaLdLfLjLmPfTb; scel. sua proph. mun. per pen. Mg; proph. sua scel. per pen. mun. Tc

Lacrimarum<sup>33</sup> effusio movet animi passionem, satisfactione<sup>34</sup> autem<sup>35</sup> impleta avertitur<sup>36</sup> animus ab ira<sup>37</sup>. Superabundant<sup>38</sup> peccata, superabundet et misericordia. Quoniam<sup>39</sup> apud Dominum misericordia, et copiosa apud eum redemptio. Mundatur ergo homo<sup>40</sup> a peccato, et resurgit gratia<sup>41</sup> Dei a lapsu, et in pristino manet officio, iuxta predictas auctoritates<sup>42</sup>. Videat ne amplius<sup>43</sup> peccet, ut sententia evangelii maneat in eo, que ait<sup>44</sup>, Vade, et amplius noli peccare. Sententiam itaque, fratres, que misericordiam vetat, non solum tenere, sed et<sup>45</sup> audire refugite, quia potior est<sup>46</sup> misericordia omnibus holocaustomatibus et sacrificiis.

4L 3.16, cf ID 6.48] cf D 50 c 14b

<sup>33</sup> ergo add. CbLj, om. BeCaMgPfTbTc

<sup>34</sup> obsc. corr. Lf

<sup>35</sup> autem CaMgPfTbTc; aut Lm; om. RfSl

<sup>36</sup> avertitur CaMgPfSlTbTc; avertit Lm

<sup>37</sup> Qui enim non ignoscit alteri, quomodo sibi putat subveniri ( *partial erasure followed by misereri for put. subv. Tc?*) add. MoPcRfTc, om.

AdBdBcCaCbCeDaEaFcGcLdLfLjLmMgMqOaPaPfPhPkPqPtPwRaSbSlTbTfVm; satisfactione impleta – ab ira in mg. SI<sup>2</sup>

<sup>38</sup> enim add. Tc, om. CaCbLdLfLmMgPfTb

<sup>39</sup> Quoniam BeCaMgPfTbTc; Quia CbLj

<sup>40</sup> ergo homo CaMgPfTbTc; homo ergo Cb

<sup>41</sup> gratia CaMgPfTbTc; gloria Cb

<sup>42</sup> pred. auct. CaMgPfTbTc; auct. pred. Lf

<sup>43</sup> iam add. Cb, om. CaMgPfTbTc

<sup>44</sup> ait CaPfTbTc; dixit Mg

<sup>45</sup> et CaCbGcLjMgTb; etiam BeLdLfTc; om. LmPf

<sup>46</sup> est BeCaCbLdLfLjLmMgPfTb; om. Tc

## 149

<sup>1</sup>Ex epistola<sup>2</sup> Isidori ad Massanum<sup>3</sup> episcopum, cap. i<sup>4</sup>

Domino sancto<sup>5</sup> meritisque beato fratri Massano episcopo, Isidorus episcopus. Quod in epistolis venerabilis fraternitas tua innotuit, videlicet<sup>6</sup> quod in canone Anciritano, capitulo xix legitur, post lapsum corporalem, restaurandum honoris gradum post penitentiam. Alibi vero legitur, post huiusmodi<sup>7</sup> delictum nequaquam reparandum antiqui ordinis meritum. Hec diversitas hoc modo<sup>8</sup> solvitur. Illos enim ad

<sup>1</sup> De eodem add. in mg. Ca<sup>2</sup>DaLn<sup>2</sup>; De eadem re add. Pa; De discretionem lapsorum quomodo quidam reparandi sint, quidam vero non (cxlv add. Vo) add. Td<sup>2</sup>Vo

<sup>2</sup> Ex ep. BeCaEaPfTb; Exempla Mg; Epistola Tc

<sup>3</sup> Massanum CaPfPhTc; Massonum BePaTb; Damasonem GcMg<sup>2</sup>; Damasium Mq

<sup>4</sup> cap. i BeCaMgPaPfTb; om. Tc; ad M. – cap i om. Ea

<sup>5</sup> sancto BeCaMgGcLdMqPaPhPrOa; suo PfTbTcTf; Anno sancto Py; om. CeVo

<sup>6</sup> vid. CaMgTbTc; om. Pf

<sup>7</sup> huiusmodi BePfTbTc; huiuscemodi CaMg

<sup>8</sup> Hec div. hoc modo CaMgPfPhTc; Hoc modo hec div. Tb

pristinos gradus canon redire<sup>9</sup> precepit, quos penitentie precesserit<sup>10</sup> satisfactio, vel condigna<sup>11</sup> peccatorum confessio. At contra hi<sup>12</sup> qui neque a<sup>13</sup> vitio corruptionis emendantur<sup>14</sup> atque<sup>15</sup> hoc<sup>16</sup> ipsum carnale delictum quod admittunt, etiam vindicare quadam superstitiosa temeritate nituntur, nec gradum<sup>17</sup> utique honoris nec<sup>18</sup> gratiam recipiunt communionis. Ergo ita est dirimenda<sup>19</sup> sententia ut necesse sit illos restaurari in loco honoris, qui per penitentiam reconciliationem merentur divine pietatis, hi non immerito consequentur adepti<sup>20</sup> dignitatis statum<sup>21</sup>, qui per emendationem penitentie recepisce noscuntur remedium vite. Id autem ne forte magis sit ambiguum, divine auctoritatis sententia confirmetur. Ezechiel quidem<sup>22</sup> propheta sub tipo prevaricatricis Ierusalem ostendit post penitentie satisfactionem pristinum restaurari honorem. Confundere, inquit, O Iuda<sup>23</sup>, et porta<sup>24</sup> ignominiam tuam<sup>25</sup>. Et post paululum, Et tu, inquit, et filie tue<sup>26</sup> revertimini ad antiquitatem vestram<sup>27</sup>. Quod dixit confundere<sup>28</sup>, ostendit<sup>29</sup> post confessionem<sup>30</sup>, id est peccati opus debere quemquam erubescere, et pro admissis<sup>31</sup> sceleribus verecundam<sup>32</sup> frontem, humoque<sup>33</sup> prostratam demergere, pro eo quod dignum confusionis<sup>34</sup> perpetravit<sup>35</sup> opus. Deinde precepit ut post ignominiam id est deiectionem<sup>36</sup> nominis sive dignitatis, revertatur ad antiquitatem<sup>37</sup>.

<sup>9</sup> can. red. CaMgPfTb; red. can. Tc

<sup>10</sup> -serit MgPfTbTc; -sit Ca

<sup>11</sup> condig- CaMgPfTc; dig- PhTb

<sup>12</sup> contra hi CaMgPfTc; hi contra PhTb

<sup>13</sup> a MgPfTbTc; om. Ca

<sup>14</sup> corruptionis emendantur CaFcMgPfPwTb; corporis emundantur Tc

<sup>15</sup> atque BeCaGcMgPf; aut *after corr.* ?Ph; cui Tb; neque Tc

<sup>16</sup> hoc BePfTbTc; om. Ca; id GcMg

<sup>17</sup> -dum CaPfTbTc; -du Mg

<sup>18</sup> nec CaMgPfPhTc; neque Tb

<sup>19</sup> est dir. BeLdMg<sup>2</sup>PfTfVo; est determinanda Ca(vel dirimenda ss)GcMgPr; est dirimenta Ph; determinanda est Tb; dir. est Tc

<sup>20</sup> adepti CaCeGcPaPfTcTf; adempti BeMgPhTb

<sup>21</sup> hi non immerito - statum *add. ss* Ca<sup>2</sup>

<sup>22</sup> quidem CaMgPfTb; om. Tc

<sup>23</sup> *lacuna follows in Pf*

<sup>24</sup> porta CaPfTbTc; portam Mg

<sup>25</sup> tuam CaMgPw<sup>2</sup>TbTc; om. Pf

<sup>26</sup> ss Be

<sup>27</sup> ad antiquitatem vestram CaCeDaGcLdMgPaPfPrPwTf; ad iniquitatem vestram Be; ad antiquitatem tuam PhTb; ab iniquitate vestra Tc

<sup>28</sup> *corr. fr.* ostendere Ca<sup>3</sup>

<sup>29</sup> quod *add. Mg, om.* CaPfTbTc

<sup>30</sup> confessionem CaMgPfPwTbTc; confusionem Pf<sup>2</sup>

<sup>31</sup> adm- Ca<sup>2</sup>MgPfPhTc; am- CaTb

<sup>32</sup> -dam CaMgPfTb; -diam Tc

<sup>33</sup> humoque CaMgPfPhTc; humique Tb

<sup>34</sup> dig. con. MgPfTbTc; con. dig. Ca

<sup>35</sup> -avit BePfTc; -averit CaMgTb

<sup>36</sup> sui *add.* BeCaTc, om. MgPfTb



Ergo dum quisque post opus confusionis sue confunditur, atque ignominiam portans depositionem suam cum humilitate luget<sup>38</sup>, revocari<sup>39</sup> secundum prophetam ad priorem poterit statum<sup>40</sup>. Item. Iohannes<sup>41</sup> evangelista Angelo Ephesi ecclesie inter cetera quedam<sup>42</sup> similia scribit, Memor esto<sup>43</sup> unde excideris<sup>44</sup>, et age penitentiam et prima<sup>45</sup> opera fac. Alioquin veniam tibi et movebo candelabrum tuum de loco eius<sup>46</sup>. Ecce, in quantum valui, concilii Anciritani<sup>47</sup> antiquam plane et plenam auctoritate sententiam sacris testimoniis explanavi, ostendens eum posse restaurari in proprio<sup>48</sup> ordine, qui per penitentiae satisfactionem novit propria delicta<sup>49</sup> deflere. Qui vero nec<sup>50</sup> luget que gessit, et lugenda sine ullo pudore religionis vel timore divini iudicii committit, eum nullo modo posse ad pristinum gradum restaurari<sup>51</sup>. In fine autem epistole huius<sup>52</sup> hoc adiciendum putavi, ut quotiescumque in gestis conciliorum discors sententia<sup>53</sup> invenitur, illius concilii magis teneatur sententia, cuius antiquior aut<sup>54</sup> potior extat auctoritas.

4L 3.19] D 50 c 28

<sup>37</sup> antiquitatem CaMgPfTb; antiquam dignitatem Tc

<sup>38</sup> cum hum. lug. CaMgPfTb; lug. cum hum. Tc

<sup>39</sup> revoc- MgPfTbTc; voc- Ca

<sup>40</sup> pot. stat. CaMgPfTb; stat. pot. Tc

<sup>41</sup> apostolus et *add.* Tb, *om.* CaMgPfTc

<sup>42</sup> quedam MgPfTbTc; quodam Ca

<sup>43</sup> esto CaMgTbTc; *om.* Pf

<sup>44</sup> excideris CaMgPfTb; cecideris Tc

<sup>45</sup> prima CaMgPfTb; priora Tc

<sup>46</sup> eius CaMgPfTb; suo Tc

<sup>47</sup> -ani CaMgTbTc; -ati Pf

<sup>48</sup> proprio BeMgPfTbTc; primo Ca; vel priori *add.* ss Mg

<sup>49</sup> ss Be

<sup>50</sup> nec MgPfTbTc; non Ca

<sup>51</sup> -ari CaMgTc; -are BePfTb

<sup>52</sup> ep. huius CaMgPfPhTc; huius ep. Tb

<sup>53</sup> sent. CaPfTbTc; causa (vel sent. ss) Mg

<sup>54</sup> aut CaPfTbTc; et Mg

## 150

### *Ex concilio Cabillonensi, cap. xxv<sup>1</sup>*

Si quis presbiter ante<sup>2</sup> ordinationem peccaverit et post ordinationem peccata<sup>3</sup> confessus fuerit quod ante erraverit, non offerat sed tantum<sup>4</sup> pro religione nomen

<sup>1</sup> cap. xxv \*EaMgOaPfRfSbTbTcVo; cp. xiii? Be; cap. lxxv *before* Ex Ca; cp. lxxv Da; xxv cap. lxxxv Ln; episcopi cap. xxv Pa

De presbitero qui ante ordinationem peccaverit *add.* Pa; Presbiter qui peccavit ante ordinationem, si confessus fuerit solo nomine sit presbiter *add. in mg.* Tc; De his qui per ignorantiam ordinantur et postea deteguntur criminaliter peccasse. (cxlvi *add.* Vo) *add.* TdVo

<sup>2</sup> ante \*MgPfTbTc; aut Ca

presbiteri<sup>5</sup> portet. Si autem non ipse<sup>6</sup> confessus<sup>7</sup> sed ab alio publice convictus<sup>8</sup>, nec hoc ipsum habeat, ut nomen presbiteri<sup>9</sup> portet. Similiter de diaconibus observandum est<sup>10</sup>, ut si ipse confessus fuerit, ordinem subdiaconi<sup>11</sup> retineat<sup>12</sup>.

ID 6.149] C 15 q 8 c 4

<sup>3</sup> pecc. \*CaMgPfPhTc; om. Tb

<sup>4</sup> tantum CaPfTbTc; tamen Mg

<sup>5</sup> -eri \*CaMgPfTb; -erii Tc

<sup>6</sup> ipse \*CaMgPfTb; om. Tc

<sup>7</sup> fuerit add. Tc, est add. Pf, om. \*BeCaMgTb

<sup>8</sup> sit add. Tb, om. \*CaMgPfTc

<sup>9</sup> -eri \*CaMgPfTb; -erii Tc

<sup>10</sup> de diac. obs. est \*CaMgPfPhTc; obs. est de diac. Tb

<sup>11</sup> subdiaconi \*BdCaCeDa<sup>2</sup>EaGcLdMqPaPcPfPhPqPrSbTfVmVo; diaconi BeDaMgPwTc; subdiaconii PkTb

<sup>12</sup> retineat \*CaMgTbTc; obtineat Pf

## 151

<sup>1</sup>Ex concilio Neocesariensi<sup>2</sup>, cap. viii<sup>3</sup>

Presbiter si preoccupatus<sup>4</sup> corporali peccato<sup>5</sup> promoveatur, et<sup>6</sup> confessus fuerit de se quod ante ordinationem<sup>7</sup> deliquerit<sup>8</sup>, oblatam non consecret, manens in reliquis officiis propter studium bonum. Quod si de se ipse<sup>9</sup> confessus non fuerit<sup>10</sup>, et argui manifeste nequiverit, potestatis sue iudicio relinquatur.

ID 6.150]

<sup>1</sup> De clericis homicidis qui debeant ministrare, qui non add. in mg. Tc; De eodem add. PaVo

<sup>2</sup> -esariensi \*CaMgMhMjPfPh; ?Tb; -anensi Tc

<sup>3</sup> viii CaLdLnMfMgMhMjMmPaTc; viiii DaSb; PfTb unclear

<sup>4</sup> occupatus Pa. fuerit add. GcTc, om. \*CaMfMgMhMjMkMkMoPaPfPrPtTb

<sup>5</sup> si add. Tc, om. \*BeCaGcMfMgMhMjMkMmMoPfTb

<sup>6</sup> non add. Tc, om. \*BeCaGcMgPfTb

<sup>7</sup> ordinationem \*BeCeMfMoOaPaRaTbTcVo; ordinem CaDaGcLdMgMhMjMkMmPr; om.

DbPfPtSbTf

<sup>8</sup> deliquerit BeCeDaGcMgPaPf<sup>2</sup>PhTbTcTf; delinquitur Mf; relinquitur Mj; reliquetur Mm<sup>2</sup>; deliquit Ra; dereliquerit Sb

<sup>9</sup> de se ipse BeCaCeDaMfMgMhMjMkMmMoObOd<sup>2</sup>OeOfPaPfPhPrSbTfIDp; si with lacuna following Gc; ipse de se OaTc; ipse Od; de se Tb; de se ipso DbPtVoIDm

<sup>10</sup> fuerit \*CaMfMgMhMjMkMmPfPtTb; fuit Tc

## 152

Ex epistola Rabani<sup>1</sup> archiepiscopi<sup>2</sup> ad Heribaldum<sup>3</sup>. Ex concilio Hilerdensi, cap. x<sup>4</sup>

<sup>1</sup> Babini Ce

<sup>2</sup> archiepiscopi \*BeCaCeFcMgOaTbVp(repeated); episcopi Tc; om. Pw

<sup>3</sup> Ex - Her. \*BeCaCbEaFcMgOaPwRfTbTcVp; om. Pf

<sup>4</sup> cap. x \*BeCaCbFcMgPfRfVo; cap. xi Tc; om. Tb. Ex conc. - x om. Mq.

De illis qui ante sacros ordines vel post in capitalibus contaminati sunt add. Pa; Quod qui publice in capitali crimine fuerit deprehensus a proprio gradu deponatur add. in mg. Sb; Qua distantia sit inter eos qui publice lapsi sunt in crimine et eos qui occulte (cxviii add. Vo) add. TdVo

De his vero visum est nobis scribendum qui sacros ordines habent et ante vel post ordinationem<sup>5</sup> contaminatos in capitalibus criminibus se esse profitentur. In quibus, ut mihi videtur, hec distantia esse debet, ut hi<sup>6</sup> qui deprehensi vel capti fuerint<sup>7</sup> publice in periurio, furto, atque fornicatione, et ceteris huiusmodi criminibus, secundum sacrorum<sup>8</sup> canonum instituta a gradu proprio<sup>9</sup> deponantur, quia scandalum est populo Dei tales personas superpositas<sup>10</sup> habere, quas ultra modum vitiosas esse constat. Nempe inde detrahunt homines sacrificio Dei, sicut quondam filiis Heli peccantibus fecisse leguntur, et rebelles hinc<sup>11</sup> atque contrarii existentes eorum pravis exemplis quotidie peiores fiunt<sup>12</sup>. Qui autem de predictis peccatis abscondite a se admissis<sup>13</sup> per occultam confessionem coram oculis Dei, presente etiam sacerdote, qui eis indicturus est penitentiam, confitentur, et semetipsos<sup>14</sup> graviter deliquisse queruntur, si se per ieiunia et elemosinas, vigilasque<sup>15</sup> et sacras orationes cum lacrimis purgare certaverint<sup>16</sup>. His etiam gradu servato, spes venie de misericordia Dei<sup>17</sup> promittenda<sup>18</sup> est.

ID 6.400] D 50 c 34

<sup>5</sup> vel post ord. \*CaMgPfPhTc; ord. vel post Tb

<sup>6</sup> *supersc.* Tc

<sup>7</sup> vel capti fu. \*MgPfTbTc; fu. vel capti Ca

<sup>8</sup> sacrorum \*MgPfTbTc; sacrum Ca

<sup>9</sup> grad. prop. \*CaMgPfTc; prop. grad. PhTb

<sup>10</sup> superpositas \*CaMgPfPhTc; super se positas Tb

<sup>11</sup> hinc \*BeMgTbTc; huic CaPf

<sup>12</sup> fiunt \*CaMgPfTb; existunt Tc

<sup>13</sup> adm- \*MgPfTbTc; comm- Ca

<sup>14</sup> semetipsos \*CaMgPfPhTc; se ipsos Tb

<sup>15</sup> -que CaMgPfTb; *om.* Tc

<sup>16</sup> -int \*CaMgTbTc; -unt Pf

<sup>17</sup> mis. Dei \*CaMgPfTb; Dei mis. Tc

<sup>18</sup> prom- \*CaMqPaPhTcVo; perm- BeCeDaGcMgPcPfPrRaRfTbTfWc

## 153

<sup>1</sup>Iohannes VIII Cennemoco Venetiensi<sup>2</sup> episcopo<sup>3</sup>

Miror minus<sup>4</sup> doctam scientiam tuam sacerdotem putare post perpetratum homicidium posse in sacerdotio<sup>5</sup> ministrare<sup>6</sup>, immo, quod est ineptius, nobis suadere

<sup>1</sup> xii. (*om.* Lj) De clericis homicidis qui debent, qui non debent ministrare *add. in mg.* BdLj; Quod sacerdos post perpetratum homicidium in sacerdotio ministrare non debeat *add. in mg.* Ca<sup>2</sup>DaLn<sup>2</sup>; Quod sacerdos post omicidium non potest ministrare *in text* Pa; De clericis homicidis qui non debeant et qui debeant ministrare Ph; Quod presbiter post perpetratum homicidium amplius non possit ministrare. (cxlviii *add.* Vo) *add.* TdVo; De clericis homicidis qui debeant ministrare, qui non *add.* Vp

<sup>2</sup> Cenn. Ven.] contra Menocovenensi Rf

<sup>3</sup> x *in mg* Be<sup>2</sup>

<sup>4</sup> minus \*CaPfTbTc; nimis Mg

velle ut ipsi tali presumptioni preberemus assensum<sup>7</sup>. Quis enim tam demens tamque perversi sensus<sup>8</sup> tale quid estimaret<sup>9</sup>, vel post<sup>10</sup> quantamcumque penitentiam concedendum, cum omni sit canonice discipline contrarium? Debet ergo sacerdotio privatus lacrimarum fonte flagitium tam immane diluere, ut talibus saltem remediis curatus, salutis possit invenire suffragium.

ID 6.114, 10.51] D 50 c 4

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<sup>5</sup> posse in sacerdotio \*OaPcTc; in sacerdotio AaBdDaEaPfPhPwSbTfVo; in sacerdotio posse BeCaCeDa<sup>2</sup>GcMgMqPaPkPrPw<sup>2</sup>RaVm; in sacerdotium Tb

<sup>6</sup> ministrare \*CaEaMgPcPfPwTb; permanere Tc

<sup>7</sup> assensum \*CaMgPfPhTc; exemplum Tb

<sup>8</sup> est *add.* Tc, *om.* \*CaMgPfTb

<sup>9</sup> est- BePfTb; exist- CaGcMgTc

<sup>10</sup> post \*CaMgPfTb; *om.* Tc

## 154

### *Urbanus II<sup>1</sup> Garnerio Mereburgensi<sup>2</sup> episcopo<sup>3</sup>*

Clericum quo iacente lapidem puer dicitur interemptus nos pro amore tuo in eodem ordine<sup>4</sup> permanere permittimus, ut tamen semper in penitentia et timore<sup>5</sup> permaneat.

Ars. 713 fo. 138v] D 50 c 37

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<sup>1</sup> Urb. II CaGcLnMgPrPwTbTdVoA; Rab. II AaBeCbCeDaEaLdMqOaObPaPcPfPtRaRfSbTd; Rabanus II CePaPk; Rabanus FcOdTc; Urbanus Od<sup>2</sup>

<sup>2</sup> Mereburgensi BeCaCeEaGcMgOaOdPaPfPrPwTbA; Meburcensi AaCb; Meburnensi Fc; Morenburgensi Pt; Mersunensi Tc; Mereburgensi Vo

<sup>3</sup> De fortuito homicidio et non spontaneo *add.* Pa; De his qui in ordine constituti homicidium non sponte commiserunt *add.* TdVo

<sup>4</sup> eod ord. CaMgPfTcA; ord. eod. PhTb

<sup>5</sup> pen. et tim. CaPfTbTcA; tim. et pen. Mg

## 155

### *<sup>1</sup>Stephanus V<sup>2</sup> Sichiperto<sup>3</sup> Corsice episcopo<sup>4</sup>*

Quia te quasi obnoxium iudicas<sup>5</sup> eo quod a Saracenis captus homines interficere<sup>6</sup> videris, bene facis. Sed quoniam non tua sponte<sup>7</sup> interfecisse cognosceris, inde canonice nullo modo<sup>8</sup> iudicaris.

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<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> Steph. – V] Ste<panus> Be; *om.* Pt

<sup>3</sup> Sichiperto BeCeDaMqOaPaRfTbVpA; Sigberto AaMg; Sichiberto CaPfRaVo; Sicperto Gc; Sic inperto PrVm; Sichicperto Pt; Sigiberto Tc

<sup>4</sup> cl *add.* Vo. Steph. – ep.] Item Ea

<sup>5</sup> Tf *ends on fo. 162r, leaving rest of leaf blank*

<sup>6</sup> interficere CaMgPfTbA; interfecisse Tc

<sup>7</sup> tua sponte CaMgPfTbA; sponte tua Tc

<sup>8</sup> nullo modo *main text* BeCaMgOaTb, *after corr.* PfTc

Ars. 713 fo. 138v] D 50 c 38

## 156<sup>1</sup>

### <sup>2</sup>*Eliberitanum concilium, cap. xx*<sup>3</sup>

Si quis clericorum<sup>4</sup> detectus fuerit usuras accipere, placuit degradari<sup>5</sup> et abstinere.

ID 13.12] +D 47 c 5

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<sup>1</sup> 156-7 as here

BbBdBcCaCbCeDaDbEaEgFcGcHaLcLdLfLjLmLnMfMgMhMjMkMmMqObOdOeOfPaPdPfPkPqPr  
PtPwQaRaSbSeSgTdVmVoVpVqWcBrant; reversed CeLaMoOaPcPhPyQeRfTbTc

<sup>2</sup> Quod usuras clerici non accipiant *in mg. here* Tc, *before c 157* Pf; xiii. (*om. Lj*) De usurariis *in mg.* BdBc<sup>2</sup>Db(*and in text*)Lj; Quod clerici usuras accipere non debeant *in mg.* Ca<sup>2</sup>DaLn<sup>2</sup>; De usura *in text* Ea; De clericis usurariis Ce(*mg.*)Pa; Ut clericus accipiens ab ordine deponatur (*clii add. Vo*) TdVo, *cf c 157. xi in mg.* Be<sup>2</sup>

<sup>3</sup> Eliberitanum (Elibitanum Lf) concilium cap. xx (x CaGcPw) BdBcCaCbGcLdLfLjLmMqPwRaTb; Ex Liberitano concil' cp. xx CePa; Elibertano conc. cp. xx DaDb; *om. Ea*; Ex conc. El. cap. xx EgMg; Ex Elib. conc. cap. xx FcPf; Concil. III Cart. cp. xvi Ph (*cf cc 157-8*); Eliberitano concilio Qa; Ex Traconensi (-se Rf) concilio cap. ii [*i.e. insc. to ID 13.13*] PcRfTc; Eliberitano conc. cp. Vo

<sup>4</sup> clericorum BeGcMgPfTbTc; clericus AaPtVo

<sup>5</sup> -ari BeMgPfPtTbTc; -are Ca

## 157

### <sup>1</sup>*Canones apostolorum, cap. xliiii*<sup>2</sup>

Episcopus aut presbiter aut diaconus usuras a debitoribus exigens, aut certe dampnetur, aut desinat et<sup>3</sup> communione privetur.

ID 13.15] D 47 c 1, *end var.*

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<sup>1</sup> *cf c 156 for Pf rubr.* De eodem *add. Vo*

<sup>2</sup> Can. - xliiii BeCaCbGcLdLjLmMgOaObOdOeOfPaPfPhPrPwSbTb; Can. ap. EaMq; Can. - xxliii Lf; Elibertanum concilium cap. xx PcPh(*as second insc.*); Ex Liberitan' concil. c. ii Rf; Ex Heliberitano concilio, cap. xx Tc; Can. - clxiii. cliii Vo.

De episcopis, presb' diac' usurariis *add. Pa*; De usuariis *add. Ph*

<sup>3</sup> et CaMgObPfTc; *om. Tb*

## 158

### <sup>1</sup>*Concilium III<sup>2</sup> Cartaginense, cap. xvi*<sup>3</sup>

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<sup>1</sup> Quod clerici usuras accipere non debeant *add. in mg.* Ca; Item de usuris (*no insc.*) Ea; De specie et cantitate usure *add. Pa*; De eodem *add. Vo*

<sup>2</sup> II Rf

<sup>3</sup> Concil' III Cartaginense cap. xvi \*BeCaDaGcOaPaPh(*repeated from c 156*)TbVoVp (*Tb continues*, Ex eodem concilio cap. xvi) ; Concil' IIII Cartaginense, cap. xvi CbMq; Ex conc. Cart. III cap. xvi Mg; Concil. II Cartag', cap. v PcTc; Ex Cart. conc. cap. xvi Pf. cliiii *add. Vo*

Nullus clericorum<sup>4</sup> amplius recipiat<sup>5</sup> quam accommodaverit, si pecuniam, pecuniam, si speciem, speciem, eandem quantam<sup>6</sup> dederit accipiat, et quicquid aliud tantum quantum dederit.

ID 13.9] C 14 q 4 c 6

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<sup>4</sup> clericorum \*MgPfTbTc; om. Ca

<sup>5</sup> rec- \*CaMgPfTb; acc- Tc

<sup>6</sup> quantam \*BeCaCeEaGcMgOaPaPrTcVo; quam PfTb; quantum Ph

## 159

### *Terraconense concilium cap. iii<sup>1</sup>*

Si quis clericus in necessitate solidum prestiterit, hoc<sup>2</sup> de vino vel de<sup>3</sup> frumento accipiat, quod mercandi causa tempore statuto<sup>4</sup> decretum fuerit venundari. Ceterum si speciem non habuerit necessariam, ipsum quod dedit sine ullo augmento<sup>5</sup> recipiat.

ID 13.14] +C 14 q 4 c 5

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<sup>1</sup> Terraconense (Tarrac- Tb) concilium cap. iii BeCaGcOaPhTbVo(adding clv)Vp; Item Ea; Ex conc. Terraconensi cap. iii Mg; Ieronimus super Iezechielem, libro V(VI Rf) PcRfTc; Ex Terragonensi concilio, cap. iii Pf; Item iii IDp. De eodem add. Pa

<sup>2</sup> hoc \*BeCaPfPrTb; vel GcTc; hoc vel Mg

<sup>3</sup> de \*BeGcMgPfTbTc; om. CaOa

<sup>4</sup> temp. stat. \*CaMgPfPhTc; stat. temp. Tb

<sup>5</sup> augmento Ph

## 160

### <sup>1</sup>*Hieronimus super Ezechielem, libro VI<sup>2</sup>*

Putant quidam usuram tantum esse in pecunia, quod providens divina scriptura<sup>3</sup> omnis rei aufert superabundantiam, ut plus non recipias quam dedisti. Item. Alii<sup>4</sup> pro pecunia fenerata solent munuscula<sup>5</sup> accipere diversi generis<sup>6</sup>, et non intelligunt usuram appellari et superabundantiam quicquid illud est<sup>7</sup>, si ab eo<sup>8</sup> quod dederint plus acceperint<sup>9</sup>.

ID 13.18] C 14 q 3 c 2

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<sup>1</sup> Quod usura non sit tantum in pecunia add. Pa; Quod non tantum de pecunia sit usura, sed de omni re add. TdVo

<sup>2</sup> lib. VI om. Vo; super – VI om. Ea

<sup>3</sup> div. scr. \*BeCaMgTbTcVp; scr. div. OaPf

<sup>4</sup> Alii \*BeCaCePaPfPrTbTc; Quidam EgMgVp

<sup>5</sup> inunusolam Ca

<sup>6</sup> acc. div. gen. \*CaMgPfTb; div. gen. acc. Tc

<sup>7</sup> illud est \*BePfTbTc; est illud CaGcMgPr

<sup>8</sup> repeated Mg

<sup>9</sup> accipiunt Aa; corr. fr. accipiant Tb

## 161

*Ex concilio Agatensi, cap. i<sup>1</sup>*

Usura est ubi amplius requiritur quam datur<sup>2</sup>. Verbi gratia, si dederis solidos decem et amplius quesieris, vel dederis frumenti modium unum et super aliquid exegeris<sup>3</sup>.

ID 6.200] +C 14 q 3 c 4

<sup>1</sup> Quid sit usura *add.* PaVo (Vo *adding* clxvii); Ex – cap i] Item Ea

<sup>2</sup> Usura – datur *as rubric* Wc

<sup>3</sup> et super – exegeris] amplius requisieris Ra; Ea *adds here* hoc turpe lucrum dicimus *from the end of c* 162

## 162

*Ex decretis Iulii pape usuariis missis<sup>1</sup>, cap. cxxxi<sup>2</sup>*

Quicumque enim<sup>3</sup> tempore messis vel vindemie non necessitate sed propter cupiditatem comparat<sup>4</sup> annonam vel vinum<sup>5</sup>, verbi gratia, de duobus denariis comparat<sup>6</sup> modium unum et servat usque dum venundetur<sup>7</sup> denariis quatuor aut sex, aut amplius, hoc turpe lucrum dicimus<sup>8</sup>.

ID 6.201] C 14 q 4 c 9

<sup>1</sup> us. (usurar- Wc) missis BeCaCeEaVoVpWc; usura.... *add.* Tb, de us. missis Cb(*after* cxxxi) ; us. messis DaGcPhPrRaSb; usariis mensis Oa; *om.* EgMqPaPcPfPtQaTc; Ex – missis *om.* Rf

<sup>2</sup> cxxxi \*BeCaEgPfPrPtRfTbTcVo; xli GcMgWc; *om.* EaQa.

De eodem *add. in mg.* Ca<sup>2</sup>Mj, *in text* Pa; De lucro *add. in mg.* CeDa; Quid sit turpe lucrum tempore messis vel vindemie, annona, vel vinum non necessitate comparare et servare donec plus venundatur (clviii *add.* Vo) *add.* TdVo

<sup>3</sup> enim \*AaBeEaMqPhPtTb, *om.* BdCaEgGcMfMgMoOaPfPrRfQaSbTcVq

<sup>4</sup> *suppl. ss* Mh

<sup>5</sup> ut carius vendat usura est *add.* Mg, *om.*

\*AdBdBeEaEgMfMjMkMoOaObOdOeOfPfPtQaSgTbTcVmVoBrant. non nec. set propter cupiditatem *after* vinum Pt

<sup>6</sup> annonam vel - comparat MgPfTbTc; *om.* Ca

<sup>7</sup> venundetur \*CaMgPfPrTc; venditur PhTb

<sup>8</sup> dicimus BeCaEgMgPaTbTc; dominis Oa; Pf *obscure*; hoc turpe luc. dic. *at end of c* 161 Ea

## 163

*Capitularum libro I<sup>1</sup>, cap. lxxxii<sup>2</sup>*

<sup>1</sup> V Ln

<sup>2</sup> lxxxii BeCaEaGcLdLnMgPhSbTcVoA; lxxii DaVp; lxx... Pf; lxxxiii Tb. (xiii. *add.* Be)

De servis per ignorantiam ordinatis qui debeant manere in ordine, (et *add.* Db) qui non *in mg.* BdLjTc, *in text* DbPh; xii *add. in mg.* Be<sup>2</sup>; De servis ad ecclesiasticos ordines venientibus *add.* Pa; Ut si quilibet servus ignorante domino suo ordinatus fuerit, ab ordine deiciatur (clviii *add.* Vo) *add.* TdVo

Si quilibet<sup>3</sup> servus dominum fugiens, aut latitans, aut<sup>4</sup> adhibitis testibus pretio conductis vel<sup>5</sup> corruptis, aut qualibet calliditate, vel fraude ad gradus ecclesiasticos pervenerit, decretum est ut deponatur, et dominus eius eum recipiat. Si vero avus vel pater, ab alia patria in aliam migrans<sup>6</sup> in eadem provincia filium genuerit, et ipse filius ibidem educatus, et<sup>7</sup> ad gradus ecclesiasticos promotus fuerit, et utrum servus sit ignoraverit, et postea veniens dominus eius legibus eum adquisierit, sancitum est<sup>8</sup> ut si dominus eius illi<sup>9</sup> libertatem dare voluerit<sup>10</sup>, in gradu suo permaneat, si vero eum<sup>11</sup> catena<sup>12</sup> servitutis a castris dominicis abstrahere voluerit, gradum amittat<sup>13</sup>.

*ID 6.132 has more; Ars. 713 fo. 125 has a preceding sentence, missing here] +D 54 c 6 med., Palea, as ID 6.132*

<sup>3</sup> quis Py

<sup>4</sup> aut BeCaMgTbTcA; vel Vo; om. Pf

<sup>5</sup> vel AaBeCaGcMgMqOaPcPfPrTbVo; aut TcA

<sup>6</sup> in al mig. BeCaMgPfTc; <in al.> mig. A; mig. in al. PhTb

<sup>7</sup> et CaMgPfPhTcA; om. Tb

<sup>8</sup> sanc. est DaMgTbTcA; statutum Ca

<sup>9</sup> eius illi TbTcA; ei BeCaMg

<sup>10</sup> sancitum - voluerit CaMgTbTcA; om. Pf

<sup>11</sup> cum add. Mg, om. CaPfTbTcA; cum (with eum in mg.) Ra

<sup>12</sup> -ena CaMgPfTbA; -is Tc

<sup>13</sup> gradum amittat] deponatur Ra; Ea here adds the rubric to c 164 as part of the text of c 163

## 164<sup>1</sup>

*[Si servus per ignorantiam ordinatus fuerit in presbiterum, in gradu permaneat<sup>2</sup> et peculium amittat. Si ordinatus fuerit in diaconum aut vicarium prestat aut reddatur.*

*In ceteris ordinibus vicarium<sup>3</sup> non prestat sed deponatur et domino<sup>4</sup> reddatur]<sup>5</sup>.*

*Gelasius<sup>6</sup> Martino<sup>7</sup> et Iusto episcopis*

Actores<sup>8</sup> siquidem<sup>9</sup> illustris viri filii nostri Amandiani graviter conqueruntur, homines iuri suo<sup>10</sup> debitos<sup>11</sup>, alios adhuc clericos, alios iam diaconos ordinatos, cum non solum post modernum quod<sup>12</sup> tantorum collectione pontificum sub omnium

<sup>1</sup> Ea lacks canon, but incorporates rubric as end of c 163

<sup>2</sup> in gradu permaneat CaGcMgTcVp; maneat in gradu AdBeCeEaSbVo; in gradu maneat Pr

<sup>3</sup> om. Sb

<sup>4</sup> -inio Sb

<sup>5</sup> in mg. BeCaCeDaGcMgPrSbTc; in text EaVo(adding clx)Vp(as separate canon); De eodem Pa; om. MqOaPtPfTb

<sup>6</sup> papa add. BePaPfTbTc, om. \*CaGcMgOaVp

<sup>7</sup> Esculentio Stephano Gc (cf c 165); Martirio PaVo<sup>2</sup>

<sup>8</sup> Act- BeGcMgOaPfTbTcVp; Auct- CaOf; Lect- Gb

<sup>9</sup> siquidem \*CaMgTbTc; quidem PfSb

<sup>10</sup> iuri suo BeCaCeGcMgOaOfPaPfPhPkPwSbTcVmVoVp; suo iuri \*Tb

<sup>11</sup> deb- DbOaPcPfRaTcVoIDpBrant; ded- BdBe<sup>2</sup>CaCeDaGcMgMqObOdOfPaPhPkPrPwSbTbVmIDm

<sup>12</sup> quod \*BeCaPfTbVo; tempus quemquam Mg; quidem Tc



saluberrime provisionis assensu constat esse perfectum<sup>13</sup>, huiusmodi personas<sup>14</sup> suscipere non debere<sup>15</sup>, verum etiam si qui forte in divine cultum<sup>16</sup> militie ante fuerint, ignorantia faciente, suscepti, eliminare<sup>17</sup> prorsus et exutos religioso privilegio ad dominorum possessiones iusta debuerint admonitione compelli<sup>18</sup>. Et ideo, fratres charissimi, eos quos supradicti viri actores<sup>19</sup> in clericatus<sup>20</sup> officio monstraverint, adtineri discussos et obnoxios approbatos<sup>21</sup>, custodito legum tramite, sine intermissione restituite, ita ut si quis iam presbiter reperitur, in eodem gradu peculii sola amissione permaneat. Diaconus vero aut vicarium prestat, aut si non habuerit, ipse reddatur. Residua officia sciant neminem posse ab obnoxietate<sup>22</sup>, si convincitur<sup>23</sup>, vindicari, quatenus hoc ordine custodito, nec dominorum iura, nec privilegia ulla ratione turbentur.

ID 6.353, Ars. 713 fo.137v has more] D 54 c 9b

<sup>13</sup> constat esse perfectum \*CaPfTbTc; perspectum constat esse Mg

<sup>14</sup> in mg. Ra<sup>2</sup>

<sup>15</sup> sus. non deb. MgPfTb; accipere (suscipere ss) non deb. Ca; non deb. sus. Tc

<sup>16</sup> -tum \*CaMgPfTb; -tu Tc

<sup>17</sup> -are \*MgPfTbTc; -atos Ca

<sup>18</sup> debuerint admon. compelli \*BeDbPfTbVo; admon. debuerint compelli CaGc(*obsc. corr.*)Pr; admon. debere compellere Mg; debere admonitionem compelli Tc

<sup>19</sup> act- \*DbMgPfTbTc; auct- CaGc

<sup>20</sup> corr. fr. -tos Mg

<sup>21</sup> approb- BeCaGcMgTbTc; approbato Mq; ac prob- \*Pf

<sup>22</sup> -ietate \*BeCaDbPf<sup>2</sup>TbTc; -iatate Gc; -itate MgPf

<sup>23</sup> -itur \*CaDbMgPfPhTc; -untur Tb

## 165

<sup>1</sup>Gelasius<sup>2</sup> Herculentio<sup>3</sup>, Stephano et Iusto<sup>4</sup>

Actores<sup>5</sup> illustris femine Placidie<sup>6</sup> petitorii oblatione<sup>7</sup> conquesti sunt Sabinum Marcellianensis<sup>8</sup> sive Cusilinitis<sup>9</sup> urbis antistitem, Antiochum servum iuris patrone<sup>10</sup>

<sup>1</sup> De eodem add. in mg Mj, in text PaVo

<sup>2</sup> Gelasius \*BeCaFcGcMfMgMhMjPtTbTc; Idem Pf; Gel. papa Pt

<sup>3</sup> Herculentio \*DaPfGcVo; Exculentio BePaPwRfTbTc; Erculenio CaFc; Erculeio Db; Erculentino Mg; Herculenio Mq; Erculentios Oa; Erculentio PhPr; Eleulentio Vp

<sup>4</sup> Stephano et Iusto \*DaGcMgPaPfTbTcVo; et Stephano et Iusto Be; et Iusto Stephano MhMkMq. clxi add. Vo

<sup>5</sup> Act- \*BeGcMgPfPtTbTcVo; Auct- CaMhMjMkOfPy; Lectores Gb; Factores LmPk; corr. fr.

Hoctores Ce, Maiores Oa

<sup>6</sup> -die CaGcMfMgMhMjMkObOdOeOfPf(*lacuna follows*)PtTcVm; -de BeCePaPhPkTbVoBrant

<sup>7</sup> pet. obl. om Pt

<sup>8</sup> -sis \*CaMfMhMjMkPfPtTbTc; -sem GcMg

<sup>9</sup> Cusilinitis Da<sup>2</sup>MgPfTb; Silinitis CaDa; Cusmaltis Ce; Culismatis Gc; Culsunatis Pw; Cusumatis Ra; ...sinatis ss Ra<sup>2</sup>; Culisnitis Tc

<sup>10</sup> patrone \*BeMgPfTc; viri matrone Mf; matrone Mj

sue absentis domine, occasione captata, ad presbiterii honorem usque perductum<sup>11</sup>, eiusque fratrem Leontium clericalis officii privilegio decorasse. Et ideo, fratres carissimi<sup>12</sup>, inter<sup>13</sup> supradictos actores<sup>14</sup> et eos qui conditionis extreme repetuntur, obiectam cognitionem<sup>15</sup> vobis nostra<sup>16</sup> auctoritate deputamus, ut<sup>17</sup>, omni veritate discussa, si revera obiectam sibi maculam<sup>18</sup> iuste<sup>19</sup> refragationis<sup>20</sup> non potuerit ratione diluere<sup>21</sup>, Leontium clericum, quem<sup>22</sup> gradus definitus legibus non defendit, ad sequendam cognationis sue necessitatem modis omnibus redibete<sup>23</sup>. Antiochum vero, quia per sacerdotium iam non potest<sup>24</sup> retolli, si in suam ecclesiam<sup>25</sup> in hoc in quo est honore desiderat collocare<sup>26</sup>, non velut redditum sibi sed<sup>27</sup> habeat pro ministeriorum celebratione susceptum.

ID 6.354, Ars. 713 fo. 138 has more] D 54 c 10b

<sup>11</sup> -ductum \*CaMfMhMjMkPfPtTb; -duxisse MgTc

<sup>12</sup> mei add. Mf

<sup>13</sup> in Pt

<sup>14</sup> act- \*BeMfMgPfTbTc; auct- CaMhMjMkPt

<sup>15</sup> obiectam cognitionem

BdBeCaCbCeDbGcMfMgMhMjMoOaObOdOeOfPaPcPfPkPqPwSbVmVoVpIDpBrant; obiecta cognitione PhTb; obiectam conditionem (id est cognitionem superscr. Tc) DaMkMmMqTc; obiectu cognitionem Migne

<sup>16</sup> nostra CaMfMgMhMjPfTc; vestra PhTb

<sup>17</sup> om. Mj

<sup>18</sup> masculam Bd

<sup>19</sup> iuste Bd(lacuna follows)BeCaCbDaFcMgOaPqPtPwSbTcVo; iustitie

CeDbGcMkMqPaPhPkPrTbVm; ratione iuste Mf; iustitiam Mj; iustitia vel iuste Pf

<sup>20</sup> -ione Pa

<sup>21</sup> ratione diluere \*BeFcPrPtPwRaTb; ratione divellere CaGcMgTc; rationem diluere CbMqPf; diluere MfMh; ratione dilui Oa

<sup>22</sup> quem \*MfMgMjMkOaPfPtTbTc; quam Ca

<sup>23</sup> redibete \*Mq<sup>2</sup>OaTb; exhibete BeCaGcMgPf<sup>2</sup>TcVo; rehibite Ce; exhibite MfMjPfPt; rehibite Mk; redite MqRa

<sup>24</sup> iam non potest\*BePfRaTb; non iam potest CaGcMfMgPtVo; non iam post Oa; non iam poterit Tc

<sup>25</sup> suam ecclesiam \*GcMfMgMhMjMkPfPtTb; sua ecclesia BeCaTc

<sup>26</sup> -are \*BeCaMfMgMjPfPtTc; -ari MkPhTb

<sup>27</sup> sed \*CaMfMgMhMjMkPtTbTc; lacuna Pf

## 166

*[Si servus ordinatus fuerit<sup>1</sup> sciente et non contradicente domino<sup>2</sup>, liber maneat. Si ignorante domino intra annum liceat probare et servum suum recipere, post annum*

<sup>1</sup> et add. Sb

<sup>2</sup> ord. fuerit sciente (-enter Ea) et non contrad. domino AdBeEaVo; scienter et non contrad. domino ord. fuerit CaMgTc; sciente domino et non contrad. ord. fuerit Gc; sciente et non contr. domino Pr

*minime liceat*<sup>3</sup>. *Quod si servus laicorum vitam assumpserit, deponatur et in servitio redigatur*<sup>4</sup>. *Novellarum constitutio V, cap. xxiii*<sup>5</sup>

Si servus, sciente et non contradicente domino<sup>6</sup>, in clero sortitus sit, ex hoc ipso liber et ingenuus fiat. Si enim<sup>7</sup> ignorante domino consecratio facta fuerit, liceat domino intra annum tantum conditionem probare et proprium servum recipere. Sin autem servus, sciente domino vel ignorante, secundum ea que diximus, ordinatus fuerit, ex ipso honore clericatus libertatem meretur, et si postea ministerium ecclesiasticum reliquerit, et ad laicorum vitam transierit, in<sup>8</sup> servitio tradatur<sup>9</sup>.

*Juliani epitome Const. CXV (CXVI) c. 28; Ars. 713 fo. 138] +D 54 c 20 begins so, but ends widely var.*

<sup>3</sup> liceat BeCaEaGcTc; om. Mg

<sup>4</sup> in mg. AdBeCaDaFcGcLdLnMgPrSbTc, Ea in text after insc, Vo(here, adding clxii); Si servus ordinatus fuerit in mg. Ce; De eodem Pa; om. MqOaPcPfPtRfTbVp; for Pk see *Conspectus*

<sup>5</sup> Nov. (in black Tb)const. V (et Fc) cap. xxiii BdBeCbEaFcOaPcPfPwTbVo; Nov. constitutiones cap. xxiii Ca; Novellar' constit' CXVII (ss Sb) cp. xxviii DaSb; Nov. const. cap. xiii GcLnMg; Nov. con. cap. xxiii Ld; Constitutionum lib. II cap. xxiii Tc; cap. xxiii only QaA. xiii add. in mg. Be<sup>2</sup>

<sup>6</sup> et non cont. dom. CaGcMgPfTcA; dom. et non cont. PhQeTb

<sup>7</sup> enim CaMgPfPwTbA; autem Tc

<sup>8</sup> in BeMgPfTbA; in in Ca; om. Tc

<sup>9</sup> tradatur GcMg(vel reddatur ss)MqOaPaPcPfPrTbVoA; reddatur BeCa(vel redigatur ss)DaRaTcVp; reddetur EaPt; tradetur Lc

## 167

*[Que<sup>1</sup> penitentia sit danda episcopis, presbiteris, diaconibus<sup>2</sup> venationi studentibus]<sup>3</sup>.*

*Ex concilio Meldensi, cap. viii<sup>4</sup>*

Episcopum, presbiterum aut diaconum<sup>5</sup> canes ad venandum aut accipitres aut huiusmodi res habere non licet. Quod si quis talium personarum in hac voluptate sepius detectus fuerit, si episcopus est, tribus mensibus a communione suspendatur<sup>6</sup>, presbiter duobus mensibus, diaconus<sup>7</sup> uno<sup>8</sup>, ab omni officio et<sup>9</sup> communione suspendatur<sup>10</sup>.

*ID 6.288, cf 5.366, 13.30] +D 34 c 2, Palea*

<sup>1</sup> Quod Vo

<sup>2</sup> de add. Vo

<sup>3</sup> in mg. AdBeCaCe(against c 168)DaGcLdLnMgPfPrSb, in text EaMfPaVo(adding clxiii); (xv. add. Bd) De clericis ebriosis, scurrilatoribus in mg. BdLj, in text and mg. Db, in text Ph; Episcopis – studentibus Mj in text; om. MkMqOaPcPfPrTbTcVp; De canibus non habendis in mg. Ra<sup>2</sup>

<sup>4</sup> Ex – viii om. EaMj. xiii in mg. Be<sup>2</sup>

<sup>5</sup> -num \*EaPtTbTc; -nem CaCbMfMgMjMkPf

<sup>6</sup> suspendatur \*BdBeCeCbOaPcRfTcWdBrant; privetur AaBeCaDaEaGcMfMgMhMjMkMqPaPfPhPkPrPtRaSbTbVmVoWc

<sup>7</sup> vero add. Mj

<sup>8</sup> et add. Cb, et si non resipuerit add. Tc, mense add. Tb, om. \*BeCaEaFcGcMfMgMjMkPcPfPtPw

<sup>9</sup> et \*BePfTbTcVo; et a CaDa<sup>2</sup>GcMgRa; a DaEa; om. MfMhMkPt

<sup>10</sup> suspendatur \*BeCaDaEaFcGcMfMgMhMjMkMqOaPaPfPhPkPrPtRaVoWc; privetur MoPcRfSbTbTcVm

## 168

*Ex eodem concilio, cap. xviii<sup>1</sup>*

Quicumque ex clero esse videntur, arma militaria non sumant, nec armati incedant, sed professionis sue vocabulum religiosi moribus et religioso habitu prebeant<sup>2</sup>. Quod si contempserint, tanquam sacrorum canonum contemptores, et ecclesiastice sanctitatis<sup>3</sup> profanatores proprii gradus amissione multentur<sup>4</sup>, quia non possunt simul Deo<sup>5</sup> et seculo militare.<sup>6</sup>

ID 6.286] + C 23 q 8 c 6

<sup>1</sup> eodem – xviii] Concil. Meldensi Ea.

Quod clerici qui – deponantur *fr. c 169 here Ln mg*; Quod clerici arma non ferant. Quod si fecerint deponantur *add. Pa*, Ut clerici qui arma militaria sumpserint proprii gradus amissione multentur (clxiii *add. Vo*) *add. TdVo*; *cf c 167 for Ce*

<sup>2</sup> preb- CaGcMgPfPhTc; hab- PhTb

<sup>3</sup> eccl. sanct. \*CaMgPfPhTc; ecclesie sancte Tb

<sup>4</sup> am. mult. \*CaMgPfTb; mult. am. Tc

<sup>5</sup> sim. Deo \*BeOaPfTbTc; Deo sim. CaGcMgPr

<sup>6</sup> ministrare Da. quia non possunt – mil. *om. Sb* (*cf c 169 end*)

169<sup>1</sup>

*[Quod clerici qui consulunt<sup>2</sup> sacrilegos, magos, aruspices deponantur]<sup>3</sup>. Toletanum concilium IV<sup>4</sup>, cap. xxx<sup>5</sup>*

Si quis<sup>6</sup> episcopus aut<sup>7</sup> presbiter aut diaconus vel<sup>8</sup> quilibet ex ordine clericorum aruspices aut<sup>9</sup> ariolos, aut certe augures vel sortilegos vel eos<sup>10</sup> qui profitentur artem magicam aut aliquos eorum<sup>11</sup> similia exercentes consuluisse<sup>12</sup> fuerit

<sup>1</sup> *after c 170 Ce*

<sup>2</sup> -lunt BeCaGcMfPfTc; -ltant Mg

<sup>3</sup> *in mg. AdBeCaCeDaGcLdMgPfPrSbTc, in text EaPaMf*; Qualiter episcopus, presbiter vel quilibet clericus tractandus sit qui fuerit deprehensus consuluisse augures vel sortilegos vel magos vel eorum similia exercentes lxx Vo; *om. MkMqOaPcRfTbVp*; *cf c 168 for Ln*

<sup>4</sup> Toletanum concilium IV (*corr. fr. III Gc*) CaDaGcMfMkMqPaPrSb?TbVm; Ex Tol. conc. IV PfTc; Toletanum conc. Be; Ex conc. Tol. IV Mg; Toletano concilio IV MhMoPcID; Toletanum concilium IV Oa; Toletano concilio III Pt; Toletano concilio \*Vo; Ex eodem concilio Vp

<sup>5</sup> xxix DaSb(?*subs. erased*); xviii Vp; cp. xxx *om. PrVm. No insc. Ea*

<sup>6</sup> clericos *add. Py*

<sup>7</sup> aut \*BeCaMfOaPfTbTc; vel Mg; *om. Pf*

<sup>8</sup> *corr. fr. aut Ca*

<sup>9</sup> aut \*CaPfTbTc; et Mg

<sup>10</sup> *om. Mf*

<sup>11</sup> eorum \*CaMfMgPfPtTb; *om. Tc*

<sup>12</sup> -lu- *supersc. Pf*

deprehensus, ab honore dignitatis sue depositus<sup>13</sup> monasterii curam excipiat<sup>14</sup>, ibique perpetue penitentiae<sup>15</sup> deditus scelus admissi sacrilegii solvat.<sup>16</sup>

ID 11.5, cf 8.64] C 26 q 5 c 5

<sup>13</sup> depositus MoPhTcIDm; depulsos Ca<sup>3</sup>; depulsus BeCeDaMgOd<sup>2</sup>Sb<sup>2</sup>Brant; multatus Oa; cadat Pa<sup>2</sup>; exutus Tb; deiectus Vo; depressus IDp; suspensus Migne; om.

CaDbEaGcMfMkMmMqObOdOeOfPaPfPrPtRaSbVmWc

<sup>14</sup> accipiat Mf

<sup>15</sup> perpetue pen. \*CaEaMgMhMkOaPfTb; pen. perp. Pt; pen. Tc

<sup>16</sup> quia non possunt simul Deo et seculo militare add. Sb (cf c 168). Ra<sup>2</sup> in mg.: Auruspices, horarum inspectores. Ariolos propter aras idolorum; augures qui volatus avium intendunt et voces; sortilogos qui sub nomine fidei religionis per quosdam sanctorum <quas> sortes vocant divinationis scientiam profitentur, aut quarumcumque scripturarum inspectione futura promittunt. Magi qui vulgo malefici ob facinorum magnitudinem nuncupantur, vel ..... Vel magi dicunt interpretes stellarum quomodo se habeant cum quisque nascitur. (cf below 8.66)

## 170

[Quod clericus aleator aut ebriosus deponatur]<sup>1</sup>. Canones apostolorum, cap. xlii<sup>2</sup>

Episcopus<sup>3</sup>, presbiter, aut diaconus alee atque<sup>4</sup> ebrietati deserviens, aut desinat aut certe deponatur. Cap. xliii<sup>5</sup>. Subdiaconus aut lector aut cantor similia faciens aut desinat aut communione privetur, similiter et laicus<sup>6</sup>.

ID 13.73] D 35 c 1

<sup>1</sup> in mg. AdBeCaDaGcLdMgPfPrSbTc, in text EaVo; De clericis aleatoribus aut ebriosis Pa; om.

CeMqOaPtTbVp

<sup>2</sup> cap. xlii om. Ea

<sup>3</sup> aut add. PhTb, om. \*CaMgPfTc

<sup>4</sup> atque \*CaGcMgPf; vel Be; et Ph; aut TbTc

<sup>5</sup> cap. xliii BeCaMgPfPrSbTc; xliii DaPkRfSb; Ibidem cap. xliiii Pt; Sermo Aug' in letaniis secundis (cf c 171) Tb; De eodem cp. xliii. clxvii Vo; Ysidorus Ethimologiarum Wc; om. Qe

<sup>6</sup> sim. et laic. supersc. Tc; et laicus similiter Vo. Wc has a tie-mark here, and at head of fo. 61: Ab hac arte fraus et mendacium atque periurium nunquam abest. Postremo et odium et dampna rerum. Unde et aliquando propter hec scelera interdicta legibus fuit.

## 171

<sup>1</sup>Sermo Augustini in letaniis II<sup>2</sup>

Luxuriosum<sup>3</sup> et saluti anime contrarium tabule ludum velut seminarium peccatorum non solum his diebus, sed etiam omni<sup>4</sup> tempore fuge<sup>5</sup>.

<sup>1</sup> Quod lusus tabule omni tempore sit fugiendus add. Pa, De eodem add. Vo

<sup>2</sup> Sermo Aug. in let. II BeCaDaEaFcGcMgOaPaPhSeVo(adding clxviii); Sermo – II. Quod clerici – deponantur (cf 172) Lc; Sermo Aug' lect. ii Mq(mg.); Ex sermone Aug. in let. II Pf; Sermo Augustini super let. II Rf; Ex concil' Cart' cap. xlx (cf c 172) Tb; Aug' in sermone de Tc

<sup>3</sup> Luxuriosum AdBdCaCbDaEcEgMgOaObOfPcPdPwQaRaSbTcWa; Furiosum AaBbBeDbEaGcKaLbLcMfMhMjMkMmMoMqPfPrQeRfSdSgTbVmVqVtWbWcZa; Luxuriosum vel furiosum Eb; Curiosum CeFcLaLdOePaPhPkPqPtSeVo; vel luxuriosum add. ss Ld<sup>2</sup>; vel furiosum add. ss Mg<sup>2</sup>; Euriosum Oa; <>uxiosum Od; Iuriosum Sl; [ Juriosum Wd; obsc. corr. Ab

<sup>4</sup> etiam omni BeCaFcMgPfPtPwTb; in omni Ad; omni etiam Tc

<sup>5</sup> fuge AaBbCeDaGcMfMgMjPf<sup>2</sup>PhPrQaSiVm; fugiat Ad; fugite BeMkMmMqOaPaPcRaRfTbTc; fugiet BdEaFcPdPkPqPtPwQeSbVoWc; fugens Lc; fugere Mh; *om.* Ca

## 172<sup>1</sup>

[*Quod clerici<sup>2</sup> scurriles et<sup>3</sup> ioculatores deponantur*]<sup>4</sup>. *Ex concilio Carthaginensi, cap.*

*lx*<sup>5</sup>

Clericos scurriles, et verbis turpibus ioculatores<sup>6</sup> ab officio detrahendos<sup>7</sup>.

ID 6.263] +D 46 c 6 var.

<sup>1</sup> *om.* Lc, but cf rubric to c 171.

<sup>2</sup> -ici BeMgPf<sup>2</sup>Tc; -icos Ca; -ice Pf

<sup>3</sup> aut Be

<sup>4</sup> in mg. AdBeCaCe(against c 173)DaGcLdLnMgPfPrSbTc, in text LcPaVo(adding clxviii); *om.*

MgOaPtTbVp

<sup>5</sup> Ex conc. Cart. cap. lx BeCaGcLdLnMgOaOePfPrVo; Ex conc. Cart. IIII (ss Sb) cp. lx DaSb; Ex concil' Cart. i Mq; Ex - xix ObOd; Ex - lviix Of; Ex - x Rf; Ex eodem conc. cap. xlx Tb; Ex conc. Cart. cap. x Tc; Ex - ix Vp; Ex eodem cap. lx IDp; Ex Cartag. cap. lx IDm; *om.* Ea

<sup>6</sup> ioculatores BdCaDaMgPcPfPwSbTbTc; iocundatores Ce; iocundatores GcPaPkPqPrVm; iaculatores PhRf. censem *add.* Tc, censens *add.* Lc; *om.* \*BdBcCaCeDaGcMgPfPqPwRfTbVo

<sup>7</sup> censem *add.* Gc

## 173<sup>1</sup>

<sup>2</sup>*Ex eodem concilio, cap. lvi*<sup>3</sup>

Clericus qui adulationibus et proditoribus vacare deprehenditur, degradetur ab<sup>4</sup> officio<sup>5</sup>.

ID 6.267] D 46 c 3

<sup>1</sup> Entire canon is rubricated in Py

<sup>2</sup> De clericis adulatoribus et proditoribus *add.* Pa, De clericis proditoribus *add.* TdVo; cf c 172

<sup>3</sup> concil' cap. lvi BeDaDbMgMqPaOaSbTbVo(adding clxx)IDp; cap. lvi PfPtIDm; concilio CaPcRfTc; Ex concilio Cartaginensi Ea; concil' cap. vi Vp

<sup>4</sup> ab BeDa<sup>2</sup>MgPfTbTc; *om.* CaDa; de Ea

<sup>5</sup> suo *add.* Tc, *om.* \*BeCaEaMgPfTb

## 174

[*Hic incipit de monachis<sup>1</sup> quod subiecti debeant esse episcopo*]<sup>2</sup>. *Ex concilio*

*Calcedonensi, cap. iii*<sup>3</sup>

<sup>1</sup> de mon. ss Vo<sup>2</sup>

<sup>2</sup> Hic (*om.* GcMgPr) incipit – esse (*om.* PcRf) episcopo (-pis Lf)

AdCaCeEaGcLd(mg.)LfLmLnMgObOdOe(mg.)PcPdPrPwRfSbSIVcVo; (xvi. *add.* Bd) De monachis in mg. BdLjVp, in text PhTb; Hic – quod deb. sub. esse episcopo Be; De monachis quod subiecti debeant esse episcopis in text CbLjPa, Cb *adding* in mg. De monachis et religiosis; Qui vere de monachis quod subiecti debeant esse episcopo *add.* in mg. Da; Hic incipit de monachis in text and marg. Db; Quod monachi ...iecti esse deb.... aut exc....Pt; Hic incipit debeant episcopo (*sic*) Tc; *om.* MfMjMmOaPfPkRaWc

Qui<sup>4</sup> vere et pure solitariam eligunt vitam<sup>5</sup>, digni sunt convenienti honore. Quia tamen sunt quidam monachi habitantes indifferenter per civitates, nec non et<sup>6</sup> per monasteria, seipsos presumptione propria<sup>7</sup> commendantes, placuit neminem aut edificare, aut constituere monasteria, aut oratorii domum<sup>8</sup>, sine conscientia ipsius civitatis episcopi. Eos vero qui per singulas civitates seu<sup>9</sup> possessiones in monasteriis<sup>10</sup> sunt, subiectos esse debere episcopo<sup>11</sup>, et quieti operam dare, atque<sup>12</sup> observare ieiunia et orationes<sup>13</sup> in locis in<sup>14</sup> quibus semel Deo se<sup>15</sup> devoverunt<sup>16</sup>, permanentes, et neque communicare<sup>17</sup> ecclesiasticis neque seculares aliquas attrahere<sup>18</sup> actiones, relinquentes propria monasteria, nisi forte iubeantur propter urgentes necessitates ab ipsius civitatis episcopo, et neminem servorum suscipi in monasterium<sup>19</sup> ut sit cum eis monachus, nisi cum domini propria<sup>20</sup> conscientia. Pretereuntem vero hec decrevimus extra communionem esse, ne nomen Domini blasphemetur. Convenit vero<sup>21</sup> civitatis episcopo curam sollicitudinemque necessariam<sup>22</sup> monasteriis exhibere.

ID 7.1] C 16 q 1 c 12, a short passage of which was a later addn

<sup>3</sup>Ex - iii \*BeCbCeFcGcLdLfLjLnMgOaPaPfPrVo(*adding clxxi*)Vp; Ex - iiii CaDaSb; Ex conc. Calc. Ea; Ex eodem capitulo lvi MoPcRf; Ex - xxx PhTb; Ex eodem cap. libro VI Tc; *om.* LmPw. xiiii *in mg.* Be<sup>2</sup>

<sup>4</sup>*Space for large initial Pc*

<sup>5</sup>el. vit. \*CaMgPfTbTc; vit. el. Lm

<sup>6</sup>et \*BeCaMgPfTbTc<sup>2</sup>; *om.* LmTc

<sup>7</sup>pres. prop. \*CaCbLdLfLjLnMgPfTb; prop. pres. Tc

<sup>8</sup>or. dom. \*CaMgPfTbTc; dom. or. Lm

<sup>9</sup>per *add.* CaCeGcLfMgMqPaTc, *om.* \*BeCbLdLjLnMgPfTb

<sup>10</sup>in monasteriis \*Da<sup>2</sup>LdPf<sup>2</sup>; monasterii BeCaCbCeEaGcLfLjLnMgPaPfPrRaTbTcVo; monasteriis DaLmMq; monasterium Oa

<sup>11</sup>esse deb. ep. \*EaGcMgOaPfTcVo; debere esse ep. BeCa; esse deb. (*obsc. corr.*) Christo Lf; esse ep. deb. PhTb

<sup>12</sup>atque \*CaCbLdLfLjLnMgPfTb; ac Tc

<sup>13</sup>iei. et or. \*CaMgPfTbTc; or. et iei. Lf

<sup>14</sup>locis in \*CaMgPfTbTc; *om.* Ld

<sup>15</sup>semel Deo se \*CaCbGcLdLjLnMgPfTb; se Deo semel Be; Deo semel se Lf; semel se Deo Tc de- ss Mg

<sup>17</sup>decimis et huiusmodi *interlined* Ld<sup>2</sup>

<sup>18</sup>-ectare \*CaLmMgPfTbTc; -actare CbLf

<sup>19</sup>-erium \*CaCbLdLfLjLnMgPfTb; -erio Tc

<sup>20</sup>-ria CaGcMgPfTbTc; -rii CbGc<sup>2</sup>Lj

<sup>21</sup>vero \*BeCaPfTc; enim CbLj; ergo GcMgPhTb

<sup>22</sup>nec. \*CaMgPfTbTc; necessaria Gc; <nec.> in Ld

## 175

[*Quod episcopi, presbiteri locum tenent<sup>1</sup> apostolorum, monachi vero locum<sup>2</sup> heremitarum*]<sup>3</sup>. *Hieronimus in epistola ad Paulinum presbiterum*<sup>4</sup>

Si cupis esse quod diceris monachus, id est solus, quid facis in urbibus<sup>5</sup>? Que utique non sunt solorum<sup>6</sup> habitacula<sup>7</sup>, sed multorum. <sup>8</sup>Habet unumquodque propositum principes suos. Et ut ad nostra<sup>9</sup> veniamus, episcopi, presbiteri habeant ad exemplum apostolos et apostolicos viros quorum honorem possidentes habere nitantur et meritum. Nos autem<sup>10</sup> habeamus propositi nostri principes Paulos et Antonios, Iulianos, Hilarios, Macharios<sup>11</sup>. Habeto simplicitatem columbe, ne<sup>12</sup> cuiquam machineris dolos, et serpentis astutiam, ne aliorum supplanteris<sup>13</sup> insidiis. Non multum distat in<sup>14</sup> vitio vel decipere posse vel decipi. Christianum quem senseris tibi aut semper aut crebro de nummis loquentem, excepta eleemosina que indifferenter omnibus patet, institorem potius habeto quam monachum<sup>15</sup>. Preter victum et vestitum<sup>16</sup> et manifestas necessitates nihil cuiquam tribuas, ne filiorum panem<sup>17</sup> canes comedant.<sup>18</sup>

ID 7.2] C 16 q 1 c 5, of which the end was a later revision

<sup>1</sup> teneant Be

<sup>2</sup> om. BePaPrVm

<sup>3</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTc, in text Ea(after Ieron')PaVmVo(adding clxxii) ; om. MqOaPcPtTbVp

<sup>4</sup> in ep. – presb. om. Ea, presb. corr. fr. episcopum Mq

<sup>5</sup> qui solus es add. PhTb, om. \*CaCeDbMgPfTc

<sup>6</sup> sunt sol. \*OaPfTbTc; sol. sunt CaMg

<sup>7</sup> -ula \*MgPfTbTc; -ulum Ca

<sup>8</sup> Item add. Tc, om. \*CaMgPfTb

<sup>9</sup> vestra \*GcTc; nostra CaMgPfTb

<sup>10</sup> autem \*CaMgPfTb; vero Tc

<sup>11</sup> Qe here has substantial addition, for which see Conspectus

<sup>12</sup> ne CaEaMgPfPhTcIDp; nec TbIDm

<sup>13</sup> corr. fr. -aris Tb

<sup>14</sup> in \*CaMgPfPhTc; obsc. Tb

<sup>15</sup> monachum \*CaMgPfPhTb<sup>2</sup>Tc; clericum Tb

<sup>16</sup> vestitum \*CaMgPfTc; vestimentum PhTb

<sup>17</sup> panem \*BePfTbVo; panes CaGcMgSbTc

<sup>18</sup> Ea here adds Idem. Monachus non doctoris – pretoletur adventum from beginning of c 176

176<sup>1</sup>

<sup>2</sup>*Idem in epistola ad Riparium<sup>3</sup> et Desiderium presbiteros unde supra<sup>4</sup>*

<sup>1</sup> For Ea, which omits most of this canon, see end of c 175

<sup>2</sup> Quod monachi frequentiam urbium et oppidorum debeant vitare add. in mg. Sb

<sup>3</sup> Riparium \*CaDbMgPfTb; Ripacium Tc



Monachus non doctoris habet sed plangentis officium<sup>5</sup>, qui vel se vel<sup>6</sup> mundum lugeat, et Domini pavidus pretoletur adventum, qui sciens imbecillitatem suam et vas fragile quod portat, timet<sup>7</sup> offendere ne impingat<sup>8</sup> et<sup>9</sup> corruat atque<sup>10</sup> frangatur. Unde et mulierum maximeque<sup>11</sup> adolescentularum vitat<sup>12</sup> aspectum<sup>13</sup>, et in tantum castigator sui est<sup>14</sup>, ut etiam que tuta sunt pertimescat<sup>15</sup>. Cur, inquis<sup>16</sup>, pergis<sup>17</sup> ad<sup>18</sup> heremum? videlicet ut te non audiam, non videam<sup>19</sup>, ut tuo furore non movear, ut tua bella non patiar. Ne me capiat oculus meretricis, nec forma pulcherrima ad illicitos ducat amplexus. Respondebis, Hoc non est pugnare, sed fugere. Sta in acie, adversariis armatus obsiste, ut postquam<sup>20</sup> viceris coroneris. Fateor imbecillitatem meam. Nolo spe pugnare victorie, ne perdam aliquando<sup>21</sup> victoriam.

ID 7.3] C 16 q 1 c 4 to prest. adventum only

<sup>4</sup> presbiteros (-erum Od) unde supra AdBeCaCeDbGcMgOaOdOeOfPrVmVo(*adding* clxxiii)IDcp; presbiteros DaPaPfPhRfSbTbTcIDmBrant; presbiterum Mq; unde supra Ob; presb. episcopos unde supra Vp

Quod monachus non habebat officium doctoris sed plangentis *add.* Pa

<sup>5</sup> hab. sed pl. off. \*CaMgPfTb; sed pl. hab. off. Tc

<sup>6</sup> vel se vel \*MgPfTbTc; se hec Ca

<sup>7</sup> -et \*BeOaPfTbTc; -eat CaMg

<sup>8</sup> impingat \*CaGcMgTbTc; impinguat Oa; impinguatur Pf

<sup>9</sup> et \*CaMgPfTb; *om.* Tc

<sup>10</sup> atque \*CaPfTbTc; et Mg

<sup>11</sup> maximeque \*CaMgPfTb; et maxime Tc

<sup>12</sup> -at \*BeOaPf; -et CaMgTbTc

<sup>13</sup> *corr. fr.* eff- Tb

<sup>14</sup> est \*BePfTb; sit CaMgTc

<sup>15</sup> ut etiam - pert. \*CaMgOaTbTc; queque tuta timeat Da; al. ut etiam que ... sunt pertimes... *in mg.* Da; ut etiam que tuta pertimescat *in mg.* Sb; *om.* PfSb

<sup>16</sup> -uis \*BeCaMgPfPh; -uit TbTc

<sup>17</sup> *after corr.* Pf

<sup>18</sup> ad \*PhTbTc; in BeCaGcMgPf

<sup>19</sup> non aud. non vid. \*MgPfTbTc; non vid. non aud. Ca

<sup>20</sup> posquam Tb

<sup>21</sup> perdam aliquando \*CaMgPfTb; quando Tc

## 177

### *Idem in epistola ad Rusticum monachum*<sup>1</sup>

Mihi oppidum carcer, et solitudo paradisi est. Quid desideramus urbium frequentiam, qui de<sup>2</sup> singularitate censemur? Moises, ut preesset populo Iudeorum, quadraginta annis eruditur<sup>3</sup> in eremo. Pastor ovium hominum factus est pastor<sup>4</sup>. Apostoli de piscatione lacus Genesareth ad piscationem hominum transierunt. Tunc

<sup>1</sup> Quod monachi non desiderant frequentiam urbium *add.* Pa, Unde supra lxxiii *add.* Vo

<sup>2</sup> hac *add.* Mg, *om.* \*CaPfTbTc

<sup>3</sup> -itur \*CaMgPfTbTc; -itus est Pf<sup>2</sup>

<sup>4</sup> factus est pastor \*CaMgPfTb; pastor factus est Tc

habebant patrem, rete, naviculam, secuti<sup>5</sup> Dominum, protinus omnia reliquerunt, portantes quotidie crucem<sup>6</sup> suam, et ne<sup>7</sup> virgam quidem in manu habentes.

ID 7.4a]

<sup>5</sup> sunt *add.* BePfTbTc, *om.* \*CaGcMg

<sup>6</sup> domini *add. and canc.* Ca

<sup>7</sup> ne \*BePfTbTc; nec Ca; *om.* Mg

## 178

[*Quod monachi<sup>1</sup> debeant vivere de labore<sup>2</sup> manuum<sup>3</sup>. Idem<sup>4</sup> in eadem epistola<sup>5</sup>*

Facito<sup>6</sup> aliquid operis, ut semper te diabolus<sup>7</sup> inveniatur<sup>8</sup> occupatum. Si apostoli habentes potestatem de evangelio vivere, laborabant manibus suis, ne quem gravarent, et aliis tribuebant refrigeria, quorum pro<sup>9</sup> spiritualibus debebant metere carnalia, cur tu in usus tuos successura<sup>10</sup> non prepares<sup>11</sup>? In desideriis est omnis otiosus. Egiptiorum monasteria hunc morem tenent<sup>12</sup>, ut nullum absque opere ac labore<sup>13</sup> suscipiant. Non tam propter victus necessaria quam propter anime salutem, ne vagentur perniciosus cogitationibus<sup>14</sup>, et instar fornicantis Ierusalem<sup>15</sup> omni transeunti<sup>16</sup> divaricent pedes suos.

ID 7.5, extracts only] *De cons. D 5 c 33 med.*

<sup>1</sup> semper *add.* Be

<sup>2</sup> -ibus Pa

<sup>3</sup> in *mg.* AdBeCaCeDaGcLdLnMgPfPrSbTc, in *text* EaPaVo(*adding* clxxv); *om.* MqOaPtRfTbVp

<sup>4</sup> Idem \*CaTc; Item BeGcMgOaPfTbVo

<sup>5</sup> Idem – ep.] Idem in ep. eadem Da; Ieronimus *before rubr.* Ea; Item in ep. in eadem Vp

<sup>6</sup> Facto Pk

<sup>7</sup> te diab. \*BeCaGcMgPh; te Pf; diab. te Tb; diab. Tc

<sup>8</sup> te *add.* Tc, *om.* CaMgPfTb

<sup>9</sup> quorum pro \*CaMgPfTb; pro quorum Tc

<sup>10</sup> *corr. fr.* -uras Ca; vel necessaria *add.* in *mg.* Ra<sup>2</sup>

<sup>11</sup> -es \*CaDa(vel a ss)MgPfPh<sup>2</sup>Tb<sup>2</sup>; -as PhTbTc

<sup>12</sup> -ent \*CaMgPfPhTc; -ebant Tb

<sup>13</sup> op. ac lab. \*CaMgPfTb; lab. ac op. Tc

<sup>14</sup> suis *add.* Ca, *om.* \*MgPfTbTc

<sup>15</sup> cum *add.* CaMgTcVp, *om.* \*BeGcOaPfTb

<sup>16</sup> -unti \*BeDa<sup>2</sup>GcPfTbVo; -unte CaDaMgTcVp; -unt Oa

## 179

<sup>1</sup>*Augustinus in epistola ad Eudoxium<sup>2</sup>*

Vos<sup>3</sup> autem fratres exhortamur in Domino ut propositum vestrum custodiatis, et usque ad finem perseveretis, ac si qua<sup>4</sup> opera vestra mater ecclesia desideraverit,

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> Quod perseverent monachi in proposito et laborent ad opus matris ecclesie *add.* Pa, clxxvi *add.* Vo

<sup>3</sup> Nos AdCeEg; Quos Rf

nec elatione avida suscipiatis<sup>5</sup>, nec blandiente desidia respuatis, sed miti corde obtemperetis Deo cum mansuetudine, portantes eum qui vos regit, quia dirigit<sup>6</sup> mites in iudicio<sup>7</sup> docebit mansuetos<sup>8</sup> vias suas. Nec vestrum otium necessitatibus preponatis ecclesie<sup>9</sup>, cui parturienti si nulli boni ministrare vellent<sup>10</sup>, quomodo nasceremini non inveniretis.

ID 7.8b] +C 16 q 1 c 30

<sup>4</sup> qua \*CaDa<sup>2</sup>MgPfTb; quando Tc; om. Da

<sup>5</sup> ac si qua - susc. in mg. Ph

<sup>6</sup> -git \*CaMgPfTb; -get Tc

<sup>7</sup> mites in iudicio \*CaMgPfTb; in iudicio mites Tc

<sup>8</sup> mansuetos \*BeCaCeOaPaPfPh; mites MgTbTc

<sup>9</sup> nec. prep. eccl. BdBeCaCeGcMgPaPfPkPwSbVm; nec. eccl. prep. \*Oa; prep. nec. eccl. PhTbVo; eccl. prep. nec. Tc

<sup>10</sup> min. vellent \*DaMgPfTbTc; ministrares (obsc. corr.) velint Ca

## 180

[*Quod monachi debeant<sup>1</sup> ad dignitatem clericatus provehi<sup>2</sup>*]<sup>3</sup>. Augustinus<sup>4</sup> in epistola ad Aurelium<sup>5</sup>

Ex<sup>6</sup> his qui in monasterio permanent, non tamen nisi<sup>7</sup> probatiores atque meliores in clerum assumere solemus. Nisi forte sicut vulgares dicunt, Malus coraula<sup>8</sup>, bonus simphoniacus est, ita idem ipsi vulgares de nobis<sup>9</sup> iocabuntur dicentes, Malus monachus, bonus clericus est. Nimis dolendum<sup>10</sup>, si ad tam<sup>11</sup> ruinosam superbiam monachos<sup>12</sup> subrigimus<sup>13</sup>, et tam gravi contumelia clericos dignos putamus, in quorum numero sumus, cum etiam aliquando bonus monachus vix<sup>14</sup> bonum clericum faciat, si adsit ei sufficiens continentia et tamen desit instructio necessaria aut persone<sup>15</sup> regularis integritas.<sup>16</sup>

ID 7.7 med.] +C 16 q 1 c 36 med.

<sup>1</sup> ss Vo<sup>2</sup>

<sup>2</sup> ad dig. cl. prov. CaCeEaGcLdPaPfPrVo; prov. ad dig. cl. AdMgTc; ad cl. dig. prov. Be

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc, in text EaPaVo(adding clxxvii); om. MqOaPcPTrfTbVp

<sup>4</sup> Aug' BeCaMgOaTcVo; Idem PfTb; Eurilianum Vp

<sup>5</sup> in ep. - Aur. om. Ea

<sup>6</sup> Ex CaMgPfTbTc; De Rf

<sup>7</sup> nisi \*CaMgPfTb; om. Tc

<sup>8</sup> mal. cor. in mg. Pr

<sup>9</sup> nobis \*CaPfTb; vobis MgTc

<sup>10</sup> -dum \*BeOaPfVo; -dus est Ca; -dum est GcMgTbTc

<sup>11</sup> tam \*CaMgPfTb; om. Tc

<sup>12</sup> corr. fr. man- Tb

<sup>13</sup> erigimus, with vel subrigimus in mg. Ra

<sup>14</sup> bon. mon. vix \*CaMgPfPhTc; vix bon. mon. Tb

<sup>15</sup> persone \*CaMgOaTbTc; om. Pf

<sup>16</sup> aut pers. reg. integ. om. Ra

## 181

*[Quomodo debeat fieri abbatis electio]<sup>1</sup>. Ex decretis<sup>2</sup> Gregorii pape<sup>3</sup>*

Defuncto vero abbate cuiusque congregationis, non extraneus nisi de eadem congregatione, quem sibi propria voluntate concors<sup>4</sup> fratrum societas elegerit, et qui electus fuerit<sup>5</sup> sine dolo vel venalitate aliqua ordinetur<sup>6</sup>. Quod si aptam inter se personam invenire nequeunt, solerter sibi de aliis monasteriis similiter eligant ordinandum. Neque constituto<sup>7</sup> abbate<sup>8</sup> quemcumque persona qualibet occasione preponatur<sup>9</sup>, nisi forte exstantibus<sup>10</sup> quod absit criminibus<sup>11</sup>, que sacri canones punire monstrantur<sup>12</sup>. Pariter autem custodiendum est, ut invito abbate ad ordinanda alia<sup>13</sup> monasteria, aut ad<sup>14</sup> ordines sacros<sup>15</sup>, vel clericatus officium, tolli<sup>16</sup> exinde monachi non debeant.

*ID 7.11b] C 18 q 2 c 5 med. has defuncto vero abbate – eligant ordinandum but ends, partly after revision, widely var.*

<sup>1</sup> *in mg.* AdBeCaCeGcLdLnMgPfPrSbTc, *in text* PaVo(*adding* clxxviii); *om.* DaOaPcPtRfTb

<sup>2</sup> Ex decretis PfVo; Decreta Be; Decretum CaGcMgRaRfSbTc; Decr' CeDaOaPaTb

<sup>3</sup> Greg. pape CaGcMgTbTc; pape Greg. BeEaPaPf

<sup>4</sup> et (concors ss) Ad

<sup>5</sup> et qui electus (est *add.* Oa) fuerit \*BeCaCeDa(*subs. canc.*)GcMqOaOd<sup>2</sup>PaPhPkPqPrRaSbTbTcVm; *om.* BdEaFcMgObOdOeOfPfPtPwVoWc

<sup>6</sup> aliq. ord. \*CaMgPfTb; ord. aliq. Tc. et qui electus – ord. *all over an erasure* Sb

<sup>7</sup> defuncto Pa

<sup>8</sup> -ate \*CaMgPfPh; -ati TbTc

<sup>9</sup> preparatur (preponatur ss) Ad

<sup>10</sup> exstantibus \*MqOaPfPhPrTb; existentibus BeCaDaGcMgTcVoBrant

<sup>11</sup> -inibus \*CaPfTbTc; -inalibus Mg

<sup>12</sup> -antur \*BeCaPfTb; -ant GcMgTc. Ea *ends cap. here*

<sup>13</sup> ord. alia MgPfTbTc; alia ord. Ca

<sup>14</sup> ad \*CaMgPfTb; *om.* Tc

<sup>15</sup> ord. sac. \*CaMgPfTc; sac. ord. Tb

<sup>16</sup> *corr. fr.* tali Mg

## 182

*[Quod monachus<sup>1</sup> votum vel propositum suum non debeat<sup>2</sup> frangere]<sup>3</sup>. Leo Rustico  
Narbonensi episcopo, cap. xii<sup>4</sup>*

Propositum monachi<sup>5</sup> proprio arbitrio aut<sup>6</sup> voluntate susceptum deseri non potest absque peccato. Quod enim quis vovit<sup>7</sup> Deo, debet et<sup>8</sup> reddere, unde<sup>9</sup> qui

<sup>1</sup> monachi Pa

<sup>2</sup> -eat GcMgPf; -et BeCaCeTc; -ent Pa

<sup>3</sup> *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTc, *in text* PaVo(*adding* clxxviii); *om.* MqOaPcPtRfTbVp

<sup>4</sup> cap. xii BeCaMgOa(*before* Leo)PfTb; *om.* Tc

<sup>5</sup> Prop. mon. *in mg.* *in different ink* Mq

<sup>6</sup> aut \*CaMgPfTb; et Tc

relicta<sup>10</sup> singularitatis professione<sup>11</sup> ad militiam vel<sup>12</sup> ad nuptias devolutus est, publice penitentie satisfactione<sup>13</sup> purgandus est, quia etsi innocens<sup>14</sup> militia et honestum potest esse coniugium, electionem<sup>15</sup> meliorum deseruisse transgressio est.

ID 7.19] C 20 q 3 c 1

<sup>7</sup> vovit \*MgPfTbTc; novit Ca

<sup>8</sup> et CaMgPfTb; om. Tc

<sup>9</sup> et add. BeCaGcPfTbVo, om. \*MgOaTc

<sup>10</sup> relicta \*CaMgTbTc; recta GcPf; de recta Gc<sup>2</sup>

<sup>11</sup> sing. prof. \*CaMgPfTc; prof. sing. PhTb

<sup>12</sup> vel \*BePfTbTc; et CaGcMg

<sup>13</sup> pen. sat. \*CaMgPfTb; sat. pen. Tc

<sup>14</sup> innocens Tc

<sup>15</sup> -ionem \*CaMgTbTc; -ione Pf

### 183

[Quod non debeat<sup>1</sup> effici monachus nisi prius probetur per annum<sup>2</sup> ad minus]<sup>3</sup>.

Alexander II<sup>4</sup> Hudoni<sup>5</sup> Treverensi et<sup>6</sup> Theoderico<sup>7</sup> Verdunensi episcopis<sup>8</sup>

Beati Benedicti canonica<sup>9</sup>, que<sup>10</sup> et<sup>11</sup> precipue<sup>12</sup> patris et predecessoris<sup>13</sup> nostri sancti Gregorii pape constitutio<sup>14</sup>, interdicat monachum ante unius anni probationem<sup>15</sup> effici.

ID 6.428 pt] C 17 q 2 c 1 med.

<sup>1</sup> -eat BeMgPfTc; -et Ca

<sup>2</sup> per annum ss after minus Pa

<sup>3</sup> Quod – minus in mg. AdBeCaCeDaGcLdLn?MgMjPfPrSbTc, in text MfPa; Quod non – nisi prius per annum probetur. clxxx Vo; om. LcMhMkMqOaPcPtRfTbVp

<sup>4</sup> II \*BeCaGcMfMgMhMjPfTc; om. PhTb

<sup>5</sup> Hudoni Ad<sup>2</sup>BeDaFcGcMkPfPhPtRaTbVo; Hudini Ad; Hidoni CaPw; Hugoni CbPcRf; Hydioni CeSb; Ludoni Mf; Huidoni Mg; Hosdoni Mj; lacuna Tc

<sup>6</sup> et \*BeGcMfMgMjPfTbVo; om. CaPt; lacuna Tc

<sup>7</sup> Theoderico CbFcGcPfRaTbVo; Theodorico BeCaOaPt; Theorico Mg; om. Tc

<sup>8</sup> Verd. ep. \*BeDaGcMfMgMjPfTbTcVo; Undumersi ep. Ca; om. Pw. et theod. – episc. om. Mk

<sup>9</sup> canonica \*BeCaCbFcGcMfMhMjMkMoOaPfPtPwQe(id est regula ss)TbVo; regula EgTc; regula canonica Mg

<sup>10</sup> que \*BeGcMfMhMjMkOaPc<sup>2</sup>PfPtTbVo; quo Ca; ?Mg?Tc; om. MoPc

<sup>11</sup> et \*BeCaEgGcMfMgMhMjMkMoPfPtVo; om. PhQeTbTc

<sup>12</sup> canonica add. Eg; canonica et add. Tc, om. \*BeCaFcMfMgMhMjMkMqOaPcPfPtPwTbVo

<sup>13</sup> et add. EgTc, om. \*BeCaMgPfTb

<sup>14</sup> -tio \*BeCaEgTc; -tio est GcPfTb; -tionem Mg

<sup>15</sup> unius anni prob. \*BeCaEgGcMfMhMjMkMqPfPtTb; prob. unius anni Mg; unius anni propriatione Oa; unius anni prob. non Tc; anni huius prob. Vo

## 184

<sup>1</sup>Ex<sup>2</sup> concilio<sup>3</sup> Toletano<sup>4</sup>, cap. v<sup>5</sup>

Si aliquis incognitus monasterium ingredi voluerit, ante triennium monachi habitus ei non<sup>6</sup> prestetur,<sup>7</sup> et si intra tres annos aut servus aut libertus vel<sup>8</sup> colonus queratur a domino suo, reddatur ei cum omnibus que attulit, fide tamen accepta de impunitate. Si autem intra<sup>9</sup> triennium non fuerit requisitus, postea queri non potest<sup>10</sup> nisi sit tam longe quod inveniri non possit, sed tantum<sup>11</sup> ea que in monasterium adduxit, dominus servi recipiat.

ID 7.41] +C 17 q 2 c 3, to non possit

<sup>1</sup> De eodem *add.* Vo

<sup>2</sup> Ex \*MgPfTbTc; *om.* CaPa

<sup>3</sup> conc. *om.* Pa

<sup>4</sup> LaPh *insert here:* De etate qua possunt parentes contradicere religioni filiorum et qua non possunt

<sup>5</sup> Quod incognito venienti ad monasterium ante triennium habitus monachi non prestetur(*p.c.*) *add.* Pa, clxxxi *add.* Vo

<sup>6</sup> mon. hab. ei non \*GcMgPfTbVo; mon. ei hab. non Be; mon. hab. non ei Ca; ei mon. hab. non OaTc

<sup>7</sup> Ce *fo. 70r (of which the last third has been cut off) ends; fo. 70v is blank, and fo. 71r resumes, repeating* ei non prestetur.

<sup>8</sup> vel \*CaMgPfTc; aut PhTb

<sup>9</sup> intra \*CaGcMgPf; infra PhTbTc

<sup>10</sup> postea qu. non pot. \*CaMgPfPhTc; qu. non pot. postea Tb

<sup>11</sup> tantum \*BeCaOaPfPhTc; tamen GcMgTb

## 185

[*Quid faciendum sit de his<sup>1</sup> qui ante legitimos annos sine consensu parentum seu per vim<sup>2</sup> tonsorati<sup>3</sup> sunt*]<sup>4</sup>. *Ex concilio Magotiensi cui interfuit<sup>5</sup> Karolus imperator<sup>6</sup> et Ricolfus<sup>7</sup> archiepiscopus, cap. xx<sup>8</sup>*

Si quis ante annos legitimos<sup>9</sup> tonsuratus est, sine consensu parentum suorum, et si ipsi parentes infra annum non se<sup>10</sup> reclamaverint ad principem, aut ad proprium episcopum, aut ad missum dominicum<sup>11</sup>, in ipso clericali permaneat<sup>12</sup>. Si vero post

<sup>1</sup> fac. - his BeCaGcEaPfVo; de his fac. sit Mg

<sup>2</sup> seu per vim *om.* Sb

<sup>3</sup> intons- Ce

<sup>4</sup> Quid - sunt *in mg.* BeCeDaGcLdLnMgMjPfPrSb, *in text* Ea(*no insc.*)PaVo(*adding* clxxxii); (xvii. *add.* Bd) De etate qua possunt parentes contradicere religioni filiorum et qua non possunt (*om.* Tc) *in mg.* BdLjTc, *in text* Db; Quid - parentum consecrati sunt Ca; De etate *in mg.* Db; *om.* AdPcPtTbVp

<sup>5</sup> interfuit \*GcMgMjSeTc; interfuerunt BeCaOaPfTbVo; inter Pt

<sup>6</sup> imperator \*CaGcMgPfSeTb; *om.* Tc

<sup>7</sup> Ricolfus BeCaPaPhSbVo; Richoldus Da; Richolfus GcMgOa; Rocolfus PcTc; Ricolphus Pf; Arnulfus Tb

<sup>8</sup> cap. xx \*AaBeDaGcMgPfPhTc; cap. xxii *after* Mag. Vo; *om.* CaTb. xv *in mg.* Be<sup>2</sup>; Ex - xx *om.* Pt

<sup>9</sup> ann. leg. \*CaMgPfPhTc; leg. ann. Tb

<sup>10</sup> non se \*CaPfTbTc; *om.* Mg

<sup>11</sup> dominicum \*MgPc<sup>2</sup>PhTc; dominum BeCaPcPkPrRaSeTbVmVo; domini episcopi *after corr.* Gc; domini Pf

legitimos annos per vim clericus factus est<sup>13</sup> et infra annum ad supra memoratas<sup>14</sup> personas minime se reclamavit<sup>15</sup>, in clericatu<sup>16</sup> permaneant<sup>17</sup>, sicut<sup>18</sup> is de quo superius dictum est. Si vero prefate persone<sup>19</sup> infra annum reclamationem fecerint, hi qui eos clericos<sup>20</sup> fecerunt<sup>21</sup> ipsis sive parentibus<sup>22</sup> eorum hoc per legem exsolvent, quod contra eos<sup>23</sup> contraxerunt.<sup>24</sup> Ille vero qui ante legitimos annos tonsuratus est, utrum in eadem<sup>25</sup> tonsura permanere debeat necne, in potestate sit parentum<sup>26</sup>. Si vero is<sup>27</sup> qui tonsuratus est alicuius servus fuit, domino per legem emendetur quicquid de eius servo contra eum contractum est. Ille vero qui tonsuratus est utrum in eadem tonsura permaneant<sup>28</sup> in potestate sit domini sui<sup>29</sup>. Si vero hi qui liberi<sup>30</sup> sunt ante legitimos aut post legitimos annos<sup>31</sup>, hoc modo, sicut superius taxatum<sup>32</sup> est, tonsurati sunt, et ad gradus ecclesiasticos pervenerint, in eisdem gradibus perseverare cogantur. Si vero servus qui<sup>33</sup> superius taxato modo tonsuratus est, et ad gradus ecclesiasticos pervenerit<sup>34</sup>, domino suo per legem emendetur, et ei redditus in suo gradu permaneant<sup>35</sup>. Hoc et de velandis puellis observandum est.<sup>36</sup>

ID 7.26]

<sup>12</sup> perm- \*CaMgPfPkTb; rem- Tc

<sup>13</sup> est \*CaMgPhPkSeTcVm; fuerit Tb

<sup>14</sup> memoratas \*CaMgSeTb; dictas Tc

<sup>15</sup> -avit PhTb; -averit CaEgMgPkPqPrSbSe; -averint PaTc

<sup>16</sup> ipso add. Vo

<sup>17</sup> permaneant \*MoTb; permaneant BeCePaPcPhVo; maneat CaEgMgPkQaRaSe; maneat DaGcOd<sup>2</sup>PkPqPrTdVm; permaneat Oa; remaneant Tc. Si vero post – (permaneant)

\*AbBeCaCe<sup>2</sup>(*omitting* ad supra mem.

pers.)DaEbEcEgGcMgMoOd<sup>2</sup>PaPcPhPkPqPrQaRaSbSdSeTbTcTd<sup>2</sup>VmVoVtWaWb; *om.*

AaAdBdBcCeDbFcKaLbObOdOeOfPdPfPtPwSgTdZaBrant

<sup>18</sup> *after corr.* Pf

<sup>19</sup> pref. pers. \*BePfTbTc; pers. pref. CaEgGcMgVm

<sup>20</sup> clericos \*EgTbTc; ecclesiasticos Mg

<sup>21</sup> (vel add. Sg) hi qui - fecerunt (-int PrTbVm) \*EgMgOaPcPhPrSbSg<sup>2</sup>TbTcVm; *om.*

BdBcCaCeDaFcGcMhMjMkMmPaPdPfPkPqObOdOeOfPfPwRaSgVoBrant

<sup>22</sup> ipsis sive parentibus \*EgMgOaSbTc; ipsi (ipse GcVo) sive (sine Ca) parentes

BdBcCaCeDaFcGcMhPaPcPdPfPhPkPqPrPwRaTbVmVo

<sup>23</sup> dixerunt vel add. PhTb, *om.* \*CaEgMgPfTc

<sup>24</sup> *Lc ends cap. here.*

<sup>25</sup> *corr. fr.* eodem Tb

<sup>26</sup> sit par. \*PfTbTc; par. sit CaGcMg

<sup>27</sup> is MgPfTbTc; his Ca

<sup>28</sup> *corr. fr.* perm. ton. Ca

<sup>29</sup> sit dom. sui \*CaMgPfPhTc; dom. sui sit Tb

<sup>30</sup> liberi \*BeCaMgPfPhTc; liberti Aa; legitimi Tb

<sup>31</sup> aut post leg. annos \*CePaPhPkTbTc; annos aut post BdBcCaGcMgPfPrPwSbVmVo

<sup>32</sup> taxatum BdBcPfPrTbTc; tractatum AaCaGcMgVo; vel taxatum add. Mg<sup>2</sup>

<sup>33</sup> qui BeMgPfTb; quis CaTc

<sup>34</sup> -enerit \*CaGcMgPfTb; -enit Tc. in eisdem gradibus perseverare – pervenerit in mg. Mq, *the rest of c 185 and c 186 to nescientibus se in a smaller hand*

<sup>35</sup> perm- \*CaMgPfTb; rem- Tc

<sup>36</sup> permaneant – obs. est *om.* Oa

## 186

*[Quod usque ad decimum annum filius vel filia tonsurari vel velari non possunt<sup>1</sup> inconsultis parentibus, postea vero possint illis nolentibus]<sup>2</sup>. Toletanum concilium<sup>3</sup> de minoribus etatibus<sup>4</sup>, cap. vi<sup>5</sup>*

Si in qualibet minori etate vel religionis tonsuram vel religioni<sup>6</sup> debitam vestem, in utroque sexu filiis, aut unus aut<sup>7</sup> ambo parentes dederint, aut certe nolentibus aut<sup>8</sup> nescientibus se susceptam, non<sup>9</sup> mox visam in filiis abdicaverint, sed<sup>10</sup> vel coram se, vel coram ecclesia palamque in conventu, eosdem filios talia habere permiserint, ad secularem reverti habitum ipsis filiis, quandoque penitus<sup>11</sup> non licebit<sup>12</sup>, sed convicti quod tonsuram<sup>13</sup> aut<sup>14</sup> religiosam vestem aliquando habuerint<sup>15</sup>, mox ad religionis cultum habitumque revocentur, et sub strenua districtione huiusmodi observantie<sup>16</sup> inservire<sup>17</sup> cogantur. Parentibus sane<sup>18</sup> filios suos<sup>19</sup> religioni contradere<sup>20</sup> non amplius quam usque ad decimum etatis eorum annum<sup>21</sup> licentia poterit<sup>22</sup> esse. Postea vero an cum voluntate parentum, an sue devotionis<sup>23</sup> sit solitarium votum, erit filiis licitum<sup>24</sup> religionis assumere cultum. Quisquis autem vel

<sup>1</sup> possint BeCeGc; debeat Vo

<sup>2</sup> in mg. BeCaCeDaGcLdLn?MgPfPrSbTc, in text Vo(adding clxxxiii); De illis qui susceperunt habitum religionis in minori etate consensu parentum vel sine consensu, et que sit illa etas Pa; om. AdMqPtRfTbVp

<sup>3</sup> Toletanum conc. BeLdOaPhTbVo; Ex Tol. conc. PfTc; Concilium Toletanum Ca; Tol. conc. X (ss Sb) DaSb; Toletano conc. GcMq; Ex conc. Toletano \*MgLn; Toletano concilio <x> Sb

<sup>4</sup> de minoribus etatibus BeCeDaGcLnMgOaPrTbTcVoVp, de maioribus etatibus Ca, om. \*MqPaPfPt

<sup>5</sup> vi \*BeCaPfTbTc; v Mg?

<sup>6</sup> -ioni \*MgTbTc; -ionis BeCaGcPfVo

<sup>7</sup> aut \*CaPfTbTc; om. Mg

<sup>8</sup> aut \*MgTbTc; vel BeCaGcPf

<sup>9</sup> non \*CaPfTbTc; nox Mg

<sup>10</sup> sed \*CaMgPfTb; si Tc

<sup>11</sup> penitus \*CaMgPfTb; reverti Tc

<sup>12</sup> non lic. in mg, for insertion before quandoque Tb

<sup>13</sup> religionem add. Tc, om. \*CaMgPfTb

<sup>14</sup> in mg. Ra

<sup>15</sup> aliquando habuerint \*MgPfTbTc; habuerit Ca

<sup>16</sup> observande obs. corr. Ca

<sup>17</sup> viri add. ss Ca<sup>3</sup>

<sup>18</sup> sane \*CaMgTbTc; om. BdPfSb

<sup>19</sup> filios suos \*MgPfTbTc; filiorum suorum Ca

<sup>20</sup> contradere \*CeOaPfTbTcVo; tradere BePc; contradicere CaGcMgPa; vel tradere add. Mg<sup>2</sup>

<sup>21</sup> eorum annum \*OaPc<sup>2</sup>PhSb<sup>2</sup>TcVm; annum BdBeCaCeGcMgPaPcPfPkPwSbVo; annum eorum Tb

<sup>22</sup> lic. pot. \*CaMgPfTb; pot. lic. Tc

<sup>23</sup> vel voluntatis add. ss Mg

<sup>24</sup> voluntarium add. Mg, om. \*CaPfTbTc



abolitione<sup>25</sup> tonsure vel secularis vestis<sup>26</sup> assumptione detectus fuerit attigisse transgressionem, excommunicationis censuram accipiat<sup>27</sup>, et religioni semper inhereat.

ID 7.27, IDm only] C 20 q 2 c 1

<sup>25</sup> abolitione \*BdBeCa<sup>2</sup>DaMgSb(partly over ersaure)TbVo; obligatione CaGcMqPa<sup>2</sup>PcPrTcVm; oblicione CePaPc<sup>2</sup>; oblivione OaRa; oblatione PfPhPkPq; ab abolitione Pw; vel abolitione and vel obligatione in mg. Ra

<sup>26</sup> vestis \*DaPaTcSbVo; usus BdBeCaCeGcMgOaPfPhPwTbVm

<sup>27</sup> Lg resumes

## 187

[Amplificatio sententie]<sup>1</sup>. Ex concilio Triburiensi<sup>2</sup>, cap. x<sup>3</sup>

Virgines<sup>4</sup> que ante duodecim annos insciis mundiburdiis<sup>5</sup> suis sacrum velamen capiti suo imposuerint, et illi mundiburdi<sup>6</sup> annum et diem<sup>7</sup> hoc tacendo consenserint<sup>8</sup>, in sancto proposito permaneant. Et si in predicto anno et die pro illis se<sup>9</sup> proclamaverint, petitioni eorum assensus prebeat<sup>10</sup>, nisi forte Dei timore tacti<sup>11</sup> cum eorum<sup>12</sup> licentia in religionis habitu perseverent.

ID 7.33]

<sup>1</sup> in mg. BeCaCeDaGcLdLnMgPfPrTcTd, in text Ea(after insc.)Vo(adding clxxxiii); (xviii. add. Bd) De virginibus velatis in mg. BdLj; De velatione virginum <ante> xii annos Pa; De virginibus et viduis velatis Ph; om. AdMqOaPcPtSbTbVp

<sup>2</sup> Trib- \*BeCaPfPhMgTc; Tib- TbVo

<sup>3</sup> cap x] om. Ea. xvi add in mg. Be<sup>2</sup>

<sup>4</sup> corr. fr. -ine Ca

<sup>5</sup> -diis GcOaPfTc; -dis BeMgTbVo; -dus obsc. corr. Ca

<sup>6</sup> -urdi BePfTbVo; -urdii CaGcMgTc

<sup>7</sup> et diem \*CaMgPfTb; et die Aa; om. Tc

<sup>8</sup> -int \*CaMgTbTc; -unt Pf

<sup>9</sup> pro (ss Be) illis se \*CaMgOaTbVo; se pro illis Tc; pro illis and lacuna Pf

<sup>10</sup> eorum ass. preb. \*CaMgPfTb; preb. ass. Tc

<sup>11</sup> tacti CaMgPfTc; tacte PhTb

<sup>12</sup> eorum \*BePaPfTbTcVo; illorum CaGcMg

## 188

<sup>1</sup>Ex concilio Carthaginensi<sup>2</sup>, cap. xi

Sanctimonialis virgo, cum ad consecrationem suo episcopo offertur in talibus vestibis applicetur<sup>3</sup> qualibus semper usura<sup>4</sup> est professioni et sanctimonie aptis.

<sup>1</sup> Hic (om. Ad) incipit de consecratione sanctimonialium add. in text CaEa(no insc.)GcLnTdVo(adding clxxxv)Vp, in mg AdBeCeDaLdMgPr; De viduis et virginibus velatis add. in text, De viduis in marg. Db; de consecratione sanctimonialium add. Pa; om. MqOaTcTb

<sup>2</sup> IIII add. DaSb<sup>2</sup>, as IDm

<sup>3</sup> obsc. corr. Ca

ID 7.43] D 23 c 24

<sup>4</sup> usura \*BeCaDaMgOaTbTc; usus PfSb

## 189

[*Quo tempore debeat fieri<sup>1</sup> virginum consecratio*]<sup>2</sup>. *Ex decr' Gelasii pape, cap. xii*<sup>3</sup>

Devotis quoque<sup>4</sup> virginibus nisi aut in Epiphania aut<sup>5</sup> in Albis paschalibus, aut in apostolorum Natalitiis, sacrum minime velamen imponatur<sup>6</sup>, et non ante viginti quinque annos, nisi forte, sicut de baptismo dictum est, gravi languore correptis<sup>7</sup> ne sine hoc munere de seculo exeant<sup>8</sup> implorantibus non negetur.

ID 7.36] +C 20 q 1 c 11, adding Viduas - attemptet

<sup>1</sup> fieri BeCeEaDaGcMgPfTc; esse Ca

<sup>2</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrTc, in text Ea(no insc.)Vo(adding clxxxvi); Quo tempore et qua etate debeat fieri virginum consecratio Pa; Hic incipit de consecratione sanctimonialium et quo tempore debeant consecrari in mg. Sb; om. MqOaPtTbVp

<sup>3</sup> cap. xii \*DaGcMgPfTbVo; cp. xi Be; om. CaTc; insc. in mg. Mq

<sup>4</sup> quoque MgPfTbTc; quippe Ca

<sup>5</sup> aut \*CaPfTbTc; vel Mg

<sup>6</sup> min. vel. imp. \*CaMgPfTb; vel. non imp. Tc

<sup>7</sup> et add. Pf<sup>2</sup>, om. \*CaMgPfTbTc

<sup>8</sup> de sec. ex. \*BeOaPfTbTc; ex. de sec. CaGcMg

## 190<sup>1</sup>

[*Qua etate consecrande sint<sup>2</sup> virgines*]<sup>3</sup>. *Ex decretis Pii pape*

Ut virgines non velentur ante viginti quinque annos etatis<sup>4</sup>, nisi forte necessitate periclitantis virginalis pudicitie. Et non sunt<sup>5</sup> consecrande alio tempore nisi in Epiphania et<sup>6</sup> in Albis<sup>7</sup> paschalibus, et in<sup>8</sup> apostolorum natalitiis<sup>9</sup> nisi causa mortis urgente.

ID 7.39] +C 20 q 1 c 15

<sup>1</sup> Bb repeats this cap. at foot of fo 60v.

<sup>2</sup> cons. sint BeGcMg; cons. sunt CaCeDaPfPr; sint cons. Tc

<sup>3</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTc(also in text after pape), in text Rf(after pape)Vo(adding clxxxvii); De eodem Pa; om. MqOaPcPtTbVp

<sup>4</sup> annos etatis \*BeDaOaTbTcVo; etatis annos CaPr; annos GcMgPf; annos etatis sue Vp

<sup>5</sup> sunt \*MgPfTbTc; om. Ca

<sup>6</sup> et \*CaMgPfTb; aut Tc

<sup>7</sup> abis Pf

<sup>8</sup> in \*MgPfTbTc; om. Ca

<sup>9</sup> ap. nat. \*BeCaGcOaPfTcVo; nat. ap. MgPhTb

## 191

[*Quod omni tempore*<sup>1</sup> *velentur virgines si necesse fuerit*<sup>2</sup>]<sup>3</sup>. *Ex concilio Milevitano, cap. xxvi*<sup>4</sup>

Item placuit ut quicumque<sup>5</sup> episcoporum<sup>6</sup> necessitate periclitantis pudicitie virginalis, cum vel<sup>7</sup> petitor potens vel raptor aliquis formidatur, vel si etiam aliquando mortis periculoso<sup>8</sup> scrupulo compuncta fuerit, ne non velata moriatur, aut exigentibus parentibus, aut his ad quorum curam pertinet, velaverit virginem, seu velavit intra viginti quinque annos etatis, non ei obsit concilium<sup>9</sup>, quod de isto numero annorum constitutum est.

ID 7.37]

<sup>1</sup> et etate *add.* Pa

<sup>2</sup> fuerit BeMgPfTc; sit CaDaGcPr

<sup>3</sup> *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTc, *in text* PaVo(*adding* clxxxclxxxviii); Quod omni – virgines *in mg.* Ha<sup>2</sup>; *om.* MqOaPcPtRfTbVp

<sup>4</sup> Euticianus papa cap. xiii. cxxi *add.* Pt (*cf c* 194)

<sup>5</sup> Item - quic. *superscr.* Tc

<sup>6</sup> episcoporum \*BeCaMgPfTc; *om.* Tb. Item – episcoporum *in mg.* Bb<sup>2</sup>

<sup>7</sup> cum vel \*AaBeCaGcPfPhTcVo; vel cum MgTb

<sup>8</sup> -loso CaMgTbTc; -lo Pf

<sup>9</sup> conc- \*CaMgPfPhTc; cons- Tb

## 192

[*Quod virgo consecrata semper maneat innupta*]<sup>1</sup>. *Hieronimus*<sup>2</sup> *contra Iovinianum*<sup>3</sup>

Si nupserit virgo non peccavit<sup>4</sup>. Non illa virgo que se<sup>5</sup> semel Dei cultui<sup>6</sup> dedicavit, harum enim<sup>7</sup> si qua nupserit, habebit dampnationem quia<sup>8</sup> primam fidem irritam fecit. Si autem hoc de viduis<sup>9</sup> dictum obiecerint, quanto magis de virginibus<sup>10</sup> prevalebit, cum etiam his non liceat quibus aliquando licuerit? [193] Virgines enim que post consecrationem nupserunt<sup>11</sup>, non tam adultere sunt quam inceste.

ID 7.124] D 27 c 5 to irritam fecit, D 27 c 9 from Virgines enim

<sup>1</sup> *in mg.* AdBeCaCeDaGcHaLdLnMgPfPrSbTc, *in text* EaPaVo(*adding* clxxxviii); *om.* MqOaPcPtRfTbVp

<sup>2</sup> Item Pt

<sup>3</sup> contra Iov. *om.* Ea

<sup>4</sup> peccavit \*CaMgTbTc; peccat Pf

<sup>5</sup> se \*MgPfTbTc; *om.* Ca

<sup>6</sup> se *add.* Ca, *om.* \*MgPfTbTc

<sup>7</sup> enim \*CaMgPfTb; *om.* Tc

<sup>8</sup> quia \*GcMgPrRaTcVo; quod BeCaMqPfTb

<sup>9</sup> hoc de vid. \*CaMgPfTc; de vid. hoc PhTb

<sup>10</sup> hoc *add.* Mg, *om.* \*CaPfTbTc

<sup>11</sup> -erunt CaMgPfTb; -erint Tc

195<sup>1</sup>

[*Quantum peccatum sit*<sup>2</sup> *concumbere cum sanctimoniali*<sup>3</sup>]<sup>4</sup>. *Bonefacius*<sup>5</sup> *martyr*<sup>6</sup>

*Hiltribaldo*<sup>7</sup> *regi Anglorum*

Apud Grecos et Romanos<sup>8</sup> quasi blasphemiam Deo irrogasset<sup>9</sup>, qui in hoc reus sit, ut<sup>10</sup> proprie de hoc peccato ante ordinationem interrogatus, si reus inventus fuerit, ut cum velata et consecrata nonna<sup>11</sup> concubisset, ab omni gradu sacerdotii Dei<sup>12</sup> prohiberetur<sup>13</sup>. Propter hoc<sup>14</sup>, fili<sup>15</sup> carissime, sollicite considerandum est quanti ponderis hoc peccatum esse videtur<sup>16</sup> ante oculos eterni iudicis, quod facientem inter idolatrie servos constituet<sup>17</sup>, et<sup>18</sup> divino ministerio altaris abiciet<sup>19</sup>, licet ante peracta penitentia reconciliatus sit Deo.

ID 7.129b]

<sup>1</sup> cc. 195-4 BdCbCeEaEgGcLfLjLkLmMhMkMmMoMqOaOfPaPfPhPkPwQaQeRfSbTcVoWd; cc 194-5 AaAdBeCaDaDbFcHaLdLgLhLnMfMgMjObOdOePdPqPrPtPyRaSeSgSITbTdVmVpWc; cc 195-4 om. BbLc

<sup>2</sup> sit BeCaLdMgPf; est CeMjTc

<sup>3</sup> -moniali BeLdMgPf; -monialibus Tc

<sup>4</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrTc, in text EaPaVo(adding clxxx); om.

CbEgLmMhMqOaPtTbVp

<sup>5</sup> papa et add. Pt

<sup>6</sup> marturi Pr

<sup>7</sup> Hiltribaldo BeCaDaEgLfLjLmOaPfPhSb; Hiltibardo Aa; Iltribaldo Ad; Hildribaldo CbLdMq; Hiltibaldo MgPa; Hatvibaldo ?Pc; Tribaldo Pr; Histribaldo Pt; Hilitribaldo Qe; Hatribaldo Rf; Hiltrigaldo Tb; Atribaldo Tc; Hyltribaldo Vo; Tibaldo Vp. mart. Hiltr.] martutribaldo Gc

<sup>8</sup> est add. MgTc, om. \*BeCaCbGcLdLfLjLmMhMkPfPtTbVo

<sup>9</sup> -asset \*BeCaPfTbTc; -asse Mg

<sup>10</sup> sit ut \*CaCbLdLfLjLmMgMkTbTc; an obs. corr. Pf

<sup>11</sup> nonna \*AaBdBcCbCeDaDbLdLfLjLmOaObOdPaPcPkPwQeRaTbMigne; sanctimoniali CaEgGcMgMjPrTcVm; una EaLgBrant; nunna MhMkMmMqOePfSbVo; om. Mo; non Of; anna Ph; monacha PqPt; nuana (with abbrev. mark over) Sl; nona Wc

<sup>12</sup> Dei \*BdBcCbLdLfLjLmMgMkPaPcPfPhPkPtPwTbVo; om. CaGcMjPqPrSbTc

<sup>13</sup> -eretur \*BeCaGcMgMjMkPfTbTc; -etur CbLjLmPtVo

<sup>14</sup> hoc \*Ce<sup>2</sup>MkPfTbTcVo; quod hoc BeCaGc; hec LfLm; quod MgMj; om. Ce

<sup>15</sup> obs. corr. Ld

<sup>16</sup> esse videtur BeLdLfLjMgMjMkPfPtTbVo; videtur esse Ca; videtur Oa; esse videatur Tc

<sup>17</sup> -uet BdBeCaMgMjMkPaPfPhPkPtPwTcVm; -uit \*Tb

<sup>18</sup> a add. Tc, om. \*CaCbLdLfLjLmMgPfTb

<sup>19</sup> -ciet BeCaMgMjPfPtTcVo; -cit MkTb; abiecit Gc

## 194

[*Quod abbatissa nec virginem nec viduam*<sup>1</sup> *debeat velare*]<sup>2</sup>. *Ex decretis*<sup>3</sup> *Euticiani*<sup>4</sup>

*pape, cap. xiii*<sup>5</sup>

<sup>1</sup> virg. nec vid. BeCaLdPf; vid. nec virg. EaGcMgMjPaTc

<sup>2</sup> in mg. AdBeCaCeDaGcHaLdLnMgMjPfPrSbTc, in text Ea(no insc.)Pa; (xix.add. Bd) De viduis in mg. BdLj; Ut nulla abbatissa vel monialis viduis, puellis, virginibus velum imponere presumat clxxxxi Vo; om. CbEgLfMqOaPcPtRfTbVp

<sup>3</sup> Ex decr. om. Mj

<sup>6</sup>Nihilominus<sup>7</sup> etiam<sup>8</sup> in quibusdam locis inolitum<sup>9</sup> invenimus usum<sup>10</sup> stultitie plenum, et ecclesiastice auctoritati contrarium, eo quod videlicet<sup>11</sup> nonnullae abbatissae, et aliquae ex sanctimonialibus, viduis et puellis virginibus, contra fas velum imponere presumant. Et ideo nonnullae iniuste velate putant<sup>12</sup> se liberius<sup>13</sup> suis<sup>14</sup> carnalibus desideriis<sup>15</sup> posse inservire, et suas voluntates explorare<sup>16</sup>. Quapropter statuimus ut si abbatissa aut quelibet<sup>17</sup> sanctimonialis post hanc definitionem in tantam audaciam proruperit, ut aut viduam aut puellam virginem velare presumpserit, iudicio canonico usque ad satisfactionem subdatur.

ID 7.38] +C 20 q 2 c 3 from Statuimus ut si

<sup>4</sup> Euticiani \*BeCaCbLf(?)LjMgPtQaRfSbTb; Eutaciani DaEgGcLdLmPfPr; Eutichii Tc; Cuticiani Vo

<sup>5</sup> cap. xiii \*BeGcMgPfPtTbTcVo; xiii Ca; xiii Lf; om. Mq

<sup>6</sup> Si add. Oa

<sup>7</sup> Sicichilominus Ce

<sup>8</sup> etiam \*CaMgPfTbTc; et Lf

<sup>9</sup> inolitum \*MgPaTcVo; inditum BdBeCaCbCeDaEaGcLdLfLjLmPfPrRaSbTb; inditiusnes Oa

<sup>10</sup> visum Oa

<sup>11</sup> quod vid. \*CaCbLdLfLjLmMgPfTb; vid. quod Tc

<sup>12</sup> vel. put. \*CaMgMq<sup>2</sup>PfTbTc; put. vel. Lf; vel. Mq

<sup>13</sup> obsc. corr. Ld

<sup>14</sup> suis \*CaCbLdLfLjLmMgPfTb; om. Tc

<sup>15</sup> in mg. Ra<sup>2</sup>

<sup>16</sup> suas voluntates explorare \*CaCbEgLdLfLjLmMgPcPfTb; suam voluptatem habere Tc

<sup>17</sup> et add. Lm, om. \*CaMgPfTbTc

## 196

[*Quod puellae ab episcopis tantum sint velande*]<sup>1</sup> Ex concilio Rothomagensi, cap. ix<sup>2</sup>

Statutum est viduas<sup>3</sup> non debere velare<sup>4</sup>. Simul et hoc statutum est ut si quispiam<sup>5</sup> presbiterorum deinceps huius constitutionis norme contumaciter transgressor extiterit, scilicet ut aliquas viduas velare presumat, quia hoc<sup>6</sup> et episcopis non licet, gradus sui periculum incurrat. Similiter et de puellis virginibus a presbiteris non velandis statutum est ut si quis hoc facere temptaverit, tanquam transgressor canonum dampnetur<sup>7</sup>.

ID 7.52]

<sup>1</sup> Quod – velande in mg. AdCaCeDaGcHaLdLnMgPrSbTc, in text Vo(adding clxxxxii); Quod puellae a presbiteris non sint velande sed ab episcopis tantum in mg. Be; Quod viduae non debeant velari, et quod puellae ab episcopis tantum velande sint Pa; om. EaMqOaPcPfPtTbVp

<sup>2</sup> ix \*BeDaMgPfTbTc; xx Ca; xi Vo; cap. ix om. Ea

<sup>3</sup> Stat. est vid. CaGcMgMq<sup>2</sup>PfTbTc; Vid. stat. est Ea; Vid. Mq

<sup>4</sup> deb. -are BeCaEaGcLgMgOaObOeOdOfPfTcVmVoIDp; deb. -ari Od<sup>2</sup>TbIDm; velari deb. Brant

<sup>5</sup> quispiam BeCaGcMgOaObOeOfPfPhTcVmVoIDpBrant; quippiam Lg; quisquam TbIDm

<sup>6</sup> in tempore add. ss Mg

<sup>7</sup> dampnetur \*CaMgPfTb; deputetur Tc

## 197

[*Quod vidue non sint velande ab episcopis, et si velum sumpserint spontanee quamvis<sup>1</sup> non consecratum<sup>2</sup> maneant caste*]<sup>3</sup>. *Ex Magontiensi concilio<sup>4</sup>, cap. vi*

Viduas autem velare pontificum nullus<sup>5</sup> attemptet, prout statutum est in decretis Gelasii<sup>6</sup> capitulo xiii, quod nec auctoritas divina nec canonum forma prestitit<sup>7</sup>. Que<sup>8</sup> si propria fuerit voluntate continentiam professsa, ut in eiusdem Gelasii capitulo xxi legitur, eius intentio pro se reddat rationem<sup>9</sup> Deo, quia sicut<sup>10</sup>, secundum apostolum, si se continere non poterat, nullatenus nubere vetabatur, sic secum habita deliberatione promissam fidem pudicitie Deo debet custodire. Nos autem auctoritate<sup>11</sup> patrum suffulti in hoc sacro conventu sancimus et libere iudicamus<sup>12</sup> si sponte velamen, quamvis non consecratum<sup>13</sup>, sibi imposuerit, et in ecclesia inter velatas oblationem Deo obtulerit, velit nolit sanctimonie habitum ulterius habere debet<sup>14</sup>, licet sacramento<sup>15</sup> confirmare velit eo tenore et ratione velamen sibi<sup>16</sup> imposuisse ut iterum posset deponere.

ID 7.55] +C 27 q 1 c 8, *Palea*

<sup>1</sup> quamvis BeCaPfTcVo; quasi Mg

<sup>2</sup> semper *add.* pr

<sup>3</sup> *in mg.* AdBeCaCeDaGcHaLdLnMgPfPrSbTc, *in text* Vo(*adding* clxxxxiii); Quod vidue si sponte velamen sibi imposuerint sanctimonie habitum ulterius habere debent Pa; De viduis *in mg.* Vp; *om.* MqOaPcPfTb

<sup>4</sup> Magontiensi conc. \*PhTb; conc. Magon- BeCaCePkPwVo; conc. Magunt- CbDaRaSbTcVm; conc. Mogunt- GcMg; conc. Magot- PaPf; conc. Magut- Vp

<sup>5</sup> pont. nul. CaMgPfTc; nul. pont. PhTb

<sup>6</sup> *in add.* Tc, *om.* \*CaMgPfTb

<sup>7</sup> -titit \*CaMgPfTb; -tituit Tc

<sup>8</sup> Que \*BeCeGcPaPfTbTcVo; Quod CaDaMgOa

<sup>9</sup> red. rat. \*MgPfTbTc; rat. red. Ca

<sup>10</sup> sicut \*CaMgPfPhTc; *om.* Tb

<sup>11</sup> *in mg.* DaMq

<sup>12</sup> et lib. iud. ss Be

<sup>13</sup> consec- \*BeCaGcPfTcVo; sac- MgTb

<sup>14</sup> ult. hab. deb. \*CaMgPfPrTc; hab. deb. ult. Ph; deb. ult. hab. Tb

<sup>15</sup> *corr. fr.* sacra Mq

<sup>16</sup> vel. sibi \*CaMgPfTb; sibi vel Tc

## 198

*Ex concilio Aurelianensi, cap. iii<sup>1</sup>*

Vidue<sup>2</sup> que<sup>3</sup> spontanea voluntate ab altari<sup>4</sup> sacre conversationis<sup>5</sup> velamen suscipiunt<sup>6</sup>, decrevit sancta sinodus in eodem proposito eas permanere. Non enim fas

<sup>1</sup> *No insc., no break (cf c 199) Rf.* De eodem *add.* PaVo(*adding* clxxxxiiii)

<sup>2</sup> -uas *Brant*

<sup>3</sup> ab altari sacrum velamen acceperint (-unt *Migne*) *add.* *Brant, om.* \*BeCaMgOaPfPhTbTcVoVp

esse decrevimus<sup>7</sup> ut postquam se<sup>8</sup> semel Deo sub velo consecraverint, et inter velatas oblationes<sup>9</sup> fecerint, iterum eis concedi Spiritui sancto mentiri<sup>10</sup>.

ID 7.54] C 27 q 1 c 16

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<sup>4</sup> ab altari \*BeCaMgPfTbTcVo; om. Brant

<sup>5</sup> conversationis \*CaMgPfPhTc; conversionis Tb

<sup>6</sup> vel. susc. \*CaMgPfTbTcVo; om. Brant

<sup>7</sup> decrevimus AaBeCaGcMgPfTbVo; decernimus \*Tc

<sup>8</sup> se \*CaMgPfPhTc; om. Tb

<sup>9</sup> -ones \*MgPfTbTc; -onem Ca

<sup>10</sup> conc. Sp. sancto ment. \*BeCaMgPfTbVo; Sp. sancto ment. Aa; ment. Sp. sancto OaTc

## 199

*Nicolaus Carolo archiepiscopo et eius suffraganeis<sup>1</sup>*

Vidua quidem<sup>2</sup> que capiti posuerit<sup>3</sup> sacrum velamen, si<sup>4</sup> inter ceteras<sup>5</sup> velatas feminas in ecclesia oraverit, et oblationem cum illis obtulerit, si professa est in eodem habitu permanere, spondens nunquam religionis velamen deponere, a religionis observantia discedere non<sup>6</sup> presumat.

ID 7.145] +C 27 q 1 c 34

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<sup>1</sup> Nich. – suffr.] Ex conc. – iii from c 198 Rf. De eodem add. PaVo(adding clxxxv). Sb reverses the inscriptions of cc 199-200

<sup>2</sup> quidem \*BeCaGcMgPfTbVo; quod Oa; quippe PcRfTc

<sup>3</sup> posuerit \*CaMgPfTb; suo imposuerit Tc

<sup>4</sup> si BeCaCeGcLgMgObOeOdOfPfTcVmVoIDmBrant; et PhTb; om. OaIDp

<sup>5</sup> ss Be

<sup>6</sup> non \*CaMgTbTc; om. with lacuna Pf

## 200

*Augustinus de bono viduitatis<sup>1</sup>*

Vidue que se non continent nubant<sup>2</sup> antequam professe continentiam Deo voveant. Quod<sup>3</sup> nisi reddant, iure dampnantur.

ID 7.146] +C 27 q 1 c 33

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<sup>1</sup> Quod vidue non continentes ante professionem nubere debent add. Pa, De viduis incontinentibus (clxxxvi add. Vo) add. TdVo. Rf has here insc. to c 199

<sup>2</sup> add. ss Sb

<sup>3</sup> si voverint add. Tc, om. \*CaMgOaPfTb

## 201

*<sup>1</sup>Ex concilio Arausico, cap. vi<sup>2</sup>*

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<sup>1</sup> Quod vidue debeant facere professionem add. in mg. CaCeDaGc, Quod professio servande viduitatis non est violanda add. Pa

<sup>2</sup> xxvii Da; xxv... Sb. De eodem clxxxxvi add. Vo. Rf has here insc. to c 200

Viduitatis servande professionem coram episcopo in secretario<sup>3</sup> habitam, imposita coram episcopo<sup>4</sup> veste viduali non esse violandam. Ipsam talis professionis desertricem merito esse dampnandam decernimus<sup>5</sup>.

ID 7.61] + C 27 q 1 c 35

<sup>3</sup> secretario \*AaBe<sup>2</sup>CaCeDaGcOaPaPfPhPqPwSbTdVo; sacrario BeRaTb; secretorio MgTc; consecrario Pc;

<sup>4</sup> coram ep. \*MgPfTbTc; om. Ca. in secretario – episcopo ss Td

<sup>5</sup> decernimus \*AaBeCeDaPaPfPrVoVp; decrevimus CaGcMgOaTbTc

## 202

[*Quomodo*<sup>1</sup> vidue debent<sup>2</sup> facere professionem<sup>3</sup>]<sup>4</sup>. Ex concilio Toletano<sup>5</sup>, cap. v<sup>6</sup>

Omnes femine venientes ad sacram religionem et pallio capita contegant<sup>7</sup>, et conscriptam roboratamque professionis<sup>8</sup> faciant scripturam<sup>9</sup>, post quam ulterius non sinantur relabi ad prevaricationis audaciam. Que vero ex his omnibus<sup>10</sup> fuerint reperte<sup>11</sup> animum aut vestem in transgressione<sup>12</sup> dedisse, excommunicationis sententiam ferant, et rursus<sup>13</sup> mutato habitu in monasteriis donec diem ultimum claudant, sub erumpnis ardue penitentiae permaneant religate<sup>14</sup>.

4L 4.126] + C 27 q 1 c 36

<sup>1</sup> femine add. Gc

<sup>2</sup> -ent MgTc; -eant CaPf

<sup>3</sup> fac. prof.] semper prof. fac. Be

<sup>4</sup> in mg. BeCaCeDaGcLdLnMgPfSbTc, in text PaVo(adding clxxxxviii); om. AdHaMqOaPcPrPtTbVp

<sup>5</sup> conc. Tol. CaDaMgPfSb(adding x ss)Tc; Tol. conc. PhTb

<sup>6</sup> Rf as here

<sup>7</sup> contegant BeCaGcMgPfVo; non tegant Oa; tegant PhTbTc

<sup>8</sup> -ionis BeGcMgPfTcVo; -ionem CaTb

<sup>9</sup> prof. fac. script. (corr. to -ura Ca) CaMgPfTc; professionem faciant PhTb

<sup>10</sup> his omn. CaMgPfTb; omn. his Tc

<sup>11</sup> fu. rep. CaMgPfPhTc; rep. fu. Tb

<sup>12</sup> -ione MgPfVo; -ionem BeCaTbTc

<sup>13</sup> -sus CaMgPfTb; -sum Tc

<sup>14</sup> -ate MgPfTbTc; -are Ca

## 203

*Ex decretis Gelasii pape ad Sicilienses episcopos missis*<sup>1</sup>, cap. ix<sup>2</sup>

<sup>1</sup> missis \*AaCeGcMgOaPaPfVo; om. BeCaMqTc

<sup>2</sup> Ex - ix \*BeDaGcMgMqPfPhSbTc; Ex - episcopos Ca; Gelasius papa Tb

De viduis diu religiosis et de puellis in monasteriis nutritis add. Pa, Quod non liceat viduas religiosum propositum transgredi, nec virginem nubere que in monasteriis aliquandiu conversate (corr. fr. –ande Vo) sunt vel fiunt (clxxxviii add. Vo) add. TdVo



Neque viduas ad nuptias transire patimur, que religioso proposito diuturna observatione permanserunt. Similiter virgines nubere prohibemus<sup>3</sup>, quas annis plurimis in monasteriis etatem peregrisse<sup>4</sup> contigerit.

ID 7.64] C 27 q 1 c 3

<sup>3</sup> que religioso proposito – nubere prohibemus in mg. Mq

<sup>4</sup> peregr- \*CeGcMgMqOaPaTbTc; eg- BeDaCaPfRaSbVoVp

## 204

*[Quod vidue a proposito continentie<sup>1</sup> discedentes excommunicande sint donec ad propositum redeant<sup>2</sup>]. Ex epistola Gregorii pape<sup>4</sup> missa ad Bonifacium<sup>5</sup>*

Viduas a proposito discedentes viduitatis, super quibus<sup>6</sup> nos<sup>7</sup> consulere voluit dilectio tua, frater charissime, credo te nosse a sancto Paulo et a multis sanctis patribus<sup>8</sup> nisi convertantur, olim esse dampnatas. Quas et nos apostolica auctoritate dampnandas et a communione fidelium atque<sup>9</sup> a liminibus ecclesie arcendas fore censemus, usquequo obediant suis episcopis<sup>10</sup>, et ad bonum quod ceperunt, invite aut voluntarie revertantur.<sup>11</sup> De virginibus autem<sup>12</sup> non velatis, si deviaverint, a sancte memorie predecessore nostro papa Innocentio taliter decretum habemus. He vero que necdum sacro velamine<sup>13</sup> tecte, tamen in proposito virginali semper se simulaverunt<sup>14</sup> permanere, licet velate non fuerint<sup>15</sup>, si nupserint, aliquanto<sup>16</sup> tempore his agenda penitentia est<sup>17</sup>, quia sponsio earum a Domino tenebatur. Si enim inter homines solet bone fidei contactus<sup>18</sup> nulla ratione dissolvi, quanto magis ista pollicitatio quam cum Deo<sup>19</sup> pepigit, solvi sine vindicta non poterit, etc<sup>20</sup>. Nam si virgines nondum velate

<sup>1</sup> cont. a prop. Be

<sup>2</sup> ad (corr. fr. a Pf) prop. red. BeMgPaPfTc; red. ad prop. Ca; donec – red. om. Ea

<sup>3</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTc, in text EaPa; De eodem cc Vo; om. MqOaPcPtRfTbVp

<sup>4</sup> pape \*BeCaMgTbTc; om. DaPf

<sup>5</sup> missa ad Bon. \*BeCaPfTbTcVo; ad Bon. missa GcMg. Ex – Bonef.] Greg' Ea

<sup>6</sup> quibus \*CaMgPfTb; quas Tc

<sup>7</sup> nos \*CaMgPfTb; om. Tc

<sup>8</sup> patribus \*CaMgPfTb; fratribus Tc

<sup>9</sup> atque \*CaMgPfTb; et Tc

<sup>10</sup> ob. suis epp. \*CaMgPfTc; epp. suis ob. PhTb

<sup>11</sup> Viduas a proposito – revert. om. Aa, suppl. at foot of leaf by Aa<sup>2</sup>

<sup>12</sup> autem \*MgPfTbTc; om. Ca

<sup>13</sup> sacro velamine \*CaMgPfTb; sunt velamine sacro Tc

<sup>14</sup> -erunt \*CaMgPf; -erint PhTbTc

<sup>15</sup> fuerint \*MgPfTbTc; fuerunt Ca

<sup>16</sup> -anto \*CaMgTbTc; -ando Pf

<sup>17</sup> ag. pen. est \*BeMgPfTbVo; ag. est pen. Ca; est ag. pen. Tc

<sup>18</sup> contactus CePaPfPhPkPrSbTbTcVmVo; tractus Be; contractus BdBe<sup>2</sup>CaDaGcMgPcPqPwSb<sup>2</sup>Td

<sup>19</sup> Deo \*CaMgPfPhTc; Domino Tb

<sup>20</sup> etc \*CaMgPfTb; om. Tc

taliter penitentia publica<sup>21</sup> puniuntur, et a cetu fidelium usque ad satisfactionem veniant excluduntur, quanto potius vidue, que perfectioris etatis et maturioris sapientie atque<sup>22</sup> consilii existunt, virorumque consortio multotiens use sunt, et habitum religionis assumpserunt, et demum apostataverunt, atque<sup>23</sup> ad priorem vomitum sunt reverse, a nobis et ab omnibus fidelibus a liminibus ecclesie et a cetu fidelium usque ad satisfactionem<sup>24</sup> sunt eliminande et carceribus tradende, qualiter<sup>25</sup> iuxta beatum apostolum Paulum<sup>26</sup>, Tradentes<sup>27</sup> huiusmodi hominem Satane ut spiritus salvus sit in die Domini<sup>28</sup>. De talibus enim et Dominus<sup>29</sup> per Moisen loquitur, dicens<sup>30</sup>, Auferte malum de medio vestri. De quibus et per prophetam<sup>31</sup> ait, Letabitur iustus cum viderit vindictam, manus suas lavabit in sanguine peccatoris. De talibus namque et eorum similibus atque eisdem<sup>32</sup> consentientibus dicitur, quia non solum qui faciunt, sed etiam qui consentiunt facientibus<sup>33</sup> rei sunt.

ID 7.63] C 27 q 1 c 2

<sup>21</sup> pen. pub. \*CaMgPfTb; pub. pen. Tc

<sup>22</sup> atque \*CaPfTbTc; at Mg

<sup>23</sup> corr. fr. adque Mg

<sup>24</sup> usque ad sat. \*CaMgPfTb; om. Tc

<sup>25</sup> qual- \*CaPfTc; equal- BeTb; et Gc; om. Mg

<sup>26</sup> ap. Paulum \*CaGcMgPfPhVo; Paulum ap. BeTc; Paulum Tb

<sup>27</sup> -entes \*BeTbTc; -ere CaGcPf; -entem Mg; -amus Vo

<sup>28</sup> Domini \*CaMgPcPfTb; iudicii Tc

<sup>29</sup> Dominus \*MgPfTbTc; Deus Ca

<sup>30</sup> dicens \*MgTc; om. BeCaPcPfTb

<sup>31</sup> per proph. \*BePfTcVo; prophetam Ca; propheta GcMgPhTb

<sup>32</sup> eisdem \*CaPfTbTc; om. Mg

<sup>33</sup> qui cons. fac. \*BeCaEaMgPfVo; consentientibus fac. PhTb; qui fac. cons. Tc

## 205

[Si mulier<sup>1</sup> post obitum viri sui sanctimonialis<sup>2</sup> velum sumpserit, tenere cogitur<sup>3</sup> quod spondit, licet figmentum fuerit<sup>4</sup>].<sup>5</sup> Ex epistola Nicolai pape, cap. v<sup>6</sup>

Nicholaus episcopus<sup>7</sup> servus servorum Dei, reverendissimo et sanctissimo confratri<sup>8</sup> nostro<sup>9</sup> Adalwino sancte Iuvavensis<sup>10</sup> ecclesie archiepiscopo. Quod

<sup>1</sup> Si mul.] Quod mul. si Pa

<sup>2</sup> -ale] -alis CaCeSb; -l' BeGcMgPfTc

<sup>3</sup> -itur CaMgTc; -atur BeCeGcPaPfPr

<sup>4</sup> quod spop. - fuerit BeMgPfTc; om. Ca; licet fig. fuerit om. Pa

<sup>5</sup> in mg. AdBeCa<sup>2</sup>CeDaGcHaLdLnMgPfPrSbTc, in text EaPa, no insc. Ea; De eodem Vo; om.

EgMqOaPcPtRfTbVp

<sup>6</sup> Ex - v BdBeCaDaEgGcMgPfRfTbTc; Nicholaus ad Adalwinum episcopum Iuvac. Cb; cap. v Pt

<sup>7</sup> episcopus \*GcMgPc<sup>2</sup>TbTc; papa CePa; om. BeCaHaPcPfSbVo

<sup>8</sup> confratri \*CaPfTbTc; et fratri Mg

<sup>9</sup> nostro \*CaMgPfTb; suo Tc

interrogasti de femina que post obitum mariti sui velamen sacrum super caput suum imposuit et finxit se<sup>11</sup> sub eodem velamine sanctimoniam esse, postea vero ad nuptias rediit, bonum mihi videtur, quia per hipocrisim ecclesiasticam regulam conturbare voluit, et non legitime in voto suo permansit<sup>12</sup>, ut penitentiam agat de illusione nefanda, et<sup>13</sup> revertatur ad id quod spondit, et in sacro ministerio<sup>14</sup> inchoavit<sup>15</sup>. [206] Nam si consenserimus<sup>16</sup> quod omnia sacramenta ecclesiastica quisque prout vult fingat, et non vere faciat, omnis ordo ecclesiasticus conturbabitur<sup>17</sup>, nec Catholice fidei iura consistunt, nec canones sacri rite<sup>18</sup> observantur. Quid enim profuit Simoni Mago baptismum sacrum<sup>19</sup> fecte suscipere, et in Christianitate permansurum se<sup>20</sup> finxisse, cum per apostolum fraude eius detecta, quid<sup>21</sup> sibi futurum esset prenuntiatur<sup>22</sup> est<sup>23</sup>? Ait enim, Pecunia tua tecum sit in perditionem<sup>24</sup>, cor enim tuum non est rectum coram Deo<sup>25</sup>. Penitentiam itaque age ab<sup>26</sup> hac nequitia tua, et roga Deum ut forte remittatur tibi hec<sup>27</sup> cogitatio cordis tui. In felle enim amaritudinis et obligatione<sup>28</sup> iniquitatis video te esse. Ideo tales nisi resipiscant<sup>29</sup>, spirituali gladio percutere censemur. Non enim fas est Spiritui sancto mentiri, sicut Ananias et Saphira mentiti sunt, et statim perierunt.

ID 7.65] D 27 c 6 to quod inchoavit; +D 27 c 7 to end

<sup>10</sup> Iuvav- CaOaTbIDp; Iuvac- BeGcLgVo; Vivac- CeMg?ObOdOePaPfTc?VmBrant; Viennensis Migne

<sup>11</sup> se \*MgPfTbTc; om. Ca

<sup>12</sup> voto suo permansit \*CaGcMgPfPhVo; voto permansit suo Be; suo voto permansit TbTc

<sup>13</sup> et \*CaMgTbTc; etiam Pf

<sup>14</sup> maneat quod add. \*Tc, permaneat quod add. Ca, om. BeDaGcMgMqOaPaPcPfRaTbVo

<sup>15</sup> om. Oa

<sup>16</sup> consenserimus \*CaMgPfPhTc; conserimus Tb

<sup>17</sup> contur- \*MgPfTbTc; tur- Ca

<sup>18</sup> rite \*CaMgPfTb; om. Tc

<sup>19</sup> corr. fr. sacro Ca, ss Tb

<sup>20</sup> se \*MgPfTcVo; om. CaPhTb

<sup>21</sup> quid \*PfVo; quod BeCaTb; quod id GcMgTc

<sup>22</sup> pren- \*CaMgPfTb; pron- Tc

<sup>23</sup> est \*GcMgTbTc; fuit BeCaPfVo

<sup>24</sup> -one BeGcMgPfTbTcVo; -onem \*Ca

<sup>25</sup> Deo \*CaMgPfTb; Domino Tc

<sup>26</sup> ab \*GcPfTbVo; de BeCaMgTc

<sup>27</sup> hec \*TcTb; hoc GcMg; om. BeCaPf

<sup>28</sup> obligatione \*BeEaGcOaTbTc; oblatione Ca(id est obligatione add. Ca<sup>2</sup>)Mg; obligationem PfVo

<sup>29</sup> -iscant \*CaMgPfPhTc; -icant Tb

## 207

<sup>1</sup>*Ex concilio*<sup>2</sup> *Arelatensi*<sup>3</sup>, *cap. vii*<sup>4</sup>

Sciendum est omnibus quod Deo sacratarum<sup>5</sup> feminarum corpora, per votum proprie sponsionis, et verba sacerdotis Deo consecrata templa esse, scripturarum testimoniis comprobantur, et ideo violatores earum<sup>6</sup> sacrilegi<sup>7</sup> ac iuxta apostolum, filii perditionis esse noscuntur.

ID 7.69] +C 27 q 1 c 37

<sup>1</sup> Quod violatores feminarum Deo sacratarum filii perditionis dicuntur *add. in mg. Sb*

<sup>2</sup> eodem Rf

<sup>3</sup> Arelatensi \*BeCaEaGcMgPfTb; Aurelian' MqTc; Ardatensi Vo

<sup>4</sup> cap. vii *om. Ea*

De violatoribus sacra<ta>rum feminarum *add. Pa*, De sacratis Deo feminis et de ipsarum violatoribus (ccii *add. Vo*) *add. TdVo*

<sup>5</sup> sacratarum \*BeDaEaGcMgOaPfTbVo; sacratarium Ca; sacrarum Tc

<sup>6</sup> earum \*CaMgPfPhTc; *om. Tb*

<sup>7</sup> -egi \*CaMgTbTc; -egii Pf

## 208

<sup>1</sup>*Apostolus dicit*<sup>2</sup>

Precipe, inquit<sup>3</sup>, ut vidue irreprehensibiles sint. Vidua eligatur non minus xl<sup>4</sup> annorum in operibus bonis testimonium habens, si filios educavit, etc<sup>5</sup>. Adolescentiores viduas devita<sup>6</sup>. Cum enim luxuriare fuerint in Christo nubere volunt, habentes dampnationem quia<sup>7</sup> primam fidem irritam fecerunt, simul et otiose loquentes quod non oportet. Volo ergo iuniores nubere, filios procreare, matresfamilias esse, nullam occasionem dare adversario maledicti gratia. Iam enim quedam converse<sup>8</sup> sunt retro<sup>9</sup> Satanam.

ID 7.59]

<sup>1</sup> Que vidue et in quali etate eligantur vidue *add. in mg. Sb*

<sup>2</sup> Ap. dicit BdCaCbDbMqPfPrSbVo(*adding* cciii)Vp; Apostolus ait BeCeEaGcMoPaPcPhPk(*as text*)RfWd (PcRf *with no break*); Apostolus ad Timoth' Eg; Apostolus Pt; Paulus apostolus Tc; *om. Bb*(*running 208 into 207*)MgTb; Timotheum *in mg. Mo*<sup>2</sup>

Qua etate vidue eligantur *add. Pa*

<sup>3</sup> apostolus *add. Mg, om. BeCaPfTbTc*

<sup>4</sup> xl \*CaGcMqPfPrVo; lx BeMgPhTbTc

<sup>5</sup> etc \*BeCaMgTbVo; *om. Pf*; etc. Et Item Tc

<sup>6</sup> vid. dev. *marked for corr. Tb*

<sup>7</sup> quia \*MgPf?TbTc; quod Ca

<sup>8</sup> conv- \*BeCaMgPfTb; rev- Tc

<sup>9</sup> retro BdBeCe(*repeated and cancelled*)DaDbEaGcMgMqPaPcPfPkPqPwRfSbTbTcTdVmVo; retrorsum Ca. post *add. CaEg*(*moved from after Sath.*)PhTc, *om. MgOaPfTbVo*

## 209

[*Quomodo abbatisse debeant vivere et sanctimonialium curam agere*<sup>1</sup>]<sup>2</sup>. *Ex concilio*

*Magotiensi, cap. xiii cui interfuit Carolus imperator*<sup>3</sup>

Abbatissas autem cum sanctimonialibus omnino recte et iuste vivere<sup>4</sup>  
censemur. Que vero professionem secundum regulam sancti Benedicti fecerunt,  
regulariter vivant. Sin autem canonice vivant pleniter et sub diligenti cura custodiam  
habeant, et in claustris suis permaneant<sup>5</sup>, nec foras exitum habeant, sed et<sup>6</sup> ipse  
abbatisse in monasteriis sedeant, nec foras<sup>7</sup> vadant<sup>8</sup>, sine licentia et consilio episcopi  
sui<sup>9</sup>.

ID 7.76]

<sup>1</sup> agere MgPaPfPrTc; gerere AdBeCaGc

<sup>2</sup> in mg. AdBeCaCeGcHaLdLnMgMjPfPrSbTc, in text EaPaVo(adding cciiii); (xx. add. Bd) De abbatissis in mg. BdLj, in text AaPh; De abb' in text and mg. Db; om. MqOaPcPtRfTbVp

<sup>3</sup> cui - imperator (rex Tb) \*GcMgOaTb; om. AaBdBeCaDaEgMqPfPtRfSbTcVo; CePk run on without break or insc. from c 208, EaPa have no insc. but a break (cf c 210). xvii add in mg. Be<sup>2</sup>

<sup>4</sup> recte et iuste vivere \*CaGcMgOaPfPhVo; iuste ac recte vivere Be; recte vivere et iuste Tb; iuste et recte vivere Tc

<sup>5</sup> et in claustris – exitum habeant in lower mg. Vo<sup>2</sup>. Que spiritualiter nubunt - transmigravit (cf *Conspectus*) add. Qa, continuing nec foris without a break

<sup>6</sup> et \*MgPfTbTc; etiam Ca

<sup>7</sup> -as \*CaPfTbTc; -is Mg

<sup>8</sup> exitum habeant – vadant suppl. in mg Mh

<sup>9</sup> ep. sui \*CaMgPaPfTcVo; ipsius episcopi PcRf; sui ep. PhTb. Ea here runs on end of c 210: et si quando foras – peccandi, and then: Abbatissas iuvenulas vehementissime prohibemus. Nullum igitur episcopum fraternitas tua nisi sexagenariam virginem cuius vita hac atque mores exigerint velare permittat.

210<sup>1</sup>

*Ex concilio Grangensi*<sup>2</sup>, cap. ix<sup>3</sup>

Abbatissa nequaquam de monasterio egrediatur, nisi per licentiam episcopi  
sui<sup>4</sup>. Et si aliquando<sup>5</sup> foras pergit<sup>6</sup>, de sanctimonialibus quas secum ducit curam  
habeat maximam<sup>7</sup>, ut nulla eis detur occasio peccandi<sup>8</sup>.

ID 7.98]

<sup>1</sup> after c 211 Oe. For Ea see note to end of c 209

<sup>2</sup> conc. Grangensi \*BeCaGcMgTb; conc. Graverensi DaPfRf; conc. angrensi Db; eodem conc. Eg; conc. Gangrensi MqPtVo; conc. Grangrensi OaPrSe; Conc. Magonciensi cp. xiii cui interfuit Karolus imperator CePaPk; conc. Egrangrensi Ph; conc. Granetensi Pw; conc. Graneresi SbTc; concilio Granensi Vp

<sup>3</sup> ix GcLgMgMqPfPhPrPtSbTbVo; xi BeOa; ii CaDaPcRfTc; xxvi EgPw; vii RaVp.

De abbatissis qualiter vivere debeant add. in mg. Ce, De eodem add. PaVo( Vo adding ccv)

<sup>4</sup> nisi per (om. Gc) lic. ep. sui DbEgGcLgMjMkOdOeOfPfTcVoIDmBrant; nisi per lic. sui ep. BeCaMfMhOaObPaPdPtVmIDp; sine sui ep. lic. Mg; nisi per ep. sui lic. PhTb

<sup>5</sup> aliqu- \*PfVo; qu- BeCaGcMgMqOaTbTc

<sup>6</sup> -git \*BeCaMgPfTb; -get Tc

<sup>7</sup> hab. max. \*BeCaMgPfTb; max. hab. Tc

<sup>8</sup> ut nulla eis detur (detur eis Se) occ. pecc. \*BeCaEgGcMgPfSeTc; ne pecc. ulla eis detur occ. PhQeTb

## 211

*Ex concilio Magontino<sup>1</sup>, cap. xxvi<sup>2</sup>*

Abbatissa diligentem habeat curam<sup>3</sup> de congregatione sibi commissa, et<sup>4</sup> provideat ut in lectione et in<sup>5</sup> officio et in modulatione psalmorum ipse sanctimoniales strenue sint, et in omnibus operibus bonis illa eis ducatum prebeat, utpote pro animabus earum rationem redditura<sup>6</sup> in conspectu Domini, et stipendia sanctimonialibus prebeat<sup>7</sup> necessaria ne forte per indigentiam cibi aut potus peccare compellantur<sup>8</sup>.

ID 7.112]

<sup>1</sup> Ex conc. Mag.] Ex eodem Aa. Magontino BeCaEaOaPfSeTb; Grantiensi Eg; Moguntino Gc; Moguntiensi Mg; Magoncio Pa; Maguntiensi Tc

<sup>2</sup> xxvi BeCaGcMgPfPkSeTbTcVo; ix Eg; xvi Pt; xxv Vp. cap. xxvi om. Ea. No insc., no break Rf. De eodem add. PaVo (Vo adding ccvi)

<sup>3</sup> hab. cur. CaMgPfTb; cur. hab. Tc

<sup>4</sup> et \*MgPfTbTc; om. Ca

<sup>5</sup> in \*CaMgPfPhTc; om. Tb

<sup>6</sup> rat. red. \*CaMgPfTb; red. rat. Tc

<sup>7</sup> utpote pro animabus – sanctimonialibus prebe.. in mg. Vo<sup>2</sup>

<sup>8</sup> comp- \*CaMgPfTb; imp- Tc

## 212

*Ex<sup>1</sup> eodem<sup>2</sup>, cap. xiv<sup>3</sup>*

Sanctimoniales nisi forte abbatissa sua pro aliqua necessitate incumbente<sup>4</sup> mittente, nequaquam de monasterio egrediantur.

ID 7.77a]

<sup>1</sup> Ex \*CaMgPfTbVo; In PcRfTc

<sup>2</sup> eodem PcPfTcIDp; concilio Mogontino (Magontiensi CaDaCePa, Maguntiensi BeDbOa, Magot' Ea, Moguntiensi Gc, Magont' MqPh; Magontino TbVo) BeCaDaDbEaMgMqPhPtTbVo; eodem concilio RaIDm; Maguntino Vp

<sup>3</sup> Quod sanctimoniales non egrediantur de monasterio nisi (ex add. Ce) abbatissa mittente ex necessitate add. Ce(mg.)Pa, Quod sanctimoniales de monasteriis non egrediantur nisi pro grandi necessitate add. in mg. Sb, De eodem ccvii add. Vo

<sup>4</sup> iuc- Ca

## 213<sup>1</sup>

*<sup>2</sup>Ex concilio Gangrensi, cap. xiii<sup>3</sup>*

<sup>1</sup> cc 213-4

BbBeCaCbDaDbEaFcLcLdLfLgLhLjLkLmLnMfMgMhMkMmMoMqOaObOdOeOfPaPdPfPhPkPqPrPtPwQeRaSbSeSITbTcTdVmVoVpWcBrant; cc 214-3 SgRf (for GcHaPc see c 214)

<sup>2</sup> Quod mulier habitum suum mutare et virilem amictum sumere non debeat add. in mg. Sb

Si qua mulier propter continentiam que putatur<sup>4</sup> habitum mutat, et pro solito<sup>5</sup> muliebri<sup>6</sup> amictum<sup>7</sup> virilem sumit<sup>8</sup> anathema sit.

ID 7.78

<sup>3</sup> Ex conc. Gangrensi (Gravensi CbPfTbTc, Grangensi MgQe, Grangrenti Ph, Grangrensi Pr, Gerundensi Ra) cap. xiii \*BeCbGcLmMgPfPhPrQeRaTbTcVo; Ex conc. Grangrensi, cap. xiiii CaDaLfOa; Item Ea; Ex eodem conc. cap. xvii Ld; om. Mq.  
De muliere que habitum virilem sumit *add.* Pa, Ne qua mulier pro continentia habitum virilem sumat ccviii *add.* Vo

<sup>4</sup> que put. \*CaMgPfPhTc; om. Tb

<sup>5</sup> pro solito] posito Mf

<sup>6</sup> -ebri CaMgPfTbTc; -ebre Lm

<sup>7</sup> -tum \*CaMgPfTc; -tu Tb

<sup>8</sup> -mit \*BeCaCbGcLdLlLjLmMgPhVo; -mat PfTbTc

## 214<sup>1</sup>

*Ex eodem concilio, cap. xvii<sup>2</sup>*

Si qua mulier propter divinum cultum ut estimat crines attondet<sup>3</sup>, quos ei Deus ad subiectionis memoriam<sup>4</sup> tribuit, tanquam preceptum dissolvens<sup>5</sup> obedientie, anathema sit.

ID 7.80]

<sup>1</sup> In Gc there is a mark of omission, and the canon was supplied by another hand at the head of the leaf (partly ploughed); in mg. Ha<sup>1</sup>, Pc<sup>2</sup>

<sup>2</sup> Ex (De Vo) eodem concilio cap. xvii \*BeCaLfLjLmLnMgPaPhPrQeSbTbVoBrant; Ex eodem, cap. xvi CbTc; Ex eodem conc. cp. xiiii Da; Ex conc. Granerensi cap. xiii (xiiii Vp) LdVp; Ex conc. Gangrensi cap. xvii Mq; Ex conc. eodem cap. xvii Oa; Ex eodem, cap. xvii Pf; Ex concilio Rotomagensi c. iii Ra. De muliere que propter divinum cultum crines attondet *add.* Pa, De eodem ccviii *add.* Vo

<sup>3</sup> -det \*BeCaCbLdLjLmPfTbVo<sup>2</sup>; -dit Mg; -dat TcVo

<sup>4</sup> sub. mem. \*BeCaMgPfTbTcVo; mem. sub. CbLj

<sup>5</sup> dissolvens \*CaMgPfTbTc; solvens Ld

## 215

*Ex concilio Rothomagensi<sup>1</sup>, cap. iii<sup>2</sup>*

Ut<sup>3</sup> episcopus monasteria monachorum et sanctimonialium frequenter introeat, et cum gravibus et religiosis personis in<sup>4</sup> eorum vel in earum<sup>5</sup> conventu residens,

<sup>1</sup> -agensi BeCaCbLmMgOaTbTc; -acensi Pf; Ex eodem concilio Ra

<sup>2</sup> cap. iii om. Ea.

De cura episcopi quam agere debet super monachos et sanctimoniales *add.* Pa, Quod episcopi monasteria monachorum et sanctimonialium frequenter intrare, vitam eorum investigare et emendare debeat *idd.* in mg. Sb, Qualiter episcopus se erga claustra monachorum et sanctimonialium habere debeat (ccx *add.* Vo) *add.* TdVo

<sup>3</sup> Ut \*BeCaEaPfPkTbTcVo; Et MgOe

<sup>4</sup> in \*MgPfTbTc; et Ca

<sup>5</sup> eorum vel in earum \*PhOaTbTc; earum vel eorum BePw; eorum BdCaCeGcLmMq<sup>2</sup>PaPcPkRaSbVmVo; earum CbLmMgMqPf<sup>2</sup>; vel in earum Td

eorum vitam et conversationem diligenter discutiat<sup>6</sup>, et si<sup>7</sup> quid reprehensibile invenerit corrigere satagat. Sanctimonialium etiam pudicitiam<sup>8</sup> subtiliter investiget<sup>9</sup>, et si aliqua invenitur que, neglecto proposito castitatis<sup>10</sup>, clerico aut laico<sup>11</sup> impudenter misceatur, acriter verberibus coerceatur<sup>12</sup>, et in privata custodia retrudatur, ubi quod male commisit, digne peniteat. Interdicatur etiam ex auctoritate sanctorum canonum, ut nullus laicus aut clericus<sup>13</sup> in earum claustris et<sup>14</sup> secretis habitationibus accessum habeat, neque presbiteri, nisi tantum ad missam<sup>15</sup>. Expleta missa ad ecclesias suas redeant. Omnibus preterea<sup>16</sup> publice et privatim denuntiet quantum piaculum sit<sup>17</sup> qui sponsam Christi<sup>18</sup> vitare presumit<sup>19</sup>. Si enim ille reus tenetur qui sponsam hominis violat, quanto magis reus maiestatis efficitur, qui sponsam omnipotentis Dei corrumpit?

ID 7.84]

### Explicit liber tertius<sup>20</sup>

<sup>6</sup> disc- \*BeCaMgPfTc; exc- PhTb

<sup>7</sup> si \*CaMgPfTbTc; sic Lm

<sup>8</sup> corr. fr. pudicitiam Lm

<sup>9</sup> subt. inv. \*BeCaGcPfTc; inv. LmVo; inv. subt. MgTb

<sup>10</sup> cast- \*CaCbLmMgPfTb; sanct- Tc

<sup>11</sup> cl. aut (vel Tc, an Vo) laico CaLmMgPfTbTcVo; aut laico aut clerico Cb

<sup>12</sup> obsc. corr. Cb

<sup>13</sup> laicus aut cler. \*CaGcMgPfRa; cler. aut (an Vo) laicus BeTbTcVo

<sup>14</sup> et \*CaMgPfTb; aut Tc

<sup>15</sup> et add. Tc, om. \*CaCbLmMgPfTb

<sup>16</sup> et add. Tb, om. \*CaMgPfPhTc

<sup>17</sup> piaculum sit \*BeCaCeDa(vel peri ss)LmMqOaPaPh; periculum sit Be<sup>2</sup>MgPrTbTc; sit piaculum CbPfSbTdVo

<sup>18</sup> violare vel add. PhTb, om. \*CaMgPfTc

<sup>19</sup> require retro capitula Lf

<sup>20</sup> Exp. liber tert. AdDaDbMfMhMjMkMmMoOaPfQeSbSITbVo(after insc. to 4. 1 below); Expl. pars tertia Ea; Explicit tertia pars et liber vi Pa; Expl. tertius liber Pq; Expl. III Pt; Expl. ... tertius Se; Exp. tert. Tc; om. BbBdBeCaCeGcLcMgMqPcPhPrPwRaRfTdVmVpVqWc. cf Lc under 3.115a above

### 215A<sup>1</sup>

#### *Innoc' papa Victricio Rothomagensi episcopo<sup>2</sup>*

Que Christo spiritualiter nubunt, si postea publice nupserint vel se clanculo corruerint<sup>3</sup>, non eas admittendas esse ad penitentiam nisi is cui se iunxerant<sup>4</sup> de mundo recesserit. Si enim de hominibus hec ratio<sup>5</sup> custoditur<sup>6</sup>, ut quecumque<sup>7</sup> vivente<sup>8</sup> viro alteri nupserit adultera habeatur,

<sup>1</sup> EgLk<sup>2</sup>(in marg. with tiemark)MoPcRf(no break)TcVt here, MgWa after 3.206, Ed after 3.209, Ln in mg. to 3.204, Qa in mid-3.209, Ra<sup>2</sup> at head of leaf, Sk after 7.90, Vc<sup>2</sup> at foot of leaf, Vp after 3. 202, JaLcOc at end of 8

<sup>2</sup> Inn. - episc. EgVt; Ex decretis Innocentii pape (cap. ix add. Mg), LnMg; no

insc.LkMo(running on from c 215)Qa; Ex decretis Gelasii pape Ra; Unde supra Tc; Item Vc

<sup>3</sup> corruerint LkMgRaTc; current Qa

<sup>4</sup> -ant \*EgMgRaQa; -at LkTc

<sup>5</sup> de hom. hec rat. \*EgLkMgRaQa; hec rat. de hom. Tc



nec eis agende penitentie licentia concedatur nisi unus ex his fuerit defunctus, quantomagis de illa tenendum est que ante immortalis sponso se coniunxerat<sup>9</sup> et postea ad humanas nuptias transmigravit?<sup>10</sup>

*ID 7.17 var.] C 27 q 1 c 10*

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<sup>6</sup> -itur \*EgLkMgQa; -iatur Tc

<sup>7</sup> -que LkMgTc; *om.* Qa

<sup>8</sup> viv- \*EgLkQaRaTc; conviv- Mg

<sup>9</sup> coniunx- \*EgLkMgQa; iunx- RaTc

<sup>10</sup> Eg *has a longish marginal gloss*: Hoc de virginibus non de viduis – quam secunde