

## 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 ordinatibus, 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.*

AaAdBdBcCaCbCcCeDaDbEaEgFcGaGbGcHaLbLcLdLfLgLjLkLnMfMgMhMjMkMmMoMqOaOb  
OdOeOfPaPcPdPfPkPqPrPtPwRaRfSbSgSlTcTdTfVnVpVqWc. 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

AdBdCaCbEaFcHaLbLdLjMgMkMqOaObOdPcPqRaSbSlTeVn; 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*)MgMPfPrTe; *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.* LbPhRfSbTcVnWc. i *add. in mg.* Be<sup>2</sup>

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

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 tusionibus 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,

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

<sup>5</sup> cap. i AdBeDaOaPfPhPrPtTcTeVmVoVp; cap. ii Ca; om. PcRf. Ex - i om. LbMgMqPwTbVn

<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 CaGcMgTbTcTe; -ilis PfVp

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

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

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

<sup>13</sup> -archii BePfVmVp; -arche AaGc; -archi AdMgTeVo; -archali Ca; -archiali TcVn

<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- CeDaGcPaPfPhPkPqPrSbTeVmVnVo; repetitis AaAdBdLk; trap. (trapegetas Ca) repetitis

BeCaMg Pc(*corr. fr.* trapeatas)PwRfTcVp; tap- Tb

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

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

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

<sup>25</sup> preleant Tc

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

sicque reliquus clerus<sup>27</sup> et populus ad consensum nove electionis accedant, ut nimirum 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<sup>44</sup> autem de ipsius ecclesie gremio, si reperitur idoneus, vel si de ipsa non invenitur ex alia assumatur, salvo debito honore et reverentia<sup>45</sup> dilecti filii<sup>46</sup> nostri Henrici<sup>47</sup> qui inpresentiarum rex habetur et futurus imperator<sup>48</sup>, Deo concedente, speratur, sicut iam sibi concessimus et successoribus illius qui ab hac apostolica sede personaliter hoc ius impetraverint<sup>49</sup>. Quod si pravorum atque iniquorum hominum ita perversitas invaluerit, ut pura, sincera atque gratuita electio<sup>50</sup> fieri in urbe non possit, cardinales episcopi cum religiosis clericis catholicisque<sup>51</sup> laicis<sup>52</sup>, licet paucis, ius potestatis obtineant eligere apostolice sedis pontificem, ubi congruentius iudicaverint. Plane postquam electio fuerit facta, si bellica tempestas, vel

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

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

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

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

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

<sup>32</sup> certe rectus BdCaMgPaPcPfPkPwSbTcTeVmVp; certus PhTb; certe ritus Vn

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

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

<sup>35</sup> nostri *add.* TcVnVp, *om.* CaMgPfTbTe

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

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

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

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

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

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

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

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

<sup>44</sup> Eligant Te

<sup>45</sup> rev. *after* Henrici Tc

<sup>46</sup> *obsc. corr.* Ca

<sup>47</sup> *corr. fr.* eHen- Tb

<sup>48</sup> -ori Te

<sup>49</sup> -int CaMgPfPhTcTeVm; -unt Tb. Hinc usque ad alium titulum *add. in mg.* Cb

<sup>50</sup> elictio Tc

<sup>51</sup> catholicisque CaPfTbTcTe; et catholicis Mg

qualiscumque hominum conatus, malignitatis studio restiterit, ut is<sup>53</sup> qui electus est, in apostolica sede iuxta consuetudinem intronizari non valeat, electus tamen sicut papa auctoritatem obtineat regendi sanctam Romanam ecclesiam, et disponendi omnes facultates illius, quod beatum Gregorium ante suam consecrationem<sup>54</sup> fecisse cognoscimus<sup>55</sup>. Quod si quis contra hoc<sup>56</sup> nostrum decretum<sup>57</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>58</sup> perpetuo anathemate cum suis auctoribus<sup>59</sup>, fautoribus, sequacibus, a liminibus sancte Dei ecclesie separatus subiciatur, sicut antichristus et invasor atque<sup>60</sup> destructor totius christianitatis, nec aliqua super hoc audientia aliquando ei<sup>61</sup> reservetur, sed ab omni ecclesiastico gradu in quocumque prius fuerat, sine retractatione deponatur. Cui quisquis<sup>62</sup> adhererit, vel qualemcumque tanquam pontifici reverentiam<sup>63</sup> exhibuerit, aut in aliquo illum<sup>64</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>65</sup> in iudicio reputetur. Omnipotentis scilicet<sup>66</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>67</sup> ipse atque eius filii<sup>68</sup>, et mendicent<sup>69</sup> et eiciantur de habitationibus suis. Scrutetur fenerator omnem

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<sup>52</sup> *obsc. corr.* Ca

<sup>53</sup> is MgPhTbTc; his CaPfTeVp

<sup>54</sup> suam cons. CaMgPfPhTcVm; ordinationem suam Tb

<sup>55</sup> -oscimus PfPhTbTeVm; -ovimus CaMgTcVn

<sup>56</sup> hoc MgPfTbTc; *om.* Ca

<sup>57</sup> nost. dec. CaMgPfTb; dec. nost. TcTe

<sup>58</sup> et *add.* Tc, *om.* CaMgPfTb

<sup>59</sup> auct- CaMgPfTcTe; act- Tb. et *add.* Ca, *om.* MgPfTbTc

<sup>60</sup> atque CaMgPfTcTe; et TbVp

<sup>61</sup> ss Tb, *om.* Te

<sup>62</sup> quisquis CaMgPfTb; si quis Tc

<sup>63</sup> -iam CaMgTbTc, -ia Pf

<sup>64</sup> illum CaMgPfPhTc; ipsum Tb

<sup>65</sup> ad vitam *add.* Tc, *om.* CaMgPfTbTe

<sup>66</sup> scilicet CaMgPfTb; *om.* Tc

<sup>67</sup> Comm. am. CaMgPfPhTcTe; Commoveatur Tb

<sup>68</sup> eius filii MgPfTe; fil. eius CaTbTc

<sup>69</sup> -ent CaPfTbTc; -et Mg

substantiam eius et diripiant<sup>70</sup> alieni<sup>71</sup> labores eius. Orbis terrarum pugnet contra eum, et cuncta elementa sint ei contraria et omnia<sup>72</sup> sanctorum quiescentium merita illum confundant, et in hac vita super eum apertam<sup>73</sup> vindictam ostendant<sup>74</sup>. Observatores autem huius nostri decreti<sup>75</sup> Omnipotentis gratia protegat, et auctoritate<sup>76</sup> beatorum apostolorum<sup>77</sup> Petri et Pauli ab omnium peccatorum<sup>78</sup> vinculis<sup>79</sup> absolvat<sup>80</sup>.

<sup>70</sup> -iant PfPhTbTe; -ient Mg; d. CaTc

<sup>71</sup> omnes *add.* MgVp, *om.* CaPfTbTcTeVn

<sup>72</sup> omnia CaMgPfTb; omnium BeGcTcVnVp. eum et cuncta – omnia *ss* Te

<sup>73</sup> *corr. fr.* op- Mg

<sup>74</sup> et in hac – ostendant *in mg* Ps<sup>2</sup>

<sup>75</sup> nostri dec. CaPfPhTcTeVoVp; modi dec. Mg; dec. nostri Dei Tb

<sup>76</sup> -tate] –tas Vp

<sup>77</sup> apost. CaMgPcPfTb; *om.* Tc

<sup>78</sup> pecc. CaMgPfTb; delictorum Tc

<sup>79</sup> -ulo Pa

<sup>80</sup> -at CaMgPfTbTe; -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.

<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. GcTe; Rom. eccl. MgPfTcVp; Rom. Vm

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

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

<sup>6</sup> -si CaPfMgTe; -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; Imb- Te; Liub- Vn

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

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

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

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

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

<sup>14</sup> lxxvi CaGcMgPfPhQeRfTcTe; 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 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<sup>7</sup> est<sup>8</sup> pontifex, convenientibus episcopis et universo clero eligatur, ex<sup>9</sup> presente<sup>10</sup> senatu et populo, qui ordinandus est, et sic electus<sup>11</sup> ab omnibus<sup>12</sup> presentibus legatis imperialibus consecratur, nullusque sine sui<sup>13</sup> periculo iuramenta vel promissiones<sup>14</sup> aliquas, nova adinventione audeat extorquere, nisi que antiqua exigit consuetudo, ne vel ecclesia scandalizetur vel<sup>15</sup> imperialis honorificentia minuatur.

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

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

<sup>2</sup> Stephanus papa AdCaCbCcDaGcLbMgOdPcPhPrPtRfTb(*mg.*)TcTeVn; 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

<sup>6</sup> nec CaMgPf<sup>2</sup>PhTcVn; necnon PfTbTe

<sup>7</sup> intuentus Te (*p.c.*)

<sup>8</sup> est CaMgPfTcTe; sit PhTb

<sup>9</sup> ex CaPfTbTe; *om.* MgTc

<sup>10</sup> -ente CaMgPfPhTcTe; -enti Tb

<sup>11</sup> *corr. fr.* elatus Ra<sup>2</sup>

<sup>12</sup> vel hominibus *in mg.* Ra<sup>2</sup>

<sup>13</sup> sui CaMgPfTc; sive Tc

<sup>14</sup> promissiones Tc

<sup>15</sup> vel MgPfTbTcTe; 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

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

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

<sup>3</sup> pape *add.* CaMgTbTdVnVo, *om.* BeDaGcLbPcPfPhPrTcTeVmVp

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

<sup>5</sup> possit BeCaPfTbTcTe; possint MgVnVp

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

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

esse diversa, eorum de quibus certamen emerit conuincat<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>8</sup> conuincat GcOaPfTbTcTeVmVoVp; 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.

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<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.* SbTe<sup>2</sup>

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

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

<sup>4</sup> firmiter Vp

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

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

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

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

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

<sup>10</sup> vel Pa

### 4

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

Nihil de traditione<sup>4</sup> quam a probatissimis predecessoribus<sup>5</sup> meis<sup>6</sup> traditam et<sup>7</sup> servatam<sup>8</sup> reperi, diminuere vel mutare aut<sup>9</sup> aliquam novitatem admittere, sed

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

<sup>2</sup> dpont- Te

<sup>3</sup> Ex - diurnus \*AdBeCbCeDaGcLbMgPaPfPhPrPtPwSbTbTeVmVnVo; 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>4</sup> de trad.] detractio RfSb

<sup>5</sup> viris *add.* Mg, *om.* \*CaPfTbTc

<sup>6</sup> mei Te

ferenter ut eorum vere discipulus et sequipeda totis<sup>10</sup> mentis mee<sup>11</sup> conatibus que tradita canonice comperio<sup>12</sup>, observare<sup>13</sup> ac venerari profiteor.

ID 4.197]

<sup>7</sup> vel Vp

<sup>8</sup> serv- \*CaMgPfTbTeVo; observ- Tc; conserv- Vp

<sup>9</sup> aut \*GcPfTbTe; vel BeCaMgTc; ad PrVm; an Vo

<sup>10</sup> totis \*CaMgPfTbTe; om. PcTc

<sup>11</sup> mee \*CaCbMgPfPhTeVm; mee totius PcTc; om. Tb

<sup>12</sup> -erio \*CaPfTbTc; -erior Mg

<sup>13</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<sup>7</sup>. Hos siquidem<sup>8</sup> solos primitiva legitur ecclesia<sup>9</sup> habuisse. Super his solis preceptum apostoli habemus<sup>10</sup>. Subdiacones vero quia<sup>11</sup> et ipsi altaribus administrant<sup>12</sup>, opportunitate exigente, concedimus, sed rarissime si tamen spectate sint religionis et scientie. Quod ipsum non sine Romani pontificis vel metropolitani licentia<sup>13</sup>.

ID 5.72b] D 60 c 4

<sup>1</sup> in mg. AdBeCaCeDaGaGcLdLjLnMgPfPrSbTcTe<sup>2</sup>, in text LmMqPaVmVo (adding v); om. CbLcLfOaPcPtTbVnVp. ii add. in mg. Be

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

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

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

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

<sup>6</sup> eli- \*BeCaCbCcLdLfLjMgPh<sup>2</sup>PtTcVmVoVp; deli- LmPfQeTb; dili- Te

<sup>7</sup> -atum -eratum Te

<sup>8</sup> siquidem \*BeCaCbMgPfPtTbTcVmVp; quidem Lf

<sup>9</sup> prim. leg. eccl. \*BeCaCbGcLdLfLjLmMgPfPtTbTeVmVo; prim. eccl. Cc; leg. prim. eccl. Tc; prim. et leg. Vp

<sup>10</sup> ap. hab. \*BeCaCbCcLdLfLjLmMgPfTbVm; hab. ap. Tc

<sup>11</sup> ss Cc

<sup>12</sup> administrant \*CaCbGcMgPfPtTbTcTeVo; ministrant BeLfVp

<sup>13</sup> vel met. lic. AdBdCaCbEgLGmGcOaPfPkPwSeSlTcTeVmVoVp; 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<sup>4</sup>

Cum de summi sacerdotis<sup>5</sup> electione tractabitur, ille omnibus preponatur quem cleri plebisque consensus concorditer postularint<sup>6</sup>, ita ut si in alium fortasse partium<sup>7</sup> se vota diviserint, metropolitani iudicio, is alteri preferatur qui maioribus et<sup>8</sup> studiis iuvatur et meritis, tantum<sup>9</sup> ut nullus invitis et non petentibus ordinetur, ne plebs invita episcopum non optatum aut contempnat aut oderit et fiat minus religiosa quam convenit, cui non licet habere quem<sup>10</sup> voluit<sup>11</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>1</sup> cui CaPfTc; om. Mg

<sup>2</sup> in mg. AdBeCaCeDaGcLdLn(partly illeg.)MgPfPrSbTcTe<sup>2</sup>; in text MqPaVmVo; om. LbPcPtTbVn

<sup>3</sup> pape CaLbPfRfTeVo; om. AdBeCbGcMgPaPrTbTcVmVn

<sup>4</sup> cap. v om. Lb

<sup>5</sup> sacerdotis \*BdCeGcPaPc<sup>2</sup>PfPhPkPqPrRfSbTbTcTeVmVn; pontificis AdBeCaDaMgPcPwTf

<sup>6</sup> -arint \*PfTcTe; -averint BeCaGcPrVmVo; -averit MgPhTb

<sup>7</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>8</sup> et \*Gc<sup>2</sup>PfPhTbTe; om. CaMgTc

<sup>9</sup> tantum \*GcPfTbTcTe; tamen CaMg

<sup>10</sup> quem CaGcMgPfTcTeVmVn; quod PhQeTb

<sup>11</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>

<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.)PfPrMgSbTcTe<sup>2</sup>; in text MqPaVmVo; om.

CeLbOaPcPtTbVnVp

<sup>5</sup> cap. v BeCaCbGcLbPfPhSbVmVoVp; pape cap. xvii MgVn; pape cap. v OaTb; cap. cv Rf; pape Tc; cap. decimo Te

<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. AdBeCaMgPfTeVp; ep. ord. Oa; est ord. ep. PhTb; ep. est ordinatus Vo

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

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

preferantur. Habeat unusquisque sue fructum militie in ecclesia, in<sup>14</sup> qua suam<sup>15</sup> per omnia officia transegit etatem. In aliena stipendia minime alter obrepat, nec alii<sup>16</sup> debitam<sup>17</sup> alter sibi<sup>18</sup> audeat vindicare mercedem. Sit facultas clericis renitendi si se viderint pregravari, ut<sup>19</sup> quem sibi ingeri ex transverso agnoverint<sup>20</sup>, non timeant refutare. Qui si<sup>21</sup> non debitum premium vel liberum de eo qui eos recturus est, debent habere iudicium.

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

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

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

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

<sup>15</sup> sua Te

<sup>16</sup> alii \*CaMgPfPhTc; alteri Tb

<sup>17</sup> alter obrepat – debitam om. Te

<sup>18</sup> alter sibi \*MgPfTbTc; sibi alter Ca

<sup>19</sup> after corr. Mg

<sup>20</sup> agn- AdBdBcCaCeDaGcLbLkMgOaPaPcPfPhPkPrPwRa<sup>2</sup>SbTbTeTfVmVnVoVp; cogn- \*RaTc

<sup>21</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

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

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

LbOaPcPtRfTbVnVp

<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 \*BeCaCbFcOaPcPfPtPwRfSb<sup>2</sup>TbVmVo; viiii Da; septima LbMgTcTeVn; vi Sb

<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

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

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

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

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

## 9

*[Quod<sup>1</sup> quilibet<sup>2</sup> electus regia vi<sup>3</sup> vel<sup>4</sup> potestate careat episcopi dignitate]<sup>5</sup>. Canones Parisiaci<sup>6</sup> sub Ludovico imperatore<sup>7</sup>*

Si per ordinationem<sup>8</sup> regiam honoris istius culmen pervadere aliquis nimia temeritate presumpserit a comprovincialibus loci ipsius<sup>9</sup> episcopis recipi penitus nullatenus mereatur, quem indebite<sup>10</sup> ordinatum agnoscunt<sup>11</sup>. Si quis<sup>12</sup> de comprovincialibus<sup>13</sup> recipere contra interdicta presumpserit sit a fratribus omnibus segregatus, et<sup>14</sup> ab ipsorum omnium caritate semotus<sup>15</sup>.

*ID 5.123 med.] +D 63 c 5*

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

<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> *om.* Te

<sup>5</sup> *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; *in text* MqPaVmVo(*adding viii*); *om.* LbPcPtTbVnVp

<sup>6</sup> -iaci \*CaMgPfTcTe; Darisiaci Pa; -isii Tb

<sup>7</sup> Ludovico imp.] Ludwico rege Lb

<sup>8</sup> per ord.] per ordinem Pa; pro ordinatione Ph *after corr.*

<sup>9</sup> ipsius BeGcPfTbTeVmVo; illius CaMgTcVn

<sup>10</sup> honoratum vel *add.* PhTb, *om.* \*CaCeMgPaPfRfTcVmVn

<sup>11</sup> agn- \*CaMgPfTcVm; cogn- Tb

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

<sup>13</sup> comprov- \*BeCaGcMgTeVn; prov- PfPrSbTbTcVmVo

<sup>14</sup> et \*CaMgTbTc; etiam Pf

<sup>15</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  
qui dignus est elegerit, et eum<sup>17</sup> pariter consecraverit<sup>18</sup> pontificem. Et licet<sup>19</sup> istud  
necessitate cogente concessum sit, illud autem quod de archiepiscopi<sup>20</sup>  
consecratione<sup>21</sup> preceptum atque predictum est<sup>22</sup>, id est ut omnes suffraganei eum  
ordinent, nullatenus immutari licet, quia qui<sup>23</sup> illis preest, ab omnibus episcopis  
quibus preest debet constitui. Sin autem aliter presumptum fuerit<sup>24</sup>, viribus carere non  
dubium est, quia irrita erit eius<sup>25</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>1</sup> et CaMgTcVm; om. Pf

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

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

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; in text MqPaVmVo (adding x); A quot episcopis  
episcopus debeat ordinari Vp; om. LbOaPcPtRfTbVn

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

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

<sup>7</sup> Ean- Vp

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

<sup>9</sup> arch. ob. \*BeCaMgRaTcVnVp; arch. diem ob. CeGcOaPaPfPhPrSbTeTfVmVo; die ob. Pc;  
archiepiscopi dies obitus evenerit Tb

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

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

<sup>12</sup> -itanam \*PcTc; -im BeCaGcLkMgPfPrSbTbVm; -im Ph; -ani RaVp; -italim' Te

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

<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>

<sup>17</sup> cuncti Sb

<sup>18</sup> cons. \*PhSb<sup>2</sup>TbTc; sacraverit BdCaCeDaGcMgPaPcPfPkPrPwSbTeTfVmVn. Da mg. add. al.... et  
cuncti pariter consecraverint

<sup>19</sup> licet \*MgPfTbTc; libet Ca

<sup>20</sup> -opi CaMgPfTbTcTe; -opis PrVm

<sup>21</sup> cons. \*MgPfTb; sacratione Ca; om. Tc

<sup>22</sup> atque pred. est MgPfTbTeVm; est atque pred. Ca; et pred. est Tc

<sup>23</sup> in add. CaMg, om. \*GcPfTbTcTeVmVn

<sup>24</sup> fuerit \*CaMgTbTc; om. Pf

<sup>25</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 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>1</sup> ss Mg

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

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

<sup>4</sup> Quod – exponere ibidem (ib. exp. Vo) *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; *in text* MqPaVmVo; *om.* LbOaPcPtRfTbVnVp

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

<sup>6</sup> i \*CaLbPfTbTcTeVm; ii MgVn

<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- CaPfPhSbTcVm; amm- Mg; admon<it>ionem Tb; communionem Te

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

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

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

<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 evangeliiis 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 CaMgPfSbTcTeVo; vel GcVm

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

<sup>4</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; in text PaVmVo; part in text, part ss Mq; om.

LbOaPcPtPwRfTbVnVp

<sup>5</sup> pape add. BeTcTe, episcopi add. GcPrVm, om. CaLbMgPfPhRfSbTbVn

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

<sup>7</sup> Ordinos Rf

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

<sup>9</sup> conv. \*MgTcVnVp; omnibus BeCaGcOaPfPrSbTbTeVmVo

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

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

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

<sup>13</sup> sollempnem celebrent ordinem (ordinationem Pa<sup>2</sup>PcID) CaDaMgPaPcPfTbTeVm; 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

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

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

<sup>3</sup> Ut (Quod Ad) in die Resurrectionis (Res. die PhTb) levitica et sacerdotalis (sac. et lev. Pa) fiat (sit Tb) ordinatio \*AdBdCaCbCeGcMgMqOaPaPcPhPrRfSbTbTeVmVoWc (MqPaPrTeVn 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. \*BeCaCbGcMgPfSbTbTeVn

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

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>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 CaGcMgPfTcTeTfVmVnVo; 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 CaPfTbTcTe

<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. BeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, 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.

BdLbOaOePcPhPkPqPtPwVp. Ex concilio Aurelianensi, cap. v LbLdLf(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)CeDbFcGcMgOaPaPcPhPkPqPwRaTbVmVnVo

## 15

[*Quod nullum episcopum metropolitanus consecret<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.* AdBeCaDaGcLdMgPfPrSbTcTe<sup>2</sup>, *in text* DbLmMqPaVmVo (*adding xvi*); *om.*

CbCeLbLdLfLjLnMjMoOaPcPtRfTbVnVp

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

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

Lb

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

<sup>8</sup> -pum BeCaCbCeLdLjLnMfMhMkMoPaPdPfPhPrPtRaTbTeVm; -pus DaGcLd<sup>2</sup>MgPtSbTcVnVoVp

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

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

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

<sup>12</sup> \*Quod - consentiat (cons. in el. Oa) Bd(in el. cons. in

*mg.*)BeCaCbCeGcLbLdLfLgLjLnMgOaObOdOfPaPcPhPtPwRfSgTbTcVmVnVpWc; Quod - dubitatio *in mg.* to c 16, rest *om.* Pf; *om.* all FcOeSbTe; 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>. Fraternitatem 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.* SbTe<sup>2</sup>, De eodem *add.* Vo

<sup>2</sup> pape CeRfSbTbTcTeVmVp; *om.* BeCaDaGcLbMgOaPaPfPhVnVo

<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.*

CaLbLdMgPfRfTcTeVmVn

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

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

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

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

<sup>7</sup> et \*CaMgPfTbTcVm; in SbTe; *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>LbLdMgTcVn, *om.*

\*AdBbBeBdCaCeDaGcLkMfMjMkMkMoMqPaPcPfPhPkPrPtRaSbTbTeTfVmVo

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

## 18

[*Quid faciant<sup>1</sup> episcopi in ordinatione<sup>2</sup> alterius episcopi*]<sup>3</sup>. *Ex concilio Cartaginiensi*

*IV<sup>4</sup>, cap. ii*

Episcopus, cum ordinatur<sup>5</sup>, duo episcopi ponant et teneant evangeliorum codicem, super caput et super<sup>6</sup> cervicem<sup>7</sup> eius, et uno super eum<sup>8</sup> fundente benedictionem, reliqui omnes episcopi qui adsunt, manibus suis caput eius tangant.

<sup>1</sup> -iunt Te

<sup>2</sup> -atio Te

<sup>3</sup> *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; *in text* MqPaVmVo (*adding xx*); *om.*

LbOaPcPtRfTbVnVp

<sup>4</sup> III Rf

<sup>5</sup> Ep. cum ord.] Et cum ordinatus episcopus Oa

<sup>6</sup> *ss* Mq

<sup>7</sup> cervicem BdBeCeDa(? *over*

*erasure*)DbLgLkMfMhMkMmMq<sup>2</sup>OaObOfPaPdPfPhPkPrPtPwTbTdTeTfVmVnVoVp; verticem

AaAdBbCaGcLbMgMjMoMqOdOePcRaSbTcWcBrant; cervicum Pq

<sup>8</sup> super eum *ss* Te<sup>2</sup>

ID 5.124] D 23 c 7

## 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]

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

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

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; in text MqPaVmVo (adding xxi); om.  
LbOaPcPtRfTbVnVp

<sup>4</sup> dictis \*CaLbMgPcPfRfTbTeVm; 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  
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

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

<sup>2</sup> xx CaLbOaPfRfTbTcTeVm; iii MgVn; 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. CaMgPfTbTcTe; ep. ord. GcVm

<sup>5</sup> om. Gc

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

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

<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<sup>14</sup>, aut cuiuscumque muneris cupiditate illecti a vero devient, ut<sup>15</sup> indignum et minus idoneum ad sacros gradus<sup>16</sup> suscipiendos, episcopi manibus applicent. Quod si fecerint, et ille qui indigne accesserit ab altari removebitur, et illi qui donum sancti Spiritus<sup>17</sup> vendere conati sunt, coram Deo iam dampnati, ecclesiastica dignitate carebunt. Igitur<sup>18</sup> per tres continuos dies<sup>19</sup> diligenter examinentur, et sic<sup>20</sup> Sabbato qui probati inventi sunt episcopo represententur.

ID 6.21] D 24 c 5

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

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTc; in text Ea(no inscr.)MqPaVo; (ii. Bd) De ordinibus in mg. Bd, in text Ph; Quod clerici ordinandi – ordinationem et ibi exproberentur Te<sup>2</sup> in mg.; om. LbLcOaPcPtTbVnVp

<sup>3</sup> Nan- \*BeCaDaMgOaPfPwTbTeVm; Man- FcPcRfTc; Van- Lb; Nam- Mq

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

<sup>5</sup> Christus Py

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

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

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

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

<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> aut fav. gratia in mg. Te<sup>3</sup>

<sup>15</sup> ut \*CaMgPfTcTe; aut PhTb

<sup>16</sup> gradus \*CaMgPfPhTc; ordinationes Tb

<sup>17</sup> s. Sp. \*CaMgPfPh; Sp. s. TbTc

<sup>18</sup> Igitur \*CaPfTbTc; Ubi Mg

<sup>19</sup> tres cont. dies \*CaPfTbTc; cont. dies tres Mg

<sup>20</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. AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>; in text Ea(no insc.)PaVmVo (adding xxiii); part in text, part in mg Mq; om. LbOaPcPtTbVnVp

<sup>3</sup> IV cap. xxvii DaRaRfSb<sup>2</sup>Tc; IV cap. xxvi FcLbPtVo; cap. xxvii GcLnMgOaPrSbVn; III Mq ; xxvii PhTb; om. BeCaCePaPfTeVp. iii add. in mg. Be<sup>2</sup>

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

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

<sup>6</sup> ret- \*BdCaCeDaEaGcLkMgMqPaPhPkPrTbTcVmVo; opt- BePfPwRaSbTeVnVp; reobtaineant Rf. Text of cap. in cramped hand over erasure Te

## 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 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>1</sup> omnino Ad

<sup>2</sup> in mg. AdCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>; in text Ea(no insc.)MqPaVmVo; Que debeant necessario scire presbiteri Be mg. (and cf c 24); De eodem Lb; om. OaPcPtTbVnVp

<sup>3</sup> conc. Tol. IV \*BeCaFcMgPfSbTbTeVm; eodem IV Pw; eodem RfVn; eod. conc. Tol. Tc; no insc. GcLb; no insc. no break Oa; Item Pt

<sup>4</sup> xxvi BdCeLkMgPaPfSbTbTeVn; 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 BeCaEaMgOaPfRaSbTbTeVm; in FcTc; etiam in Ra<sup>2</sup>ID; de Brant

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

<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 prestet, ambo in foveam cadunt.

ID 6.22] D 38 c 5

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

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

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

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

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

<sup>6</sup> sunt \*CeLmMhMjPaRfTcTe; sint AdBeCaCbEaGcLdLjLmMgMkMmPdPfPhPrSbTbVnVoVp

## 25

*[Quibus temporibus ordinandi sint<sup>1</sup> presbiteri et<sup>2</sup> diaconi]<sup>3</sup>. Ex decr' Gelasii pape, cap. xiii<sup>4</sup>*

Ordinationes<sup>5</sup> etiam<sup>6</sup> presbiterorum et diaconorum, nisi certis temporibus et diebus<sup>7</sup> exerceri non debent<sup>8</sup>, id est quarti mensis ieiunio<sup>9</sup>, septimi et decimi, sed etiam quadragesimalis initii, ac<sup>10</sup> mediane<sup>11</sup> Quadragesime die<sup>12</sup> Sabbati ieiunia circa vesperam<sup>13</sup> noverint celebranda<sup>14</sup> nec cuiuslibet utilitatis<sup>15</sup>, seu presbiterum seu diaconum his<sup>16</sup> preferre qui ante ipsos fuerint<sup>17</sup> ordinati.

<sup>1</sup> sint MgPf; sunt SbTcTe

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

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; in text EaMqPaVo (adding xxvii); om. LbOaPcPtRfTbVnVp

<sup>4</sup> Ex dec. (conc. GcVm) - xiii (xi Da) \*CaDaGcLbMgPfSbTbTeVmVn; om. EaTb

<sup>5</sup> Ordinationes \*CeGcHaMo<sup>2</sup>MqOaPaPhPkPqPtSb<sup>2</sup>TbTcVmVo; Ordines AdBbBdBeCaEaDaDbLbLdLjLkMgMoObOdOfPcPfPwRfSb?TdTeTfVnVpVqBrant

<sup>6</sup> etiam AdGcMgPfRaTbTcTeVnBrant; vero [enim canc.] Pt; om. MhMmMq

<sup>7</sup> et diebus ss Da

<sup>8</sup> diebus ex. non deb. \*BeDa<sup>2</sup>EaGcPfTbTeVmVo; ex. non deb. CaDa; ex. non deb. et diebus Mg; diebus ex. deb. Tc

<sup>9</sup> ieiunio \*CaEaPfTbTeVp; ieiunii DbMg; ieiunio et Tc

<sup>10</sup> ac \*CaMgPfTc; aut Tb

<sup>11</sup> -iane \*MgPfRaTbTcTe; -iate Ca; -iante Ra<sup>2</sup>

<sup>12</sup> Quad. die \*CaEaMgPfTbTcBrant; hebdomade et Migne

<sup>13</sup> iei. circa vesp. \*CaMgPfPhTc; circa vesp. iei. Tb

<sup>14</sup> corr. to celebrandas Mm<sup>2</sup>

ID 6.74] D 75 c 7

<sup>15</sup> gratia add. CaLk(over erasure)MoPcPtTc, causa add. Mm<sup>2</sup>IDm, Migne; om.  
AdBbBdBeCeDaDbGcLgMfMgMhMjOaObOdOeOfPaPfPhPkPrPwSbTbTeTfVmVnVoVpIDcpdBran

<sup>16</sup> qui add. Tc, om. \*CaMgPfTb

<sup>17</sup> -erint \*CaMgPfTbTe; -erant Gc; -erunt Tc

## 26

[*Quod certis locis ordinandi sunt*<sup>1</sup> *presbyteri*]<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 MgMqSbTe

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

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

<sup>4</sup> Hi LdTe

<sup>5</sup> -untur Pa

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

<sup>7</sup> et \*CaMgSbTb; vel TcTe; om. Pf

## 27

*Ex concilio Chalcedonensi*<sup>1</sup>, *cap. xi*<sup>2</sup>

Nullum absolute ordinari debere<sup>3</sup> presbyterum, aut diaconum, nec quemlibet in gradu ecclesiastico, nisi specialiter<sup>4</sup> ecclesie civitatis aut possessionis, aut martirii, aut monasterii cui ordinandus est pronuntietur<sup>5</sup>. Qui vero absolute ordinantur, decrevit sinodus irritam haberi<sup>6</sup> huiusmodi<sup>7</sup> manus impositionem, et nusquam<sup>8</sup> posse ministrare ad ordinantis<sup>9</sup> iniuriam.

<sup>1</sup> Laudianensi Lb

<sup>2</sup> cap. xi MgPfRfTbTcTeVn; cap. vi DaSb, with BD, IDcbm; om. Lb. Ex - xi om. CaEa.

Quod ante xxx annos non ordinatur presbyter add. in mg. Ca; Hic incipit superioribus dimiss' add. in mg. Pr, in text Vm; Quod nullus debeat ordinari nisi certissime sciatur unde fuerit (sit Te) add. in mg. SbTe<sup>2</sup>; De eodem add. Vo

<sup>3</sup> deb. \*CaMgPfTb; posse Tc

<sup>4</sup> specialiter \*PfSbTbTc (?); spiritualiter CaMg

<sup>5</sup> cui ord. est (ss Da, om. Oa) pronuntietur (pronuntiet Pt, nuncietur MhMmMq)

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

<sup>6</sup> corr. fr. -ere Mg

<sup>7</sup> huiuscem. \*CaMgPfPhTb; huiusm. Tc

<sup>8</sup> nusq- \*MgPfTbTc; numq- Ca

<sup>9</sup> ordinandis Rf

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

## 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. AdBeCeDaGcMgPfPrSbTcTe<sup>2</sup>; in text EaMqPaVo(adding xxx); om. CaLbOaPcPtRfTbVnVp

<sup>3</sup> Ex - Laod. (capitulo add. Te) BeCaGcLdPfPrRaTbTcTeVm; Ex concilio Agatensi cap. vii (xvii DaSb, xvi Migne, cap. vii om. Brant) DaMgSbVnVpBrant; Ex dec. Fabiani pape orientalibus missis Lb (cf c 29); 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 \*EaMgPfPhTcTe; -iant CaTb

<sup>7</sup> al. err. \*CaMgPfTcTe; 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.)GcLnMgPfPrSbTcTe<sup>2</sup>; in text MqPaVo(adding xxx); Qua – ordinandi in mg. Ld; om. LbOaPcPtTbVnVp

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

<sup>4</sup> cf c 28. Lb has insc. to c 30

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

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

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

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

<sup>9</sup> op. ergo eum \*GcOaPrRaTbTcVmVp; op. ergo AaCaEaMgTeVo; 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.* AdBeCaCeDaGcLdLnMgPfPrTcTe<sup>2</sup>; *in text* Ea(*no insc.*)MqPaVo(*adding* xxii); *om.*  
LbOaPcPtRfTbVnVp

<sup>3</sup> Cart. cap. xvi BeCaGcLb(*cf c 29*)MgPcPfPrRfTbTeVnVo; Cart. cap. xiii Ad; Cart. III cp. iiii DaSb, *cf*  
XP3.10.3 (3); De eodem Lb; Cart. episcopi Mq; Cart. IV. Huic interfuit August' Tc; *decr'* Cartag. cap.  
xvi Vp

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

## 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<sup>10</sup>, sed viginti quinque annorum diaconi  
ordinentur<sup>11</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* SbTe

<sup>4</sup> *in mg.* AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; *in text* Ea(*no insc.*)MqPaVmVo(*adding* xxxiii); *om.*  
LbPcPtRfTbVnVp

<sup>5</sup> V AdCaGcLbLnMgPcPrRfVnVoBrant; IIII DaSb (*cf XP 3.13.3.4*); episcopo Mq; *om.*  
BeLdOaPaPfPhRaTbTcTeVp

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

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

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

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

<sup>10</sup> Vn *breaks here*

<sup>11</sup> diac. ord. BdCaCeFcMgPaPfPhPkPqPwSbTbTeVnVm; 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>*

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

<sup>2</sup> sint DaEaLdMq

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>; in text Ea(no insc.)MqPaVo(adding xxxiiii); om. LbOaPcPrRfTbVnVp

<sup>4</sup> In BeCaGcMgPrPrRfTbTcVn; Ex DaLbRaPfSbTeVoVp

<sup>5</sup> episcopi add. Mq, pape add. PtTbTe, om. CaGcLbMgPfPhPrSbTc

<sup>6</sup> vi Aa

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

<sup>8</sup> iactitant GcPfPrTbTeVo; iactant AaCaMgOaTcVnVp

<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 TcTe

<sup>14</sup> Quod nos - iubemus CaCeEaFcMgPaPcPfPhPkPqPrPtPwSbTbTe(pari modo ssTeVmVnVp; om. LbTc. 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.

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

<sup>2</sup> om. Vo

<sup>3</sup> om. Sb

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

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

<sup>6</sup> in mg. AdBeCaCeDaGcLdLn(partly illeg.)MgPfPrSbTcTe<sup>2</sup>; in text MqPaVo(adding xxxvi); om. EaLbOaPcPrRfTbVnVp

<sup>7</sup> om. Ea

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

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

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

ID 6.12] D 23 c 8

### 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<sup>5</sup>, solus episcopus qui eum benedicit manus super caput illius<sup>6</sup> ponat, quia non ad sacerdotium sed ad ministerium consecratur.

ID 6.13] D 23 c 11

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<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. LbOaPcPtTbVp

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

<sup>5</sup> Diaconus cum ordinatur] Diaconi cum ordinantur Te

<sup>6</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 vacuum 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

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<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; Quemadmodum subdiaconus ordinetur Lb; Quid subd. – archidiaconi in mg. Ld; Quemadmodum subdiaconi ordinantur MqOaRa(mg.); Quemadmodum – ord. Quid – cum ordinatur xxxvii Vo; om. PcPtTbVnVp

<sup>8</sup> Ex - v GcPaPfPrRaTbTcVp; Item ex eodem cap. v DaSb; Concilium vi MgVn; Ex eodem cap. Te; om. AaAdBeCaCeEaLbMqOaPhPtRfVo

<sup>9</sup> acc. urc. \*PaPfPhTbTe; 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>*

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

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

<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<sup>7</sup>.

ID 6.16] D 23 c 17

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

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

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrTcTe<sup>2</sup>, in text Ea(no insc.)LmPaMqVo(adding xxxviii); om. CbLbLfLjOaPcPtRfTbVnVp

<sup>4</sup> De eodem BeCaCbCeDaLjLmOaPaPhPtRaMgSbTcTeVnVp; De eodem concilio LdTb; Ex eadem Lf; Ex eodem LbMqVo; Rursus Pf

<sup>5</sup> cap. vii BeCaDaGcLbLfLmMgMqOaPfPtRaRfTbTeVnVo; 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.

\*AaAdBbBeCbCeDaEaGcLbLmMfMgMhMjMkMmMoMqOaPaPdPhPrPtRaRfSbTbTcTeVmVn

<sup>7</sup> sive bapt. sive cat. om. Lb

## 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

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

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

<sup>3</sup> De eodem BeCaFcLbOaPtPwRfTbTcTe; om. MgVn; Ex eodem GcMqVo; Iterum Pf

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

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

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

<sup>7</sup> ministraverint \*BeCaGcMgOaPaPcPfPrTe; ministrant CePhTb; ministraverunt EaTcVn

### 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. (-etur Te) BeSbTe; om. Pf

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

LbOaPcPtRfTbVnVp

<sup>3</sup> De eodem BeCaGcLbRfTbTcTe; om. MgVn; 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- \*AaCaGcMqOaPaPfPrSbTbTcTeVo; incl- AdBeDaMgPcTcVn; clauduntur Lb

### 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 (om. Te) solo precepto alicuius presbiteri add in mg. SbTe<sup>2</sup>; Quid sit officium hostiarii, psalmiste, exorciste, lectoris, acoliti, subdic', diac', presbiteri xlii Vo; om. BeCaDaEaFcLbMgMqOaPcRfTbTcVnVp

<sup>2</sup> De eodem BeCaEaFcGcLbMqPaPhPtPwRfTbTcTe; om. CeMgVn; rursus Pf; Ex eodem Vo

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

## 41

*[Quid sit officium ostiarii, psalmiste<sup>1</sup>, exorciste, lectoris, accoliti, 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 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, sponsoria et quicquid pertinet ad cantandi peritiam. <sup>23</sup>Ad lectorem pertinet lectiones pronuntiare, et ea que prophete

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

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

<sup>3</sup> Quid sit - presbiteri in mg. AdBeCaCeDaGcLdLnPrSbTcTe<sup>2</sup>Vm, in text EaMqPa; Que sint eorum officia MgPfm; om. BdLbOaPcPtPwRfTbVnVoVp

<sup>4</sup> om. Pa

<sup>5</sup> ep. Hispalensis BeCaDaGcMgOaPfTeVn; ep. Hispanensis AdPcRfTc; ep. Spalensis Lb; ep.

Hipalensis Ph; Hispalensis ep. Tb; ep. Hispalensis Vo; ep. Ispanensi Vp

<sup>6</sup> ad Ludofredum – ep. Lb; Hisp. - directa om. Ea; ad Ludef. – directa om. Pw

<sup>7</sup> tui \*EaMgTbTcVnVp; om. BeCaCeDaGcOaPaPfPhPrSbTe

<sup>8</sup> ago \*Be<sup>2</sup>CaMgSb(mg)TbTc; om. BePfTe

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

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

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

<sup>12</sup> De ostiario in mg. Be

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

<sup>14</sup> extraque \*CaMgPfTcTe; 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. \*CaPfTbTcVn

<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

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>, 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

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

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

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

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

<sup>28</sup> manutergium 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 \*AdBeMgPaPfPrTe; inferri Ca; offerre PhTbTc

<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>PfSbTbTeVo; 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

sollicitudo. Quis levitarum apostolum et evangelium<sup>48</sup> legat, quis preces dicat, seu<sup>49</sup> responsorium in dominicis diebus aut solempnitate<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 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

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

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

<sup>50</sup> -nitate BePfTc; -nitatibus CaVn; -tatum Mg; -nitatum PhTb; -nitatem Te

<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. id referat Tb; idem refert ep. Tc

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

<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 \*CaMgPfTbTe<sup>2</sup>; et Tc; om. Te

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

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

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

<sup>67</sup> aut lege AdCaLdMgTcTfVn; aut longe CePfPrTe; haud longe PaPh; aut non longe Tb

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

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>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; sacrificii Te

<sup>74</sup> et sacr.] *om* PqSbTe; *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>*

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

<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 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 AaLbOaPaTe *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; De clericis qui a medicorum incisione claudi efficiuntur quod debeant promoveri *in mg.* Te<sup>2</sup>; *om.* BbLcMoMqPcPtRaRfTbVnVp

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

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

<sup>4</sup> prom. eum \*AaBbBe<sup>2</sup>GcMhMkMmOaPhSb<sup>2</sup>TbTcVm; prom. BeCaDbMgPfSbTeVoVp; 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

<sup>1</sup> Qui non (ss Ca) – amp. (-erit SbTe) promoveri ad ordines non denegentur (-etur BeSbTeVo, -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.*

LbMqPcPtRfTbVnVp

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



impedit, 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>3</sup> Nucicino salutem Be<sup>2</sup>CaFcGcLdLnMgPwRfTbTeVnVoVp; Nuc. cp. i Da; Nuriceno salutem Lb; Nucelino Pf; Nucicino 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. \*BeCaGcPfTbTeVo

<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 \*CaPrSbTbTcVn; incidere MgPfTe

<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 iustitie 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

<sup>1</sup> De eod. BeCaCeDaGcLdLnMgOaPaPrRaTcTeVn (after episcopo RaTe), 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. SbTe<sup>2</sup>; De non abiciendo clerico ab ordinatione cuius digitus per vim abscissus est xlv Vo; om. LbMqPcPfPtRfTbVp

<sup>2</sup> Roberto \*CaPcPfTbTcTe; Ridberto Ad; Ruberto CePa; Roperto Gc; Rudberto Lb; Ruperto Mg; Deberto Pt; Ruoperto Vn

<sup>3</sup> Dator LnOaPr(subs. corr.)PyRfTe. vero add. BdLbMqPfSbTeVp, om.

\*BeCaDaGcMgOaPrRfTbTcVnVo

<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. CaMgGcPfTe

<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

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>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.* BeCaGcMgTcVn, *om.* \*PfPhTbTeVo

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

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

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

<sup>20</sup> Deo \*Da<sup>2</sup>MgPfSbTbTcTe; 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 serventur<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>.

<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; De eodem (*with* Qui laici merito debeant ordinari *in mg.*)Te; Idem. Qui – ordinari xlv Vo; *om.* BdEgLbPwRfVn. Innocentius Felici episcopo Nucerino *add.* Eg, Idem *add.* Pf, Innocentius papa Lucrino episcopo *add.* Tc, *om.* BdCa(*with lacuna*)EaFcLbMgPhPtPwRfTb. Idem (*only*) Oa

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

<sup>4</sup> ut \*AaBeDaGcOaPfTbTeVo; qui CaEaEg(vel ut ss)MgRaTcVn

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

<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 CaMgPfPwTcTeVnVp

<sup>10</sup> non Ce

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

<sup>12</sup> non Ce

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

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

AdCeGcLbPaPhPkPwRfQeTeVmVoWc; cito fiat sac. Tc

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

## 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 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>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. SbTe<sup>2</sup>; om. LbLcOaPcPtRfTbVnVp

<sup>2</sup> lxxxiii \*AdBeGcLbLdLnMqPfPrRaRfTbTe; lxx Ca; IIII cp. lxxii DaSb; lxxxiii MgTcVnVp; lxxiii Oa; lxxxiii Vo

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

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

<sup>5</sup> et add. CaGcPfPhTe, om. \*BeEaMgTbTcVn

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

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

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

<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

<sup>1</sup> in text Ea(after Hic - ord.)MkPtTcVo, mg. AdBeLnPfPr; om. BbDaMjMoTbVn. Hic (om. Pt) incipit de non ordinandis in mg. BeCaDaGcMgPrRa, in text EaLnMmMqPcPtSbTeVo(adding xlviii); iiii. De non ordinandis in mg. Bd; Hic incipit de ordinandis Ce mg.; Incipit de non ordinandis Lb (after insc.); 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; Quod illiterati vel aliqua parte corporis minuti non sunt ordinandi in mg Te<sup>2</sup>

<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>MgPaPfPkPrPwRfSbTeTfVmVnVp; minitos Gc; inmundos Vo

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

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>6</sup> nihil Deo \*CaMgPfTcTe; 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 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>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. SbTe<sup>2</sup>; De non ordinandis servis nisi concessa libertate a dominis suis TdVo, xlviii add. Vo

<sup>2</sup> Tribur- \*CaGcPfPh<sup>2</sup>PrRfTcTeVn; Tridumensi CePa; Triburgensi Lb; 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 AdBdCaCeDaGcMqPaPfPkPwRaSbTeTfVoVp; prius a dominis propriis legitimam Be; a dominis propriis legitimam prius EaMgPcRfTcVn; prius a propriis dominis Oa; prius a dominis legitimis propriam PhTb; a dominis legitimis propria <libertate> Pq; a dominis propriis legitimam PrVm

<sup>7</sup> ambone \*DaGcMgMoPfRaTbTcTeVn; 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. \*CaMgPfTcTe; pub. legatur Ph; leg. pub. Tb

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

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

## 49<sup>1</sup>

[Quod bigami non sint<sup>2</sup> ordinandi]<sup>3</sup>. In<sup>4</sup> decretis Leonis, cap. iii<sup>5</sup>

Leo urbis Rome episcopus omnibus episcopis. Quicumque ad sacerdotium vel viduarum mariti, vel habentes numerosa coniugia promoti fuerint, ab omnibus

<sup>1</sup> Lb reverses cc 49-50

<sup>2</sup> sint] sunt CeEaSbTe

<sup>3</sup> in mg. AdBeCaCeGcDaLdLnMgPfPrSbTe<sup>2</sup>; in text after insc. EaPaVo(adding l); om.

LbMqPcPtRfTbTcVnVp

<sup>4</sup> Ex Lb

<sup>5</sup> cap. iii] pape Ea; pape cap. iii DaOaRa. Capitulum tertium de bigamis as insc. Pt

ecclesiasticis officiis et sacerdotali nomine apostolice sedis auctoritate iubemus arceri<sup>6</sup>.

4L 2.69]

<sup>6</sup> iub. arc. CaOaPfRaTbTcTe; 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 (om. Te) secundus nuptias fecerit non ordinetur in mg. SbTe<sup>2</sup>, Quod liberti debeant ordinari in mg. Tc, De his non ordinandis qui uxorem non virginem duxerint TdVo, lii add. Vo; om. CeDaEaLbMgMqOaPfTbVnVp

<sup>2</sup> episcopi add. Aa, pape add. GcMgPrVn, om. CaLbPfRfTbTcTe

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

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

<sup>5</sup> sacratos CeGcPaPfPhPrTbTcVo; sacros BeCaDaEaMgOaRfTcVnVp

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

<sup>7</sup> nanque Aa

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

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

## 51

[Quod filii presbiterorum non sint<sup>1</sup> ordinandi nisi probabilis vite fuerint]<sup>2</sup>. <sup>3</sup>Decretis

Gregorii VII et Urbani<sup>4</sup> II<sup>5</sup> de filiis sacerdotum<sup>6</sup>

Presbiterorum filios a sacris altaris ministeriis<sup>7</sup> removendos<sup>8</sup> decernimus<sup>9</sup>, nisi aut in cenobiis aut in canonicis regularibus religiose probati fuerint conversari.<sup>10</sup>

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

<sup>1</sup> sunt Te

<sup>2</sup> Quod – fuerint (sint Be, fuerit Te) in mg. AdBeCaCeDaGcLdLnMgPfPr(adding remedium below)SbTcTe<sup>2</sup>, in text after insc. Ea, Quod non sint ordinandi nisi probabilis vite fuerint Pa, De filiis sacerdotum. De filiis presb. – fuerint lii Vo; om. LbMqPtTbVnVp

<sup>3</sup> Ex add. BeCbLbRaPfTe; In add. MgPaTcVn, om. \*AaCaEaGcMqOaPcPhRfQeTb

<sup>4</sup> Urbani Rf

<sup>5</sup> om. PrVm

<sup>6</sup> II – sac. om. Ea, de filiis sac. om. DaPtSb

<sup>7</sup> alt. (ss Gc) min. \*CaGcMgPfTb; min. alt. Tc

<sup>8</sup> corr. fr. promov- Ca<sup>2</sup>

<sup>9</sup> decern-\*BeEaGcMgPfTb; decrev- CaDaOaSbTcTe

<sup>10</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 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>1</sup> for Vp see *Conspectus*

<sup>2</sup> Exemplum BeCaCeDaGc(mg.)LdLnMgMhPaPfPr(mg.), after pont. PaPtTdVoWc; Exemplum (Exexemp- Te) de his qui cum essent filii presbiterorum ordinati fuerunt in mg. SbTe<sup>2</sup>; Quod filii presbiterorum et clericorum ordinentur si fuerint bone vite Tc mg.; om.

GaLbMjMoMqOaPcPdRaRfTbVnVp (for AdMkVm see below)

<sup>3</sup> -atus AdBeCaGcMgPfTbVnVoA; -ali Lb; -ati Sb; -um Tc; De libro pontificali Mj; In libro pontificali Ra. Remedium add. Vm

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

AdBbBeCaCeDaMfMhMjMkMmMqOaPaPdPfPhPrRfSbTbTeVnA

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

<sup>6</sup> Odoacri AdGcMgOaPfPhA; Odoagri BeCaTbVn; Odogarii Ra; Odacri Sb; Odogari TcVo; Odagri Te

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

<sup>8</sup> Afer BeMgOaTcVnA; vafer CaCeDaPaPfPhQeSbTbTe

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

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

<sup>11</sup> xix PhRaTbA; xxx BeGcMgTcTeVn; xxix CaPfSb; viiii Sb

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

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

<sup>14</sup> episcopo Romano BeCeDaOaPaPfPhSbTeVo(after Ormisda)A; episcopus Romanus

AdCaGcMgPrTbTcVn

<sup>15</sup> Ormisda MgPfTbA; om. Ca; Orm. episcopo Tc

<sup>16</sup> unum CaPfTbTcA; om. Mg

<sup>17</sup> ix BeCaMg<sup>2</sup>PfRaSbTbTcTe; xx Mg; xi A

<sup>18</sup> Item BeCaMgPfTbA; om. Tc

<sup>19</sup> iii CaMgPfTbA; iiii Tc

<sup>20</sup> -ata CaPfSbTbTeA; -acia Gc; -atica MgTc

<sup>21</sup> annum CaPfTc; anno Tb; ann' PhA

<sup>22</sup> xix PfTbTc; x et ix CaMgA. dies xix om. Te

<sup>23</sup> de CaPfTbTcA; ex Mg

<sup>24</sup> dies x et (om. AdGcRfTcTf) viii (viiii BdCeSbTe) AdBdCaCeDGcLbMgPfPrRfSbTcTfA; xxxviii Vn; om. PaPhQeTb

## 53

<sup>1</sup>*Bartholomeo Turonensi*<sup>2</sup> *archiepiscopo*<sup>3</sup>

Cenomanensem<sup>4</sup> electum, pro eo quod filius sacerdotis<sup>5</sup> dicitur, si cetera in eum virtutes<sup>6</sup> conveniunt, pro tempore non reicimus, sed<sup>7</sup> suffragantibus meritis patienter<sup>8</sup> suscipimus, non tamen ut pro regula in posterum assumatur sed ad tempus ecclesie periculo consulatur<sup>9</sup>.

*Ars. 713 fo. 132v] D 56 c 13*

<sup>1</sup> Urbanus *add.* PaPt; De eodem *add.* in mg. Da, in text PaVo

<sup>2</sup> Turonensi CaEaLbMgTbTcA; Tulonensi Pf

<sup>3</sup> archiep. CaEaLbMgPfTbA; ep. MqTc. liii *add.* Vo

<sup>4</sup> Cenomanensem BeCaLbOaSbTbTcVo; Cenomagnensem EaVn; Cenomagnensem BdGcMqPfTe; Celomagnensem Mg; Comomagnensem Rf; Senomagnensem Td; Cenomanssem A

<sup>5</sup> fil. sac. CaMgPfTbA; sac. fil. Tc

<sup>6</sup> in eum virt. CaGcMgOaPfPhA; virt. in eum TbTc

<sup>7</sup> sed CaMgTbTcA; *om.* Pf

<sup>8</sup> patienter CaMgPfPhTcA; *om.* Tb

<sup>9</sup> -atur CaPfTbTcTeA; -itur EaMgVn; -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<sup>4</sup> Legionensi<sup>5</sup> episcopo<sup>6</sup>*

Quia simpliciter<sup>7</sup> ad sedem apostolicam veniens peccatum humiliter confessus es, quod pontificii tui videbatur officium impedire, videlicet quod ex matre non legitima procreatus<sup>8</sup> sis, quam vivente propria uxore pater tuus cognovisse cognoscitur, nos apostolice mansuetudinis gratia immunem te<sup>9</sup> a ceteris que sacerdotium impediunt criminibus tam tui professione<sup>10</sup> quam fratrum qui tecum sunt testimonium<sup>11</sup> agnoscentes, et vitam tuam religiosam audientes, ab huius te peccati vinculo<sup>12</sup> absolutum, in suscepti sacerdotii officio confirmamus.

*Ars. 713 fo. 132v] D 56 c 14*

<sup>1</sup> manere debeat (*corr. fr.* -ent Ca) AdCaGcMgWc; maneat Pf

<sup>2</sup> in mg. AdCaDaGaGcLdLnMgPfPrSbTe<sup>2</sup>Wc; in text Ea(*no insc.*)PaVo(*adding* liiii); Quod - tamen si ordinatus manere debet in officio si bene vixerit Be mg.; *om.* CeMqPcPtTbTcVnVp

<sup>3</sup> *om.* DaRf

<sup>4</sup> *om.* Lb

<sup>5</sup> Legionensi AaBeCaCeFcGcMqOaPaPfPqPt<sup>2</sup>Ra<sup>2</sup>TbTeVnA; Nilegionensi Lb; Legiensis Ra; religionensi Rf; Lingonensi Tc; Legidonensi Vo

<sup>6</sup> Urb. - ep. BeCaDaLbPfSbTbTcTeA; Legionensi episcopo patroni Urbanus secundus (-do Vn) MgVn

<sup>7</sup> simpl- AdBdBcCaCbCeEaFcGcLbMgPaPcPhPqPtPwRfQaSbTbTcVmVnVo; similiter Aa; suppl- OaPfA; sim simpliciter Pk

<sup>8</sup> procreatus CaFcMgPcPfTbA; natus Tc

<sup>9</sup> immunem te CaMgPfPh<sup>?</sup>TcA; imminente Tb

<sup>10</sup> -one CaMgPfTbA; -onem Tc

<sup>11</sup> -ium CaMgPfTb; -io Tc; -iis A

<sup>12</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 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 suggestit, que vix adhibita curatione biennio potuisset abstergi<sup>20</sup>. Et ideo, frater carissime, supradicto locum suum dignitatemque restitue, quatenus sacrosancta

<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 aliquaque 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.* SbTe<sup>2</sup>; Ut si quis post ordinationem suam presbiter corporaliter fuerit imminutus ab officio non repellatur TdVo, Iv *add.* Vo; *om.* AdBeCeDaLbMoMqOaPcPfPtRfTbTcVnVp

<sup>2</sup> Pall. ep. *om.* Ea

<sup>3</sup> ss Be<sup>2</sup>

<sup>4</sup> -iuntur BbBeEaGcMfMgMjMoPtTbTcTeVnVo; -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.*)DbEaGcMfMgMhMjMmObOdOeOfPcPfPkPwSbTeTfVo; 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

AdBbBdBeCaCeDbFcGcLgLnMfMgMhMkMmMoOaOb<sup>2</sup>OdOeOfPaPcPdPfPhPkPqPwRaRfTbTeTfVmVnBrant; petitorio DaPt<sup>2</sup> SbID, Migne; preto Ob; petitorio Vo; *om.* Tc

<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.* BbCaDaLdssMgTbVnVp(*after diversa*), feritas *add.* TcMigne, *om.*

\*AdBdBeCeDbGcMfMhMjMkMmMoOaPaPcPdPfPhPkPqPrPtPwRaRfSbTeTfVmVoBrant

<sup>19</sup> animorum \*CaMgPfTb; annorum Tc

<sup>20</sup> biennio potuisset abstergi \*CaOaPfTb; potuissent abstergi biennio Mg; biennio potuissent astringi Tc



misteria sicut<sup>21</sup> consuevit exerceat. 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>21</sup> sicut \*MgPfTbTc; om. Ca

<sup>22</sup> in add. DbTbTc, om. \*BeCaGcMgPfSbTeVm

<sup>23</sup> corr. fr. prolapsus Ra

## 56

[Quod eunuchi ad clericatum possint<sup>1</sup> accedere]<sup>2</sup>. Ex concilio<sup>3</sup> Martini pape<sup>4</sup>, cap. xxi<sup>5</sup>

Si quis per egritudinem naturalia<sup>6</sup> a medicis habuerit<sup>7</sup> secta, similiter et qui a<sup>8</sup> barbaris aut dominis stultis fuerint castrati, et moribus digni fuerint visi<sup>9</sup>, hos<sup>10</sup> canon admittit ad clericatus officium promoveri. Si quis autem sanus, non per disciplinam religionis et abstinentie, sed per abscissionem plasmatis a Deo corporis existimans posse a se carnales concupiscentias<sup>11</sup> amputari, castraverit se, non eum admitti decernimus<sup>12</sup> ad aliquod clericatus officium. Quod si iam ante<sup>13</sup> fuerat promotus ad clerum, prohibitus a suo ministerio deponatur.

ID 6.374] D 55 c 9

<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. AdCeLbMqOaPtRfTbVnVp

<sup>3</sup> decretis Te

<sup>4</sup> Martini pape] orientalibus a Martino episcopo collectis Da

<sup>5</sup> xxi MgPfTbTcTe; xii LbVo; xvi Sb; xx Ra

<sup>6</sup> -uralia \*CaPfTbTc; -alitia Mg

<sup>7</sup> -erit \*CaMgPfTb; -erint Tc

<sup>8</sup> qui a \*CaPfTbTc; quia Mg

<sup>9</sup> dign. fu. visi CaMgPfPhTc; dignis fu. usi Tb

<sup>10</sup> corr. fr. hoc Ca

<sup>11</sup> concup. \*MgPfTbTc; passiones Ca

<sup>12</sup> decern- \*CaMgPfPhTc; decrev- Tb

<sup>13</sup> si iam ante \*BeCaMgPhSbTc; si ante iam Pf; si ante Tb; suam ante Te

## 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; quodam Te

<sup>2</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTe<sup>2</sup>Tc, in text PaPcRfVo; om. CeLbMqOaPtTbVn

<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 CaMgPfTbTeA; et PcTc

## 58

*[Quod<sup>1</sup> ab hereticis baptizati non sunt<sup>2</sup> ordinandi]<sup>3</sup>. Innocentius papa ad Felicem episcopum Nucerinum<sup>4</sup>, cap. iii<sup>5</sup>*

Nostre<sup>6</sup> lex est ecclesie<sup>7</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 1 c 18b is remote*

<sup>1</sup> qui add. Te

<sup>2</sup> non sunt CaEaGcPa<sup>2</sup>PfSbTc; sint <non> Be; non sint Mg; sunt PaTe

<sup>3</sup> in mg. AdBeCaDaGcMgPfPrSbTe<sup>2</sup>, in text PaPcEa(no insc.)RfTcVo(adding lviii); for Ga see 59; om. CeLbMqOaPtTbVnVp

<sup>4</sup> Nuc. om. Rf; Micernium Ca. ad Felicem – Nucerinum] Rufo et Eusebio episcopis DaSbTe, cf XP 3.20.1

<sup>5</sup> iiiii \*CaLbMgPfTcTeVn; iii Tb (?). Insc. placed before c 59 Ad

<sup>6</sup> vel grece add ss Sb<sup>2</sup>Te, vel gratie add ss Vq<sup>2</sup>

<sup>7</sup> Nostre lex est ecclesie \*BdBeCaCeEaGcMgPaPfPhPkPqPwQe<sup>2</sup>SbTcTeVmVo; 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> CaDaLfln reverse cc 59-60 with their rubrics, but CaLf leave inscriptions as here

<sup>2</sup> nec CaEaMgSbTc; et Pf

<sup>3</sup> non add. Pf om. BeCaEaMgSbTc

<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. AdBeCaDaGcLdMgPfPrSbTe<sup>2</sup>, 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

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]

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. CeLbMqOaPtTbVnVp

<sup>8</sup> Arel. III \*BeCaGcLdLnMgPrPw(which reverses inscs. of cc 59-60)RaTbVn; Arel. IIII AaDaPtSbVo; Arelatensi CeFcLbOaPaPf; Aurel' III Mq; Aurelianensi Tc; Carth' Te (cf c. 60); Relatensi III Vp

<sup>9</sup> viii LbVo; xxviii Te. 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<sup>2</sup> cap. lxxviii<sup>3</sup>

Ex<sup>4</sup> penitentibus quamvis bonus clericus non ordinetur. <sup>5</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)CaDaGcLnMgPfPrSbTcTe<sup>2</sup>, in text (no insc.) Ea; Quod – ordinatus deponatur BeVo(adding lx); Quod penitens si (p.c.) per ignoranciam ordinatus fuerit deponatur Pa; om. CeLbMqOaPcPtRfTbVn

<sup>2</sup> Toletano Te

<sup>3</sup> lxxviii] xxviii Ce; lccxviii Oa; lxxvi Vp; IIII cp. lxxviii DaSb?; i Te. Insc. before c 61 Ad

<sup>4</sup> Ex \*BeCeGcMgOaPaPfPtQaTbTcVn; De AdDaHaRaVo; [ ]e Ca

<sup>5</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

<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 exigerit Pa; Determinatis qua penitentes – ordinari lxi Vo; om. CeLbMqOaPcPtRfTbVnVp

<sup>3</sup> conciliis Ln

<sup>4</sup> I add. DaSb, cf XP 3.21.2. Ex conc. Tol.] De eodem concilio Te

<sup>5</sup> i BeCaGcLbPfTcVo; ii DaMgSb?VnVpIDm; 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>

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>6</sup> nisi tantum \*BeCaOaPfTbTeVp; nisi tamen EaMg; sed tamen Tc

<sup>7</sup> exeg- \*BeMgTbTc; exig- Be<sup>2</sup>CaPfTe

<sup>8</sup> et \*CaPfTbTc; vel Mg

<sup>9</sup> autem \*MgPfTbTcTe; om. CaDaOa

<sup>10</sup> subdiaconos add. EaMgTbVnVp, subdiaconi add. PcTc, om.

\*AdBdBcCaCeDaGcOaPaPfPhPkPqPrPwSbTfVm

<sup>11</sup> om. Aa

<sup>12</sup> subdiaconos \*BeCa<sup>2</sup> CeDaGcMgOaPfPrSbTcTeVm; diaconos Ca; subdiaconos AdTbVp

<sup>13</sup> Eum \*DaMgPfTbTcTe; Ex eo enim Aa; Cum Ca

<sup>14</sup> om. Aa

<sup>15</sup> pen. dic. \*PhTb; dic. pen. AaAdBdBcCaCeEaMgPfPrPwSbTcTeVmVp

<sup>16</sup> -que BeEaMgOaTc; qui CaDaPf; qui pro GcPr<sup>2</sup>TeVm; 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. CaDaGcLdLnMgPfPrSbTe<sup>2</sup>Tc, in text Ea(no insc.)PaVo(adding lxii); om.

CeLbMqOaPcPtRfTbVnVp

<sup>4</sup> Insc. before c 63 Ad

<sup>5</sup> suam add. Tc, om. \*BeCaMgPfTb

<sup>6</sup> cuiuscumque EaGcMgTbTc; cuiusque BeCaPfTe

<sup>7</sup> clerum \*BeCa<sup>2</sup>MgPfTbTe; clerem 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>*

<sup>1</sup> trans. et incog. homines BeCaGcMgPrSbTeVo; trans. et incog. Pf; ignoti homines et trans. Tc

<sup>2</sup> suorum epp. BeCaMgPfTe; epp. suorum SbTc

<sup>3</sup> in mg. BeCaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text (no insc.) EaPaVo(adding lxiii); against c 64 Da; om.

CeLbMqOaPcPtRfTbVnVp

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

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<sup>4</sup> pape add. Tc, om. CaLbMgPfRfTb

<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>]<sup>3</sup>. In decretis Innocentii<sup>4</sup>, cap. vii<sup>5</sup>*

Innocentius urbis Rome episcopus Victorico<sup>6</sup> Rothomagensi episcopo. De aliena ecclesia clericum ordinare aut<sup>7</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>8</sup>.

4L 2.81] +D 71 c 2 to concedere voluerit

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<sup>1</sup> clericos Vo

<sup>2</sup> -et Te

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPa(no insc. in Ea); Quod – non presumat lxiii Vo; om. CeLbMqOaPcPtRfTbVnVp

<sup>4</sup> Innocii Vp; pape add. CaCbTc, om. BeCeLbMgOaPaPfSbTbTe

<sup>5</sup> Insc. in mg. Ad

<sup>6</sup> -ico CaMgPfTcTe; -ino PhTb; -io Vn

<sup>7</sup> aut CaPfTbTc; ac Mg

<sup>8</sup> eccl. CaCbMgPfTbTeVn; 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>*

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<sup>1</sup> nec laic.] om. EaLc

<sup>2</sup> -iatur BeMgPfTc; -iatur Ca; non recipiatur SbTeVo

<sup>3</sup> commendatias PaPr

<sup>4</sup> litteras Vo

<sup>5</sup> in mg. AdBeCaDaGcLdLnMgPfSbTcTe<sup>2</sup>, in text EaPaVo (no insc. in Ea); om. CeLbMqOaPcPtRfTbVnVp

<sup>6</sup> cp. xiii add. Da, cp. xiii add. Sb, cap. add. Te

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>7</sup> Ut \*BdBeDaLbPaPfMgPhSbTbTcTeVn; [ ]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.* SbTe<sup>2</sup>

<sup>2</sup> Ex \*CaMgOaPfTb; In Tc

<sup>3</sup> viiii Lb. 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>TcTeVmVnBrant; susc- PhTb; reperiantur Rf

<sup>8</sup> -datitiis (-tii ss Pf) CaEaPfTbTcTe; -dantiis Mg

<sup>9</sup> vel ab. lic. \*CaPfTbTcTe; lic. vel ab. MgVnWd; 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.* SbTe<sup>2</sup>

<sup>2</sup> conc. - xxxvi (xxvi BeCePa, xxxv GcLdMgPrVmVn, xxxii Ln?; viii Pt)

\*BeCaGcLbMgOaPfPrPtSbRfTbTeVmVo; conc. Agathensi cp. xxxviii Da, *cf* XP 3.22.3 (3); conc. Cart. Ea; eodem cap. xxiii 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. \*CaOaPfTbTcTe; 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. CeLbMqOaPcPtRfTbVn

<sup>4</sup> pape add. CaEaRfTbTc, om. MgPfSbTe

<sup>5</sup> In - ii (iii Ca) BeCaMgPfSbTbTcTeVnVo; In - Cal. pape Ea; Ex dec. Cal. c. vi Lb; In decretis Anterii cap. i Ld (cf c 69). iiiii add. in mg. Be<sup>2</sup>. Insc. before c 69 Ad

<sup>6</sup> ep. omn. BdBeCaLbOaPfPwTbTeVm; 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<sup>10</sup>. Eusebius quoque de quadam parva<sup>11</sup> civitate apostolica auctoritate mutatus est in<sup>12</sup> Alexandriam. Similiter Felix de<sup>13</sup> civitate qua ordinatus erat electione civium propter doctrinam et bonam vitam<sup>14</sup> quam habebat, communi episcoporum<sup>15</sup> et reliquorum<sup>16</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. SbTe<sup>2</sup>; De eodem lxviii Vo; om. CbLbLfMkMoMqOaPcPtRfTbVnVp

<sup>3</sup> episcopi add. Lf, pape add. CbLjTb, om. BdBeCaLbMgMKMoOaPfTcTeVnVp; In – Ant. om. Pt

<sup>4</sup> cap. i BdBeCaLbMgOaPfPtTbTcTe; cap. I 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. CaOaPfTbTcTe; omn. ep. LfMg

<sup>7</sup> -ionem CaPfMgTbTcTe; -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>PfTbTe; om. Ca; positus prof. PcTc

<sup>10</sup> potuisset Te

<sup>11</sup> parva BeCaCbLdLfLjMgPr<sup>2</sup>PwSbTbTc; prava FcPfPrTe; parua Vn

<sup>12</sup> in BeCaDbLdLfMgSb<sup>2</sup>TbTcVn; om. CbLjPfSb

<sup>13</sup> parva civitate - Felix de CaMgPfTbTcTeVn; om. Lm

<sup>14</sup> doct. et bon. vit. CaMgPfTbTc; bon. vit et doct. Ld

sacerdotum ac populorum<sup>17</sup> consilio<sup>18</sup> translatus est Ephesum. Non enim transit de civitate in civitatem qui non suo libitu aut ambitu hoc facit, sed utilitate quadam aut<sup>19</sup> necessitate aliorum hortatu et consilio potiorum transfertur. Nec etiam transfertur de minori civitate ad maiorem qui hoc non<sup>20</sup> ambitu nec propria voluntate facit, sed aut vi a<sup>21</sup> propria sede pulsus<sup>22</sup>, aut necessitate coactus aut utilitate loci aut populi non superbe sed humiliter ab aliis cum huius sancte sedis auctoritate translatus<sup>23</sup> et intronizatus<sup>24</sup>. Alia<sup>25</sup> est enim<sup>26</sup> causa utilitatis et necessitatis<sup>27</sup>, et<sup>28</sup> alia avaritiae et<sup>29</sup> presumptionis et proprie voluntatis.

4L 1.127 (74T 188) nearer than ID 5.183] C 7 q 1 c 34

<sup>15</sup> communi ep. BeMgOaPfPrSbTcTeVoVp; coepiscoporum AdBdCaDaLjTf; communi ep. utilitate CePa; cum omni ep. Pk; communi consilio ep. Tb; communi episcopo Vn

<sup>16</sup> bellicorum Pr; belli quorum Vm. ep. et rel.] utilitate Pa; ep. utilitate Pk

<sup>17</sup> populorum BeCaDaFcGcLd<sup>2</sup>LjMgMoOaPaPcPdPh(after consilio)PkPqPrPw<sup>2</sup>Ra<sup>2</sup>RfTbVmVnVoVp; apostolorum BdBcCeDbLmMfMhMkMjMmMqPfPwSbTeTfWc; plurimorum LdRa; populorum communi Lf; ac populorum Mj<sup>2</sup>; episcoporum Pt; et reliquorum - populorum om. Tc

<sup>18</sup> consilio CaMgPfPhTcVo; om. Tb

<sup>19</sup> quadam aut CaCbLdLflLjLmMgPfTb; vel Tc

<sup>20</sup> hoc non CaMgPfTbTc; non hoc Lf

<sup>21</sup> a CaMgPf<sup>2</sup>TcVn; aut BdBdLdLflLjTbTe; om. Lm

<sup>22</sup> pulsus BdBcMgPfTbTcTeVn; depulsus BeCaLf

<sup>23</sup> est add. CbLjMoTc, om. BeCaGcLdLgLfLmMgPfTbTeVnVo

<sup>24</sup> est add. AdBbBeCaCeDaGcLd<sup>2</sup>LgLfMfMgMmOaOdPdPhPkPtRaTbVmVnVo, om.

BdBbMkMhMjMmMoMqObOeOfPfSeTcTeTfWc. 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.

AbBdBcCaCbCeDaDbEcEgFcGcLbLdLflLjLmKaMgMoMqOaObOdOeOfPaPcPdPfPhPkPrPtPwQaRaRfSbSdSlTbTcTeTfVmVnVoVpWaWbWcZa. 74T also has the last sentence, Alia - voluntatis as here, but BD, ID lack it.

<sup>25</sup> ss Lf<sup>2</sup>

<sup>26</sup> est enim CaMgPfPhSeTcTe; enim <est> TbTf; est Vo

<sup>27</sup> et nec. ss Ha<sup>2</sup>

<sup>28</sup> et CaCbFcLdLflLjLmMgPfSeTeVn; om. PhTbTc

<sup>29</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. AdBeCaDaGcLdLnMgPfPrSbTe<sup>2</sup>, in text VmVo(adding lxx); De eodem Pa; om. CeLbMqOaPaPcPtRfTbTcVnVp

<sup>4</sup> xxvii \*BeCaLbMgPfTbTeVn; 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. BbBeCaDbGcLgMfMgMhMjMkMmObOdOeOfPdPfPtRaTbTeVmVnVoVpWcIDcp; 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 BbBeCaDbLgMfMhMjMkMmMoObOdOeOfPdPfPtPwTeVmVoIDcp Brant; -tia GcMgTbTcIDm; poenitentiam Migne

<sup>11</sup> alio in loco eius OaPhQeTbIDcp; alio eius loco

AdBbBdBcCaEaMjMmMoObOdOeOfPcPdRaVpBrant; alio eis Db; alio eius

CeGcLgMfMkMqPaPkTeVo<sup>2</sup>; alio loco eius MgMhTcVn; 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 PtSb

<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>]<sup>6</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 SbTeVo; om. Pf

<sup>2</sup> laicus SbTeVo. 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. AdBeCaDaGcLdLnMgPfPrSbTe<sup>2</sup>Tc, in text after Aug. EaPaVo; om. CeLbMqPcPtRfTbVnVp

<sup>7</sup> Ex dictis \*BeCaLbPfTcTeVn; 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 \*EaOaPfTcTeVn; huiusmodi 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. \*BeCaEaMgPfTcTeVn

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<sup>1</sup> de presbiteris et diaconibus sua loca relinquentibus et ad alia<sup>2</sup> se transferentibus]<sup>3</sup>. Ex concilio Arelatensi<sup>4</sup>, cap. ii*

De presbiteris aut<sup>5</sup> diaconibus qui<sup>6</sup> solent dimittere loca sua in quibus ordinati sunt, et ad alia loca se<sup>7</sup> transferunt, placuit ut isdem<sup>8</sup> locis<sup>9</sup> ministrent, quod si derelictis locis suis ad alium se locum<sup>10</sup> transferre voluerint, deponantur.

ID 6.172]

<sup>1</sup> fac. sit] sit fac. Te

<sup>2</sup> alia BeCaEaPfTc; aliam Mg

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(no insc.)Vo; De presbiteris et diaconibus ad alia loca se transferentibus in text Pa; om. CeLbMqOaPcPtRfTbVnVp

<sup>4</sup> Arel. \*CaCbLbMgPcPfSbTbTeVn; Areticensi Ad; Aurelianensi RfTc

<sup>5</sup> aut \*CaMgTb; et PfSbTcTeVn

<sup>6</sup> qui \*MgPfTbTc; que Ca

<sup>7</sup> loca se \*CaPfTbTc; se loca Mg

<sup>8</sup> isdem CaGcLgOdOfPfTc(obsc. corr.)TeVm; hisdem BeObOePhTb; his in Brant

<sup>9</sup> quibus prefixi sunt add. with IDm PcRfTc, om. AdCaCeEaLgMgObOdOeOfPaPfSbTbTeVnBrant

<sup>10</sup> se loc. \*CaMgPfVn; loc. se PhQeTbTc; locum Te

## 73

*[Quod clericus non debeat conscribi<sup>1</sup> simul<sup>2</sup> in ecclesiis duarum<sup>3</sup> civitatum]<sup>4</sup>. Ex concilio Chalcedonensi, cap. x<sup>5</sup>*

Non licere<sup>6</sup> clericum in duarum civitatum conscribi simul ecclesiis sed in qua ab initio ordinatus est ministret, nec ad aliam confugiat quasi ad potiolem ob inanis glorie cupiditatem. Hoc autem faciens revocari debet ad suam ecclesiam in qua primitus<sup>7</sup> ordinatus est, et ibi tantummodo<sup>8</sup> ministrare.

ID 6.173]

<sup>1</sup> ascribi Te

<sup>2</sup> simul CaEaMgSbTcTe; om. Pf. simul before consc. Be

<sup>3</sup> secundarum Vo

<sup>4</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(no insc.)PaVmVo(adding lxxiii); om. CeLbMqOaPcPtRfTbVn

<sup>5</sup> xv PrVm; v Vn; xxxxi Vp

<sup>6</sup> -ere \*CeGcOaPaPrTbVm; -et AdBeCaEaEgHaLdMgPfRfSbTcTdTeTfVnVoVp

<sup>7</sup> prim. \*CaMgPfTb; primum Tc

<sup>8</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 prelatiis, ne forte propter eorum absentiam et animarum pericula et ecclesiarum in quibus constituti<sup>5</sup> sunt, negligantur officia.

ID 6.176]

<sup>1</sup> episcopi Be

<sup>2</sup> mittentur PrTeVm; mittantur Sb

<sup>3</sup> in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea((no insc.)VmVo(adding lxxiiii); Ut presb. – loca indiscrete Pa in text; om. CeLbMqOaPcPtTbVnVp

<sup>4</sup> per diversa non mutantur loca AdBeCaGcOaPcPtSbTb; per diversa loca non mutantur EaMgVp; per diversa non mutantur Pr; per singula loca non mutantur Tc; per diversa non mittentur loca Te; non mutantur indiscrete per Vn

<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]

<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 alienus presbiter non debeat Te<sup>3</sup>; Quod presb. al. non debeat – habuerit lxxv Vo; om. CeLbMqOaPcPtRfTbVnVp

<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 \*CaMgPfTcVn; -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>*

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

<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 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.*

SbTe<sup>2</sup>; 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 CaCeEaGcLbMqPcPhPrRfSbTeVnVp; episcopo Iohannis LgObOdOePfVmBrant; papa ep. Iohanni Tb

<sup>4</sup> v *add. in mg.* Be<sup>2</sup>

<sup>5</sup> rid- CaMgPfTcTe; per- PhTb

<sup>6</sup> it. non val. cons. BeCaLgMgObOdOePfPrPtTcTeVmVnVo; 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. \*CaMgPfTcTe; for. cum levi PhTb

<sup>8</sup> serv- \*BeCaMgPfTbTe; reserv- MqTcVnWd; 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

<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' nec (*om.* Sb) sacramentum baptismi nec ordinandi debeat iterari *add. in mg.* SbTe<sup>2</sup>

<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 BeCaDbLgMgObOdOeOfSbTbVmVnIDcpBrant; vel Pf; etiam TcIDm; et vel Te

<sup>11</sup> prepositi AaBeCaDaDbHa<sup>2</sup>MfMgMhMjMkMmMoMqPfPh<sup>2</sup>PtSbTcVnVoIDc; propositi

AdCeHaLgObOeOdPaPdPrVmTdTeTf<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

officia agerent que<sup>15</sup> gerebant, non sunt rursus<sup>16</sup> ordinati<sup>17</sup>, sed<sup>18</sup> sicut baptismus in 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 I q 1 c 97 med. var., and partly a later addn*

<sup>15</sup> quam Vo

<sup>16</sup> rursus \*CaMgPcPfTbTeVm; om. Tc; prorsus Vo

<sup>17</sup> -ati Ad<sup>2</sup>BbGcOeLgMfMhMjMkMmMo<sup>2</sup>PfPtTbTeVoIDcp; -andi

AaAdBeCaDbMgMoOaObOdOfPdPhPtRaTcVnIDmBrant; vel ordinandi add. Lg<sup>2</sup>

<sup>18</sup> om. Brant

<sup>19</sup> bapt. in eis \*CaMgPcPfTbTc; in eis bapt. Tb

<sup>20</sup> correctum \*CaMgVm; correptum GcPfTbTcTeVn; correctus Ph

<sup>21</sup> eorum venientes \*CePaPkPqPrTbVm; eorum inde venientes AdCaDaMgPcRaTcVn; venientes Ad<sup>2</sup>Tf; convenientes BePhPwTeVo; 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. \*CaMgPcPfTb; impositio Mg<sup>2</sup>Tc

<sup>26</sup> ipsi \*CaMgPcPfTb; ipso Tc

<sup>27</sup> eccl. cath. un. sep. sunt \*CePaPfPhTbTcTe; 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 \*CaMgPcPfTb; iam nulla Tc

<sup>29</sup> est quod PhTb; quod BeCePfTeVmVo; que BdCaTf; quam Gc; quin MgVn; est quin Tc

<sup>30</sup> habeant \*MgPfPhTbTc; habuerant Ca

<sup>31</sup> si add. MgTc, om. CaPfTbTc

<sup>32</sup> habeant pernicioseque tradant \*CaMgPcPfTb; habent perniciose tradunt Tc

<sup>33</sup> -utri \*CaMgPcPfTb; -utro Tc

<sup>34</sup> in. fac. est \*CaMgPcPfPhTc; fac. est in. Tb

<sup>35</sup> -ipit CaMgPcPfTb; -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>

<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. SbTe<sup>2</sup>

<sup>2</sup> Aug. \*CaLbMgOaTbTcTe; Idem Pf; Item Aug' only Ea

<sup>3</sup> Lib II om. Lb. De eodem add. Pa; lxxviii add. Vo

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 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>4</sup> est *add.* BdCaCeMgPaPfPwSbTcVn, *om.* \*PhPkTb

<sup>5</sup> eis \*CaMgPfTb; eius Tc

<sup>6</sup> etiam omnes BdBcCaCeEaGcLbMgPaPcPhPkPwTbTeVnVoVp; 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>.

<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.* SbTe<sup>2</sup>, De eodem *add.* Vo

<sup>2</sup> pape *add.* GcMgPrTbVn, *om.* BeCaLbOaPfTcTe

<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 MgVnVp; *om.* AdCaCeDaGcLbPaPf (ob. aut prod. *over erasure* Pf)TeVo

<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 \*BeMgPfTcTe; vel CaDaMqPaPhPrTbVn

<sup>14</sup> indigni \*DaGcMgMqOcPqPrTcVn; mali Be; maligni AdBdBe<sup>2</sup>CaCeLbPaPfPhPkSbTbTeTf; aut indigni *om.* *but suppl. in mg* Vo

<sup>15</sup> off. min. \*PfTcVo; officii ministerium CaGcMgPhTbTeVn

ID 2.100] C 1 q 1 c 96

<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. SbTe<sup>2</sup>; 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 \*BeCaGcMgOaPfTeVn; 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>GcLbMqPaPhPkPqPrTbVm; et patenam AdBdBcCeEaPcPfPwSbTcTeTfVnVo; 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>

<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; Quod ab hereticis ordinatus non est ordinatus in mg. Te<sup>2</sup>

<sup>2</sup> Urb. II Petro. Pist. ep. et Rustio (Rustico Vo) LmPtVoA; VII a Petro Pist. (hist- Se) ep. et (om. BdFcLbMmOeOf) R. BbBdFcGcLbMjMmMoMqOdOeOfPcPfPwRfSeSIWc; Gregorius VII (a add. LdMgVn) Petro Pist. ep. et (om. Ld) Rustico CaLdLfMgObOd<sup>2</sup>PtVn; 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; VII a Petro Pastoriensi ep. Te; Sextus a Petro Pist. ep. et Rust. Vp

<sup>3</sup> Vall. Umb. om. Tc

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 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>4</sup> Galbertum Ce; Daiab- Mg; Eiabertum Vn

<sup>5</sup> Gnezelone LdLjLmMq<sup>2</sup>OaPfPtPwSbTeVoA; Nezelone AaLb; Gnezelone Ad; Gnezelone BeVp; Gnezo locie Ca; Nezelone CbLfMq; Negzelone DaGcRaRfVm; Negelone Mg; Guezelone OaPh; gne et Zolone Sl; Neszelone Tb; Gezelone Tc; Nazelone Vn

<sup>6</sup> non CaCbLdLfLjLmMgPfTbA; *lacuna* Tc

<sup>7</sup> eiusdem CaMgPfTbTc; eius de Lm

<sup>8</sup> -one CaCbLdLfLjLmMgPfTbA; -onis Tc

<sup>9</sup> comp- CbLjPfTbTeVoA; rep- BeCaDaGcLdLfLmMgPrTcVmVn

<sup>10</sup> beati DaMgPfTbTc; beatum Ca

<sup>11</sup> const. sententia dec. BeLd<sup>2</sup>MgPfTcVo; sententia const. dec. AdCaCbGcLfLjLmTe; 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>GcLdLjMgPfTbTeVo; Nez- CaLfPrVm; Vn Negelon Lm; Genez- Mq; Gez- Tc

<sup>14</sup> constat AdBdCaCbDaGcLdLfLjLmOaPhPqPrPtPwTfVmA; cum sit MgPcTcVn; constanter Mq; constet Pa; *om.* CeDa<sup>2</sup>PfSbTbTeVo. 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 GcMgTbTcVmVnA; cui BeCaCbLdLfLjLmPfSbTeVo; ei qui Oa

<sup>18</sup> -ati CaCbLdLfLjMgLfMgPfTbA; -ate Tc

<sup>19</sup> actum BeMgPfTbTc; auctum CaLm

<sup>20</sup> est CaCbLdLfLjLmMgPfTbA; esset Tc

<sup>21</sup> Daib- MgPfTbTcA; Dahib- Ca; Diab- Lj

<sup>22</sup> -ati CaCbLdLfLjLmMgPfTbA; -atibus Tc

<sup>23</sup> *corr. fr.* -entem Ld

<sup>24</sup> -nem CbLdLfLjLmMgPfTbA; -ne Ca; -num Tc

<sup>25</sup> -onem CbLdLfLjLmMgPfTbA; -one CaTc

<sup>26</sup> -ari CaCbLdLjLmPfTbA; -are LfMgTc

<sup>27</sup> int. diac. CbLdLfLjPfTbVoA; 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 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. Ipsius 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

<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. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(no insc.)Vo(adding lxxxi); Unde inceptit sacerdotalis ordo in novo testamento in text Pa; om. CeLbMqOaPcPtTbVnVp*

<sup>5</sup> *sec. dec. \*BeCaGcMgPfTbVnVo; ii decretarii Ce; decretali Lb; tertio decretali PcRf; tertio decreto RfTc; sec. dec. suo Te*

<sup>6</sup> *Testamento \*BeCa<sup>2</sup>MqOaPcPhRaTbTcVo; sacramento AdBdCaCeDaEaEg(vel testamento ss)GcLbLcLdLnLfLmMgPaPfPkPqPrPwPySbTeTfVmVnVpVqWcWd; ...mento add. in mg. Ra<sup>2</sup>*

<sup>7</sup> *nostrum add. Tc, om. \*CaMgPfTb*

<sup>8</sup> *cepit \*BeCaPfTbTe; inceptit 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 \*BeCaOaPfTeVo; 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*

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>25</sup> -sem \*CaMgTbTc; -se Pf

<sup>26</sup> ab eis sunt \*CaPfTc; sunt ab eis PhSbTbTe[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

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>1</sup> De eodem add. in mg. CaLnSbTe<sup>3</sup>, in text Vo; Quod episcopus episcopum, presbiter presbiterum diligere et adiuuvare debeat (obsc. corr.) Pa text

<sup>2</sup>-etis MgPfTbTc; -eto Ca; dec' LbTc; dictis Vn

<sup>3</sup> vero MgPfTbTcSb; om. QeTeTf

<sup>4</sup> vice \*CaCbGcMbPfSbTbTeVn; vicem BePcTc; in vice Lb

<sup>5</sup> regere Dominum \*AaFcLbOaPwRa<sup>2</sup>Tf; gr<e>gem Dominum Be; gregem Domini CaCeDaGc<sup>2</sup>Ld<sup>2</sup>MgPrRaSb<sup>2</sup>TbVmVnVp; regem Dominum CbLdPaPhSbTe; 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)PaPhPkSbTbVmVnVo; om. BeCaGcLbMgPcPfPwRfTcTe

### 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>]<sup>6</sup>. Actus prime<sup>7</sup> sinodi<sup>8</sup> Stephani pape cap. iii<sup>9</sup>

<sup>1</sup> sc. in Grecia CaDaGcMgTcSbTeVq; om. BeEaPaPf

<sup>2</sup> et add. PaTc, om. CaEaMgPfTe

<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 BePfTe; eccl. occ. prohibentur (-etur Gc) GcMg

<sup>6</sup> in mg. AdBeCaDaGcLdLnMgPfSbTe<sup>2</sup>Tc, 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. CeLbMqOaPcPrRfTbVm (cf c 85)Vn. vi add. in mg. Be<sup>2</sup>

<sup>7</sup> Actus i BdBeGcMgPhPtRfSbTcTeVnVoVpA; Actus primi Ca; Actus x Lb; Actus Oa; Aug' prime Pf; Actus iii Ra; Actus idem Tb

<sup>8</sup> om. Pt

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>9</sup> cap. iii AaBeCaMgMqPfPtRaTcVnVoVp; iii Ph; tertii TbA; *om.* Lb

<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. MgPfTbTeA; *om.* BeCaTc

<sup>14</sup> atque BeCaPfTeA; 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, suasitque<sup>13</sup> concilio ne talem poneret legem, gravem esse<sup>14</sup>

<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, et hoc Nicena sinodus laudavit *add.* Te; *om.* Pf

<sup>6</sup> *in mg.* BeCaGcMgPfSbTcTe<sup>2</sup>; *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.*

CeLbMqOaPcPtRfTbVnVp

<sup>7</sup> Ex *add.* Tc, *om.* CaMgPfTbA

<sup>8</sup> xviii BeCaMgPfSbTbVnA; xxviii Tc; iii Te. cap. xviii *om.* Oa; *no inscr.* Lb

<sup>9</sup> Vic- Rf

<sup>10</sup> quorum TbA; quarum BeCaGcMgPfTcTeVnVo

<sup>11</sup> Pasmut- CaDaLbOaPaRaTcVnVoA; Pasmut- Ad; Pannut- Be; Panificius Ce; Pasunt- GcPrRa; Pausinicius MgPc; Pasmut- PfPh<sup>2</sup>; Pathnut- Tb; Pafnut- SeTeVm; Pausitius Vp<sup>2</sup>

<sup>12</sup> contrad. CaMgTbTcA; *om.* Pf

<sup>13</sup> suasitque CaMgTbTcA; suasit *with lacuna* Pf

<sup>14</sup> esse CaMgTbA; *om.* PfSbTcTe

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 Pasnutius<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>15</sup> talem add. Tc, om. CaMgPfTbA

<sup>16</sup> eorum CaPfTbTcA; ipsorum Mg

<sup>17</sup> existeret MgPfTbTcA; assistant Ca

<sup>18</sup> hec CaSbA; hoc Pf; MgTbTc *uncertain*

<sup>19</sup> Pasn- DaLbPaPh<sup>2</sup>TcVnVoA; Pasinitius Ad; Pann- Be; Pafn- CaSbTe; 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

<sup>1</sup> om. Sb

<sup>2</sup> in CaMgSbTc, om. GcPfVo

<sup>3</sup> in mg. AdBeCaDaGcGaLdLnMgPfPrSbTcTe<sup>2</sup>, in text VmVo; Quod clerici coniugati ordinari debeant absque professione abstinencie legalis uxoris nisi in tempore oblationis in text Pa; om.

CeLbMqOaPcPtRfTbVnVp

<sup>4</sup> Sexta BeCaPfTbTcA; VII Mg

<sup>5</sup> cap. xiii BeCaGcMgPfPwSbTbTeA; cap xiii Greco sermone facta PcRaRfTc; Greco sermone facta cap. xiii Fc; cap. xiiii Pt; cap. xvi Vo; cap. iii Vp; Sexta – xiii om. LbPrVm

<sup>6</sup> etiam add. BeCaCbGaMgPySb<sup>2</sup>TcTdVn, om. CeGcLbOaPaPfPhRfSbTbTeVmA

<sup>7</sup> ordine canonis BeCaGcMgPfTbVn; 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

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.

*Ars. 713 fo. 132] D 31 c 13*

<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 PfPhTcTeA; -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

## 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.

<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. societatur 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.* CeLbMqOaPcPtRfTbTeVnVp

<sup>8</sup> Anc. conc. BeCaMgPfPhTbTeA; Ancluradum conc. Pa; Ex Anciritano concilio Tc; Anchirane conc. Vo

<sup>9</sup> ix Da; vi PcRf. Anc. – x *in mg.* Mq, *om.* Lb

<sup>10</sup> protestati BeCaCeDaGcMgOaPaPcPkPqPrRaRfSbTcVmVn; prestolati BdPfPw(vel protestati ss)TeTf; postulati PhTbVo; pretestati Vp; protestata A

<sup>11</sup> -unt CaPfTbTcTeA; -int MgVn

<sup>12</sup> eis RaTc; ei A; *om.* CaMgPfPhTbTe

<sup>13</sup> sunt *add.* GcMgMoPcTc; et *add.* Mo<sup>2</sup>; *om.* BbBeCaCeMfMhMjMkMmPaPdPfPhRaTbTeVnVoA

<sup>14</sup> si *add.* MgVn, *om.* CaPfTbTcTeA

Ars. 713 fo. 131v] D 28 c 8

<sup>15</sup> sane cessare BeCaPcPfTbVnA; 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 concilio LbRfTeVn; Tol. conc. ... MfPtA Toletano conc. I Mg; Ex Toletano concilio Tc; Toletanus conc. I Vo

<sup>3</sup> lxxxviii add. Vo. Aa here has rubric to c 89 and no insc.

<sup>4</sup> ut add. Tb, om. CaMgMhMjMkMmPfPhPtTcA

<sup>5</sup> -uantur CeGcLbOaMhMkMmMqPaPkTbVnA; -tui BdBeDaMjMoPfPhPwRaSbTcTeVo<sup>2</sup>; -tuti CaMgVo; studeantur Mf

## 89

[Mos Romane ecclesie est<sup>1</sup> ut non ordinetur presbiter, diaconus, subdiaconus<sup>2</sup> nisi professionem continentie<sup>3</sup> fecerit<sup>4</sup>].<sup>5</sup> Gregorius<sup>6</sup> Petro subdiacono Sicilie<sup>7</sup>

Ante triennium omnium ecclesiarum subdiaconi<sup>8</sup> Sicilie<sup>9</sup> prohibiti fuerant, ut more Romane ecclesie suis uxoribus nullatenus<sup>10</sup> misceantur<sup>11</sup>, quod mihi durum atque incompetens<sup>12</sup> videtur, ut qui usum continentie non invenit neque castitatem promisit, compellatur a<sup>13</sup> sua uxore separari, atque per hoc, quod absit<sup>14</sup>, deterius cadat<sup>15</sup>. Unde<sup>16</sup> videtur mihi<sup>17</sup> ut a presenti die episcopis omnibus<sup>18</sup> dicatur ut nullum

<sup>1</sup> Rom. eccl. est CaMgTc; est Rom. eccl. BePfSbTe

<sup>2</sup> presb. diac.subdiac.] presbiterum, diaconum, subdiaconum Te

<sup>3</sup> ss Vo

<sup>4</sup> -erit BeMgPfTc; -erint Ca

<sup>5</sup> in mg. BeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Vo; Quod episcopus nullum facere presumat subd' nisi promiserit se caste victurum Pa; om. CeLaLbMqOaPcPtRfTbVnVp

<sup>6</sup> Greg. BePhPrTbTcA; Ieronimus AaCaBdDaGcLbMgMqPaPcPfSbTeVnWc; om. Vp

<sup>7</sup> Sicilie BeCaLbPfTbTcTeA; Cilicie AaOa; Scilicie MgVn. No insc., AdCeLa, no break CeLa

<sup>8</sup> omn. eccl. subd. CaMgPfTbA; subd. omn. eccl. Tc

<sup>9</sup> Sicilie CaFcPfTbTcA; Scilicie Mg

<sup>10</sup> in mg. Ra

<sup>11</sup> -eantur CaMgPfTbA; -erentur Tc

<sup>12</sup> incompetens Ca

<sup>13</sup> a CaMgPfTbA; ab Tc

<sup>14</sup> in add. Tc, om. CaMgPfTbA

<sup>15</sup> cadat CaMgSb<sup>2</sup>TbTcA; om. PfSbTe

<sup>16</sup> Unde CaTbTcA; Inde MgPfSbTeVn

<sup>17</sup> vid. mihi CaPfTcA; mihi vid. PhTb

<sup>18</sup> ep. omn. CaPfTbTcA; omn. ep. Mg

facere subdiaconum presumant, nisi qui se victurum caste promiserit<sup>19</sup>, quatenus et<sup>20</sup> preterita que<sup>21</sup> per<sup>22</sup> propositum<sup>23</sup> mentis appetita non sunt, violenter<sup>24</sup> non exigantur<sup>25</sup>, et futura caute caveantur. Qui vero post eandem prohibitionem que ante triennium<sup>26</sup> facta est continenter cum suis coniugibus vixerunt, laudandi atque<sup>27</sup> remunerandi sunt, atque ut<sup>28</sup> in bono suo permaneant exhortandi. Eos autem qui post prohibitionem factam, se a suis uxoribus continere noluerunt<sup>29</sup>, ad sacrum ordinem nolumus promoveri, quia nullus debet ad altaris ministerium accedere, nisi cuius castitas ante susceptum ministerium<sup>30</sup> fuerit approbata.

*Ars. 713 fo. 131v] D 31 c 1*

<sup>19</sup> caste prom. CaFcPfTcTeA; caste promisit Mg; prom. caste PhTb

<sup>20</sup> que add. BeCaMgPfPhSbTeTf, om. TbTcA

<sup>21</sup> que PhTbTcA; queque BeCaMgPfSbTfVn

<sup>22</sup> per MgPfTbTcA; om Ca

<sup>23</sup> corr. fr. appetitum Tf

<sup>24</sup> violenter CaMgPfTbA; om. Tc

<sup>25</sup> que per propositum –exigantur om. Te

<sup>26</sup> corr. fr. testimonium Vo

<sup>27</sup> atque CaMgPfTbA; et Tc

<sup>28</sup> atque ut CaPfTbTcA; utque Mg; ac Vn

<sup>29</sup> -unt CaMgPfTcTeA; -int PhTb

<sup>30</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 BeCaLbMgPfTbA; -eti Tc; -eni Vp

<sup>4</sup> monasterio Studii (unii Oa) BeCaCbGcLbMgOaPfRfSbTbVnVo(adding xc)A; ab. de monaster' Studii in mg. Ra; monasterii Studio Tc; de mon. Stud. om. Te; 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. MgVnWd

## 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. CaEaEgGcOaPfPkPrPwQaQeRaSbSeTbTeA; Ex Cesariensi conc. Be; Leo Cesariensi concil' FcPc; Cesariense conc. Lb; Neocesariensi conc. MgVn; 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 BeCaGcLbMgMqPfQeSbTbTcTeVn; cap. ii Mo; cap. xv Vp; *om.* Qa. Quod presbiter deponatur nisi caste vixerit *add.* Pa

<sup>3</sup> acceperit

\*AdBdBcCaCeDaDbEaLbLdMkMmMoMqOaPaPcPfPhPkPqPtPwQeRfSbSeTbTcTeTfVnVoA; duxerit EgGcMfMgMjPrQaRaVm

<sup>4</sup> ab ord. *om.* Ra

<sup>5</sup> adult. - amplius

\*AbAdBdBcCaCbCeEaEcEgFcGcLbKaMfMgMjMoObOdOeOfPaPfPkPtPwQaRaSdSeSgTbTcTeTfVmVnVoVpWaWbWcA; 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.*

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

<sup>2</sup> xcii *add.* Vo

<sup>3</sup> semper queant alt. CaFcPfTbTcTeVnVo; 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>.

<sup>1</sup> Conc. II Cart. BeDaGcMfOaPaPrRaTbTeVpA?; Ex Cart. conc. II Pf; Conc. Cartag. CaMj; Ex conc. Cart. II MgTeVn; Cart. conc. II MhMq; Carthag. conc. Pt; Ex conc. II Cartag. Rf

<sup>2</sup> ii BeCaMgMfMhOaPfPtTcTeVnVoA; iii Tb. De eodem et de episcopis et diaconibus *add.* TdVo, De eodem *add.* Pa, xciii *add.* Vo. *No insc.* Lb

<sup>3</sup> Cpos Pf

<sup>4</sup> presb. diac. (-es Ca) BeCaLbOaMfMjRaTcA; diac. pres.

AaGcMgPaPfPhPkPrPtPhQeRfSbTbTeVnVoWd. et levitas - inserviunt *add.* (*from below*) Tb, *om.* CaMgPfTcA

<sup>5</sup> ut *add.* CaGcLbMfMgMjMkMmPtTeVoVp, *om.* BeMoPfPhTbTcVnA



*Ars. 713 fo. 150] D 31 c 3 var.*

<sup>6</sup> et *add.* Vp

<sup>7</sup> decet sacrosanctos BeCaLbMfMhMjMmMoPfPtPhTcTeA; sacrosanctos decet Mg; decet sacros TbVn

<sup>8</sup> aut BeCaMfMgMjTbTeA; ac Pf<sup>2</sup>Tc

<sup>9</sup> Dei sac. BeCaMfPfPtTbTcTeVnA; 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>BdBeCaCeDaDbGcLbLdMfMgMhMjMkMmMoMqObOdOfPaPdPkPqPt(?)PwRaRfSbTeTfVnVo  
VpWcWdBrant, 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>*

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>

<sup>1</sup> Qua AdBeCaDaGcPf; Quia Ln; Quod MgTc

<sup>2</sup> *in mg.* AdBeCaDaLdLnMgPfPrSbTc, *in text* Ea(*no insc.*)Vo(*adding xc et iiii*) ; Qua disp. – sac. rel. est usus Gc; Quod sacerdotes et levite cum uxoribus non debent misceri ex auctoritate veteris testamenti Pa; Dispensationem in veteri lege Arrie et aliis sacerdotibus uxoris relaxatus est Te<sup>2</sup> *as if copying from a ploughed exemplar; om.* CeLbMqOaPcPtRaRfTbVnVp

<sup>3</sup> -ico \*BeCaMgOaPfTeVnVo; Victori Lb; Victorio Rf; Victrico Tb; -ino Tc; *corr. fr.* Victroco to Victroci A

<sup>4</sup> ep. \*BeCaLbLdLnMgPfPhTcVnA; ep. cp. viiii DaSb; archiep. Tb ; *om.* Te

<sup>5</sup> ux. suis \*CaPfTcTeA; ux. Mg; suis ux. PhTbVn

<sup>6</sup> cum uxoribus – quia *in mg* Mk<sup>2</sup>

<sup>7</sup> ego \*PhSbTb; *om.* AdBdBeCaCeDaMgPaPcPfPkPrPwTcTeTfVmVp; ego sum Ph<sup>2</sup> ; et ego Vn

<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.* AdBdBeCaCeLbMgPaPcPfPkPwSbTeTfVnVp

<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> -endere Te. nullus accedere permittebatur *add. Migne, om.*

\*BeCaDbEaMgOaPcPfTbTcTeVmVoBrant

<sup>17</sup> vel CaMgPfPh; et Tb; *om.* Tc

<sup>18</sup> -ti- ss Mg

<sup>19</sup> serv- \*GcPfTbTc; observ- CaMgVn

<sup>20</sup> quibus \*MgPfTbTc; quibusque Ca

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>21</sup> vel \*CaMgPfPTc; om. PhTb

<sup>22</sup> sine succ. \*MgPfTbTc; ante successionem Ca

<sup>23</sup> a CaPfTbTcVn; 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>.

*Ars. 713 fo. 149v] D 31 c 6*

<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.

CeLbLnMqOaPaPcPtRfTbTeVnVp. cf c 96

<sup>4</sup> Inn. CaMgPfTbTeA; Idem Tc

<sup>5</sup> Victorico Aa; ex concil' PeRf

<sup>6</sup> Tol. CaLbMgPfTbA; om. Tc

<sup>7</sup> cp. i add. Da (not Sb)

<sup>8</sup> Eos DaGcMqOaQePaPhPrTbTcTfVmVnA; [ Jos Ca; Hos BdBeCeLbLdMgPfSbVoVpVqWc; Nos PkTe

<sup>9</sup> sit CaPfTbA; est MgVn; om. Tc

<sup>10</sup> qui non CaMgPfTbA; non est qui Tc

<sup>11</sup> vel MgPfTcA; om. CaTb

<sup>12</sup> off. CaMgPcPfTbTeA; 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.

<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. BeCaLbMgTbTcTeA; 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 CaMgPfRaTbTeA; vel Ra<sup>2</sup>Tc

<sup>6</sup> pro pop. off. (offenda Oa) sunt OaPrRaVmA; off. sunt

AdBdBcCaCeDaGcLbLdMgPaPfPkPqPwSbTbTeTfVnVoVp; off. sunt pro pop. PcTc

<sup>7</sup> est CaMgPfPhTcA; om. Tb

<sup>8</sup> est add. Tb, om. CaMgPfPhTcA

*Ars. 713 fo. 149v] D 31 c 7*

<sup>9</sup> ergo CaPfTbTcVnA; 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 xcvii); Quod diaconus non ordinetur si dixerit se non posse continere Pa; Diaconus non ordinatur si continere non possit Te<sup>2</sup> mg; om. CeLbLnMqPcPtRfTbVn

<sup>3</sup> Araunicum (Arausicum Be, Aununcium Ln) concilium cap. xxii BeCaLdLnMgPtVnVp; 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. AdDaGcLbOaPaPcPfRfTbTeVo

<sup>4</sup> non posse in cast. \*CaGcMgTb; in cast. (se add. Tc) non posse BePfTcVn

<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 BeCaGcLbLdLnMqOaPaPhPtTbTeVoA; Arausicum conc. DaSb<sup>2</sup>; Araunico concilio MgPcVn; Ex Ar. concilio PfTc; Araunicum concilio Vp

<sup>2</sup> xxii BeCaCbGcLbLdLnMqOaPaPcPfPtTbTeVoVpA; xxiii DaSb; xxvii MgVn; 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. BeCaDbGcMgPfTbTcTeA

## 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>.

<sup>1</sup> om. Vo

<sup>2</sup> Regitano BeCaLbMgPfTbTe(before ep.)VnVo(adding xcvi)A; Rogitano Ad; Reitano GcTc; Reginato Pt; om. PcRf

*Ars. 713 fo. 149v] D 32 c 9*

<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 DaGcMgPhPqPrTbVmVpABrant; statuimus AaAdCaCeLbObOdOePaPfPkPtPwSbTeVo; constituimus BdOf; stat. obs. decernimus Be; statuimus observari decrevimus OaRa; constituimus decrevimus observare PcRfTc; et decernimus observari (*partly in mg.*) Sg; observari decrevimus Vn

<sup>5</sup> ullam Ob

<sup>6</sup> nec (ne Lb) illam - corrumpi BdBeCaCeDbGcLbMgOaObOdOeOfPaPfPhSgTcTeVmVnVoABrant; 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. BeCaLbMgPcPfTbTeVnVo; om. LdTcVp; c *add.* Vo. No *insc.* Pt

<sup>4</sup> et CaOaMgTbVm; etiam Gc; om. BePfTcTe

<sup>5</sup> sint tanquam non hab. CaMgPfTb; tanquam non hab. sint Tc

## 101

*Urbanus II, in sinodo apud<sup>1</sup> Melfiam<sup>2</sup>*

Eos<sup>3</sup> qui post subdiaconatum<sup>4</sup> uxoribus vacare noluerint<sup>5</sup> ab omni sacro ordine removemus, officioque atque beneficio ecclesie carere decernimus<sup>6</sup>. Quod si ab episcopo commoniti non correxerint, principibus licentiam indulgemus<sup>7</sup>, ut eorum feminas mancipent servituti. Si vero episcopi consenserint eorum pravitatibus, ipsi officii interdictione multentur.

<sup>1</sup> apua Te

<sup>2</sup> Melfiam BeDaGcMgMqOaPaPfPrPtSbTbTeVnVoVpWcA; Melfiani Ca; Melchiam Lb; 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>3</sup> Eos AaDaGcMqOaPaPhPrQeRaRfTbTcTfVpA; <>os CaPt; Hos

AdBdBcCbCeEaLaLbMgPcPfPkPwPySbTdTeVqWc; Nos Vn; Ees Vo

<sup>4</sup> subdiac. AaAd<sup>2</sup>CePaPhPkPr<sup>2</sup>QeRaTbVmVoA; diac.

AdBdBcCaDaEaGcLbMgOaPcPfPwRf<sup>2</sup>SbTfVnVpWc; diaconum MqPqPtTe; subdiaconum Pr; diac. ab Tc

<sup>5</sup> nol- AaAdCeGcLbMgOaPcPfPhPkPtPwTcTeTfVmVnVoVpWc; vol- BdBeCaDaMqPaPq?QeRaRfSbTbA

<sup>6</sup> decernimus AdBdBcCaCeMg?MqPaPcPfPhPrPtPwTbTfVoA; decrevimus GcLbOaPqPrRaRfSbTcTeVmVnWc

<sup>7</sup> lic. ind. AdDaGcMgMqPcPfPhPtSbTcTfVmVoA; ind. lic. BeCaOaPwTe; ind. Tb; lic. tribuimus Wc

*Ars. 713 fo. 149v] D 32 c 10*

## 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*

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

<sup>2</sup> Gr' Vp

<sup>3</sup> vii BdBeDaGcLbMgOaPcPfRfVnVo(*adding* cii)A; vi CaSbTc; ii Tb; iii Te

<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*<sup>1</sup> *Gradensi patriarche*<sup>2</sup>

Erubescant impii, et<sup>3</sup> aperte nos intelligant, iudicio sancti Spiritus eos qui in tribus sacris<sup>4</sup> gradibus presbiteratu scilicet<sup>5</sup>, diaconatu, subdiaconatu positi, mulierculas non abiecerint<sup>6</sup>, et caste non vixerint<sup>7</sup>, excludere ab eorumdem<sup>8</sup> graduum dignitate. De manifestis quidem loquimur. Secretorum<sup>9</sup> autem cognitor et iudex Deus est<sup>10</sup>.

*Ars 713 fo. 150v] D 32 c 11*

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<sup>1</sup> Domno Lb

<sup>2</sup> Grad. (Gardensi Be, -ensis Ea) pat. BeCaCeEaGcLbMgPfTcTeVnVoA; 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>3</sup> imp. et] nuptii Rf

<sup>4</sup> sacris Ca<sup>2</sup>MgPcPfTbTeOaA; sacros Ca; *om.* Tc

<sup>5</sup> scil. Da<sup>2</sup>GcMgPfTbA; *om.* BeCaCbDaTcTeVn

<sup>6</sup> -erint CaMgPfTbA; -erunt Tc

<sup>7</sup> -erint CaMgPfTbA; -erunt Tc

<sup>8</sup> eorundem CaMgPfTcTeVnA; eorum PhTb

<sup>9</sup> *lacuna follows in* Pf

<sup>10</sup> Deus est CaMgPfTbTeA; est Deus RaTcVn

## 104

<sup>1</sup>*Urbanus II*<sup>2</sup> *Meldensi*<sup>3</sup> *sinodo presidens ait*<sup>4</sup>

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<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 AdBeCaCeLbMgMqPaPcPrPtRaRfSbTbTcTeVn; Meldenso Pf; *obsc. corr.* Ph; Melfiensi Vo; Moldensi Wc; Melfensi A

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>4</sup> pres. ait BeCaCeLbMgOaPaPfRfTbTeVnA; pres. dixit Mq; om. PtTc. Meld. – ait om Ea; no insc. La

<sup>5</sup> et virg. ux. BeCaEaMgOaPfPfTeA; virg. et ux. Ph; virg. ux. Tb; ux. et virg. Tc

## 105

*[Quod episcopi<sup>1</sup>, presbiteri<sup>2</sup>, diaconi<sup>3</sup>, subdiaconi a suis<sup>4</sup> debeant etiam<sup>5</sup> uxoribus abstinere aut ab officio cessare]<sup>6</sup>. <sup>7</sup>Carthaginensi concilio<sup>8</sup>, cap. iii<sup>9</sup>*

Placuit episcopos, presbiteros, diaconos<sup>10</sup>, subdiaconos secundum priora statuta<sup>11</sup>, etiam ab uxoribus abstinere<sup>12</sup>. Quod nisi fecerint, ab ecclesiastico removeantur officio. Ceteros vero<sup>13</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*

<sup>1</sup> om. Te

<sup>2</sup> et add. GcTc, om. CaMgPfPrTe

<sup>3</sup> et add. GcPrTc, om. CaMgPfTe

<sup>4</sup> a suis BeCaMgPaTcTe; om. Pf

<sup>5</sup> etiam BeGcMgPaPrTcTe; om. AdCaDaVo; ab Pf

<sup>6</sup> abstinere Ln; omnino add. Te. Rubric in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text PaVo(adding cv); om. CeLbMqOaPcPtTbVnVp

<sup>7</sup> Ex add. Pf, om. CaMgTbTcVpA

<sup>8</sup> Cartaginensi concilio GcPfRfTc; Cartaginense concilium BeCaOaPaTbTeVo; Carth. conc. V (ss Sb) DaSb; Cartag' conc' VII MgVn; Cart' conc' A

<sup>9</sup> iii BeCaGcPhSbTcTeVoVpA; iiii LbMgPfVn; ? Tb

<sup>10</sup> diac. CaMgPfPhTcA; om. Tb

<sup>11</sup> priora stat. CaPfSbTbTcTeVnA; propiora (propria Gc) constituta GcMg

<sup>12</sup> ab ux. abs. MgPfTbTcA; abs. ab ux. Ca

<sup>13</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,

<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; licent Te; om. Ld

<sup>4</sup> -int CaMgPf; -unt BeTc

<sup>5</sup> in mg. AdBeCaDaGcMgPaPfPrSbTcTe<sup>2</sup>, in text PaVo; om. CeMqOaPfTbRfVnVp

<sup>6</sup> papa add. Tc, om. CaLbMgPfTbTeVoA. Leo – vi as insc. to c 107 Ln

<sup>7</sup> vi CaCeLbOaPfTbTcTeA; iii DaSb, cf ID 6.68; vii MgVn. Leo IX contra ep. Nicete abbatis de monasterio Studii Pc (repeated before c 107)

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

<sup>8</sup> Sex Rf; Rex Vo

<sup>9</sup> alt. min. \*MgPfTbTcA; min. alt. Ca

<sup>10</sup> atque CaPfTbA; et MgSbTe; om. Tc

<sup>11</sup> eis \*MgPfSbTbTcA; eos CaTe

<sup>12</sup> fiat sp. CaMgPfTbA; sp. fiat Tc

<sup>13</sup> nec add. ss Sb

<sup>14</sup> quo \*MgPfRaTbTcTe; que Ca; ?A

<sup>15</sup> et \*PfPrSbA; ut CaMgPhRaTbTcTeVmVn

<sup>16</sup> et \*MgTbTcSbTeVnA, 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>]<sup>4</sup>. Leo IX<sup>5</sup> contra epistolam Nicet<sup>6</sup> abbatis de monasterio Studii<sup>7</sup>*

Seriatim et<sup>8</sup> aperte prosequamur<sup>9</sup> quod sancta Romana ecclesia<sup>10</sup> in gradibus clericorum agat<sup>11</sup>. Clericos tantum<sup>12</sup>, ostiarios, lectores, exorcistas, acolithos, si extra votum et habitum monachi<sup>13</sup> inveniantur, et continentiam profiteri nolunt, uxorem ducere virginem cum benedictione sacerdotali permittit. Non autem viduam aut<sup>14</sup> repudiatam, quia propter hoc<sup>15</sup> deinceps nec ad subdiaconatum provehi poterunt, nec laicus non<sup>16</sup> virginem sortitus uxorem, aut bigamus ad clericatum<sup>17</sup>. Quod si quis ex prefatis ordinibus desiderat ad subdiaconatum ascendere<sup>18</sup>, non potest sine consensu

<sup>1</sup> vel Ad

<sup>2</sup> etiam add. Be

<sup>3</sup> sacerdotium Te

<sup>4</sup> in mg. AdBeCaDaGeLdLnMgPfPrSbTcTe<sup>2</sup>, 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. CeLbMqOaPcPtRfTbVnVp

<sup>5</sup> XI Vo; om. DaLdVp

<sup>6</sup> -ete CaCbMgPfTbA; -eti Tc

<sup>7</sup> monasterio Studii (Studui Vo) BeCaGcLbMgOaTbVnVoA; monasterii studio PfTc; Studii monasterio Te; monasterio Vp; Ln has here insc. to c 106

<sup>8</sup> Ser. et] Veritatem SeWc

<sup>9</sup> -amur BeCaGcMgPhPrRaTcTe; -imur PfTb; -emus Vo; -emur A. per- (vel pro ss) Qe

<sup>10</sup> etiam add. Mg, om. CaPfTbTcA

<sup>11</sup> agat PhTbA; agit BeDaGcMgPfRaTcTe; ag' CaPr; ait Vn

<sup>12</sup> tantum PhPrA; enim BeCaMgPfSbTcTeVnVo; tamen Tb

<sup>13</sup> -achi CaMgPfPrTcTe; -achorum PhTb; ?? A

<sup>14</sup> aut CaPfTbTcA; et Mg

<sup>15</sup> hoc CaMgPfTbA; om. Tc

<sup>16</sup> non BeCaMgPrTcA; nec Pf; nisi PhTb

<sup>17</sup> potest ascendere add. Brant, om. BeCaGcLbMgOaPfSbTbTcTeVoA

<sup>18</sup> ad subd. asc. CaMgPfTbA; asc. ad subd. Tc

uxoris sue, ut fiat de carnali deinceps coniugium spirituale, nemine eos cogente. Nec permittitur<sup>19</sup> postea uxor iungi eidem marito suo carnaliter, nec cuiquam nubere<sup>20</sup> in vita aut post mortem illius.

*Ars 713 fo. 149v] D 32 c 14*

<sup>19</sup> Nec permittitur MgPfTbTcA; Neque permittatur Ca

<sup>20</sup> nubere CaPfTbTcVnA; 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. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(no insc.)PaVo; om. CeLbMqOaPcPtTbVnVp

<sup>3</sup> in Rf

<sup>4</sup> xxix BeDaLbOaPfTbTcTeVnVoA; xxviii Ca; ? Mg

<sup>5</sup> -int BeCaGcMgPfPrA; -unt PhTbTcTe

<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 provecti 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 BeCaLbDaOaSbTbTcTeVo(*adding* cviii)A; cap. xxviii GcMgMqPaPrVnVp; xxvii Pf. Insc. in mg. Ha<sup>2</sup>

<sup>3</sup> Innuptis AaAdCeDaMgMqPcPhPrRa<sup>2</sup>SbTcTeTfVnA; [ ]nnuptis Ca; Innupti GcPa; In nuptiis PfRaRfTb; Nupti Wd

<sup>4</sup> cantoresque BeCaCeMgPaTbTeVoABrant; res cantoresque Pf; et cantores PcTc; cantores TfVn; 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>*

<sup>1</sup> in mg. AdCaDaGcLdMgPfPrSbTcTe<sup>2</sup>, in text PaVo; om. BeCeLbMqOaPcPtTbVnVp. *cf c 109 for* BeLn

<sup>2</sup> Ex add. MgPfVn, om. BeCaTbTcTeA



Quoniam in quibusdam provinciis concessum est lectoribus et psalmistis uxores ducere, constituit sancta synodus non licere cuiquam ex his accipere secte alterius uxorem.

*Ars 713 fo. 149v] D 32 c 15*

<sup>3</sup> Calc. concilio MqPfTc; Calcedonense concilium BeCaGcTbTeVo; conc. Calcedonensi MgVn; Calcedon' conc' A

<sup>4</sup> xiv BeCaOaPfPrSbTbTeVoA; xxiiii MgVn; xiii GcTc; xv Vp; *om.* PcRf. *No insc., running directly on to end of c. 109 Lb*

## 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> Ex Concil. Cart. III, cap. ix (xviii Ce, xix PaSb) CeOaPaSbA; Nicen' concil' cap. iiii Lb (*cf c. 112*); Ex conc. Cart. III cap. xix MgVn; Conc. Cart. iii cap. AdCaPrRfTeVp; 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> Rectores Lb; 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 synodus, non episcopo, non presbitero, non diacono<sup>3</sup>, non alicui omnino qui in clero est licere subintroductam 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 BeDaEaGcMgOaSbTbTeVo; Concilium Nic. Ca; Canones apostolorum Lb (*cf c. 113*); Ex Niceno concilio Pf; Niceno concilio Tc; ? A

<sup>2</sup> cap. iii *om.* Ea. Cap. vi Lb. 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.*

\*AdBdBeCaCeEaLdMqPcPfPaPhPkPqPtSbTbTcTeTfVnVoA

<sup>4</sup> eas etiam id. CaGcPfPhRaSbTbTe; eas tantum id. Be; etiam eas id. EaVnVoVp; etiam id Ld; tantum eas Mg; eas tantum Oa Ra<sup>2</sup>A; tamen eas etiam id. Tc

<sup>5</sup> fug- CaPfTbTcVnA; 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. AdBeCaDaGcLdPrSbTeVm, d. s. Mg, subdiaconi Vo; om. PaPf

<sup>2</sup> in mg. AdBeCaDaLdGcMgPfPrSbTe<sup>2</sup> (cf Ea c 114), in text PaVmVo; om. CeLbMqOaPcPtRfTbTcVp

<sup>3</sup> vi BeCaGcMgOaTcVnVoVpA; v PfPhTb. Nicenum concil' cp. iii Qe (cf c 112). No insc. Lb

<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> 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>1</sup> De eodem add. PaVo

<sup>2</sup> IV BeCaCeEaOaPaPfPhPrSbTbTeVo(adding cxiiii)VpA; III DaGcMgPcQeRfTcVn(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). No insc. Lb

<sup>3</sup> ex timore (vel ex tempore ss) Ad

<sup>4</sup> sibimet CaGcPfTbTcTeVnA; sibi BeMg

<sup>5</sup> appropinquare, after occasione Be

<sup>6</sup> -ionem MgPfTcA; -ione BeCaGcTbTeVn

<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. CaEaOaPfQeSbTbTeVnVoVpA; etiam min. nec. refut. Be; ministrare ref. nec. GcLbPrSe; 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 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

<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. EgGcLbLcLmMgPfPrRaTcVn; sec. BdBeDaLc<sup>2</sup>OaPkPtQeSe; sec. ep. Be<sup>2</sup>CaCbLjMqObPhPt<sup>2</sup>SbTbVo; ep. *and lacuna* Pa; ep. RfTe; 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 LdPkSeSbTe; omnes hab. A

<sup>7</sup> Omnes - uxores *after* Omnino - coniugium TfBrant; *as here*

AaAbBdBcCaCbCeDaDbEcEgFcGcLbLdLfLjLmKaMgMqOaObOdOeOfPaPcPfPhPkPqPrPwQaQeRaRfSbSdSeSgSkSlTbTcTeVmVnVoVpWaWbWd, *as rubric* Ad; *om.* Td. EaLc *omit rest of c 115*  
Explicit iii, incipit iiii *add.* Lc

<sup>8</sup> De eodem *add.* Vo

<sup>9</sup> -ete BeCaCbEgLdLfLjLmMgObSeTbA; -eti Pf; -etii Tc; Parmeniani Te

<sup>10</sup> monasterio (*corr. fr.* -erio Tb) Studii BeCaCbGcLdLfLjLmMgPaSeTbVnVo(*adding* cxii)VpA; Stud. mon. Te. de mon. St. *om.* ObEg; monasterio studio Lb; monasterii studio PfTc; Ambr<sup>7</sup> 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>LbLd<sup>2</sup>LfLjMgObSbTbTcVn; *om.* GcLdLmPrPfTeVo

<sup>15</sup> non *add.* CbLj, *om.* BeCaGcLdMgObPfTbTcTeVoA

<sup>16</sup> vict. et vest. BeCaMgObPfTbTcA; vestium et vict. Lf

<sup>17</sup> iaceat BeCaCbFcLdLfLjLmMgObPfTbA; dormiat Tc

<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 BeCaCbLfLjLmTbTcTeVnVoA; dixi GcLdObPf. Numquid non - dixit *om.* Mg

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>25</sup> -ectendi BeMgObPfTbTcTeVoA; -ectectendi Ca; -ectandi CbLd

<sup>26</sup> dein. foret inter eos ult. BeCaCbFcGcLlJmMgObPfPwTb<sup>2</sup>TeVo; 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<sup>9</sup> canone<sup>10</sup> apostolorum, cap. xxx<sup>11</sup>**

Si quis<sup>12</sup> episcopus<sup>13</sup> aut<sup>14</sup> presbiter aut abbas<sup>15</sup> per pecuniam hanc obtinuerit dignitatem, deiciatur ipse et ordinator eius, et a communione sancta modis omnibus<sup>16</sup> abscidatur, et<sup>17</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 BeCaEaMgPfSb; Qui BeTc; *om. Te*

<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 BeCaGcMgPfSbTe; ordinatus et ordinator Tc

<sup>7</sup> ab off. deponantur BeDaGcMgPfPrSbTe; deponantur ab off. Ca; ab off. deponatur Tc

<sup>8</sup> Si quis – deponantur *in mg. AdBeCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, 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.*

LbLcMqOaPcPtRfTbVnVp

<sup>9</sup> *om. Lb*

<sup>10</sup> canonice Vo

<sup>11</sup> xxx \*BeCaGcMgObOdOeOfPfPhPtRfSbTcTeVn; l' iiiii cxxx Lb; i PaPk; lxxx, lib. iiiii [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>12</sup> Si quis *with large initial* LdPaPk] Quisquis Ph(*with large initial*)Qe. quis ss Be

<sup>13</sup> vel abbas *add. Tc<sup>2</sup>, om. \*BeCaMgPfTbTc*

<sup>14</sup> aut \*BeCaPfTbTc; vel Mg

<sup>15</sup> abbas \*BeCaMgPcPfTb; vel diaconus ss Pc<sup>2</sup>; diac' Tc

<sup>16</sup> mod. omn. \*BeCaMgPfTb; omn. mod. Tc

<sup>17</sup> et \*BeCaMgPfTc; ut Ph; *om. Tb*

## 117

<sup>1</sup>*Ex concilio Bracarense IIII<sup>2</sup>, cap. viii<sup>3</sup>*

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

<sup>2</sup> Ex - IIII LdLnMgPfVn; Bracarense concil' IIII BeGcMgPhPrRfTe; Bracarense concilio CaTcVp; Bracharense conc. II DaSb; Bacarense concil' IIII Lb; Bracarense conc. OaVo; VII Bracarense concilio iiiii capitulo SI; ? Tb

<sup>3</sup> cp. vii DaSb; c. viii Lb; cp. iiiii Ln. cxiii *add. Vo*

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>4</sup> Unicumque Oa

<sup>5</sup> prom. mun \*BeMgOaTbVnVo; 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 fuerit<sup>16</sup>, nullum habeat fructum ex huiusmodi<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>.

<sup>1</sup> De eodem add. PaVo

<sup>2</sup> conc. Calc. BeCaLbMgOaTbTcVnIDp; Calc. conc. PfTeIDm; Calc. SbTe

<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 BeCaMgPfTcTeVn

<sup>6</sup> impretiabilem (-alem Tb)- episcopum \*CaMgPfTbTcTeVo; imprecabiliter 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 \*BeCaMgPfTbTeVn; dispensatorem PcTc; id est dispensatorem add. ss. Lk<sup>2</sup>

<sup>12</sup> param- \*BeGcOaPfTbTcTeVn; 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

<sup>16</sup> ipse quidem subeat – ordinatus fuerit in mg. Be<sup>2</sup>

<sup>17</sup> huiusmodi 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

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 decimat 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>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 BeCaGcMgObOdOeOfPfTbTeVmVoIDcpBrant; gradu deiciatur Tc; gradu decimat IDm

<sup>26</sup> vero \*CaMgPfTc; *om.* PhTb

<sup>27</sup> laicus sive mon. \*CaPfTbTe; 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 \*AdBeCaCeGcLbMgMqOaPaPcPfPhPrRfTeVn; 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 PfPhPrTbTe; ex BeCaMgTcVo; de MqPcRaVnVp

<sup>4</sup> pro munere impositionem – qui *in mg.* Pc

<sup>5</sup> dampnat \*MgPf?TbTc; *corr. fr.* dampnatum to dampnati Ca

## 120

[*Quid sit<sup>1</sup> columbas vendere*]<sup>2</sup>. Gregorius in libro omeliarum XL, omelia iii<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

<sup>1</sup> sit CaMgPf; est OaTc

<sup>2</sup> Quid – vendere *in mg.* AdCaDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, *in text after insc.* LbOaVo(*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.* CeEaPcPfRfTbVp

<sup>3</sup> in libro omel. xl (xi MgVn) *om.* iii (iii Vn) BeDaEaGcLbMgMqPcPfTeVnVo; *om.* Ca; omel' XL omelia iii Ph; Omelia III Pt; ... xl omeliarum, omelia III Tb; omelia iii Tc

<sup>4</sup> quidem \*CaPfTbTc; quod Mg

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>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.

*Ars. 713 fo. 149v]*

<sup>1</sup> sint GcVo

<sup>2</sup> *in mg.* AdCaGcLdLnMgPfPrTcTe<sup>2</sup>, *in text* EaVo(*adding* cxviii); Quid faciendum sit de vendentibus honores ecclesiasticos et ementibus *in text* Pa; *om.* BeCeDaLbMqOaPcPtRfSbTbVnVp (*cf c 120*)

<sup>3</sup> Erimantiis Pc; Ermantio Rf; et Herimantio Vp

<sup>4</sup> vel AaOaPfPtTbVoA; et BeCaGcMgMqPkPrRaTcTeVnVp

<sup>5</sup> et sacerdotes CaPcPfTbTeVnVoA; 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?PfTbTeTfVp

<sup>10</sup> ordinationis AdBeCaCeDaLbPaPfPhTbTeTfVnVpA; 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 objectionem 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 BeCaLbMgPfTb; 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. cap. xviii om. Lb

<sup>4</sup> aut tale aliquid MgOaPcPfTbTe; aut aliquid tale Be; aliquid tale Ca; aut talis aliquis Tc

<sup>5</sup> -eri CaMgPfTb; -ere Tc

<sup>6</sup> non \*BeCaGcPfSbTbTe; om. MgPrTcVmVn

<sup>7</sup> derelinquit BeCaGcMgOaObOd<sup>2</sup>PfPrSbTbVmVnVoIDmp; relinquit Ea; derelinquentque Od; derelinquit OeOf; derelinquit Tc; delinquit Te; derelinquat IDc

<sup>8</sup> pen. can. \*CaPfTbTc; can. pen. Mg

<sup>9</sup> scel. \*PhPrRaSb<sup>2</sup>TbVp; canonis Vn; om. CaDaMgMqPfSbTcTe

## 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> honoris<sup>9</sup> inquirunt. Verum hi quoque qui gradum vel gratiam<sup>10</sup> in ecclesia spiritualem quam Domino largiente percepere<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

<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

<sup>8</sup> etiam \*BeMgPfTb; om. CaTc

<sup>9</sup> honoris \*BeCaFcPfPwTbTcTeBrant; honores GcMg; vel etiam laudis add. Tc

<sup>10</sup> grad. vel grat. \*CaMgPfSb; grat. vel grad. Tb; grad. et grat. Tc; grad. vel gloriam Te

<sup>11</sup> *corr. fr.* -cip- Tb



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>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<sup>3</sup> sinodo presidens in ecclesia Constantiana dixit*

Erga Simoniacos nullam misericordiam in dignitate servanda habendam<sup>4</sup> esse decernimus<sup>5</sup>, sed iuxta canonum sanctionem, et sanctorum patrum decreta, eos omnino dampnamus, ac deponendos eos apostolica auctoritate<sup>6</sup> sancimus<sup>7</sup>. [126] Item<sup>8</sup>. De cetero si quis<sup>9</sup> in posterum ab eo quem simoniacum esse non<sup>10</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>11</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. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(no insc.)PaVo(adding cxxi); om. LbMqOaPcPtRfTbVp

<sup>3</sup> orr. fr. in ii Te

<sup>4</sup> -dam \*MgPfTbTc; -da Ca; om. Vn

<sup>5</sup> decernimus \*BeDaEaLbPfRaSbTbTeTfVo; decrevimus CaGcMg?OaPrTcVn

<sup>6</sup> ap. auct. \*CaMgPfPhTc; auct. ap. Tb

<sup>7</sup> sancimus \*BeCaPf; sanctimus GcMgRaTb; sentimus Tc

<sup>8</sup> Item \*CaCbMgPfTb; Iterum Tc

<sup>9</sup> si quis \*DaMgPfTbTc; quicquid Ca

<sup>10</sup> esse non \*AdCaMgPfTcTfVn; nemo esse PhTb

<sup>11</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>*

<sup>1</sup> simoniaci CaMgPfSbTcTe; om. GcPrVm

<sup>2</sup> omn. sint BePfSbTeVo; sunt omn. CaTc; sint omn. GcMgPrVm

<sup>3</sup> revocandi Be; reconcilia Ce; reconciliandi sunt Te

<sup>4</sup> in mg. BeCaCeDaGcLdLnMgPfPrSbTcTe, 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. LbMqOaPcPtRfTbVnVp

<sup>5</sup> ii CaLbMgPfRfSbTbTeVn; iii PcTc. Be has In decretis Silvestri pape cp. vii, subsequently partly erased (cf c 128)

Nicolaus episcopus episcopis omnibus<sup>6</sup>. Statuimus decretum de simoniaca triperita 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 decident. 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>6</sup> epp. omn. CaGcPfTbTe; 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- BeCaCeDaGcLdMgPaPfPrRfTeTfVnVoVp; 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> sinodo dixit, Constituimus ut presbiterum Arianum resipiscentem nemo suscipiat, nisi episcopus eiusdem loci<sup>4</sup> eum 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>1</sup> sunt BeCaGcTcTeVmVo; sint MgPf

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, 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. LbMqOaPcPtRfTbVnVp

<sup>3</sup> residens sin. CaMgPcPfPh; sin. residens Tb; respondens Tc

<sup>4</sup> eiusd. loci CaMgPfTcVn; loci illius PhTb

<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 baptismum 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, quae maxime in<sup>17</sup> ordinationibus operatur, quam per impietatis suae<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 penitentiae imagine recipiamus<sup>24</sup>? Gravitas<sup>25</sup> itaque tua<sup>26</sup> ad notitiam coepiscoporum, vel per sinodum, si potest, vel per nostrarum recitationem litterarum faciat pervenire,

<sup>1</sup> debeant deponi BeDaEaGcMgPfVo; deponi debeant Ca; deponi Tc

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(before c 130)Vo; Quare ordinati ab hereticis non debeant suscipi in text Pa; De professione hereticorum in mg. Vp; om. LbMqOaPcPtRfTb

<sup>3</sup> in dec. Inn. BeLbOaPfPhRfSbTcTeVo; Inn. in dec. CaGcMgPrVn; 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, episcopos add. Vn; om. AaBeOaPfPrRaTbTeVo

<sup>6</sup> -tis MgPfTbTc; -tes Ca

<sup>7</sup> s. Sp. PfTcTe; Sp. s. CaMgTb

<sup>8</sup> sanctificatione BeOaPfPrSbTbVnVpBrant; sanctificationem AaCeTcTe; 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

<sup>22</sup> ac Pr

<sup>23</sup> percipiendam CaMgPfPhTc; pertinendam Tb

<sup>24</sup> -iamus CaPfTbTc; -imus Mg

<sup>25</sup> Gravitas BeMgSbTbTcTe; Gratuitas Pf; Gravimus Ca

<sup>26</sup> hoc add. PcTbTc, om. BeCaGcMgPfSbTcVnBrant

ut hoc quod ipse tam necessario percunctatus es, et nos tam eliminate<sup>27</sup> respondimus<sup>28</sup> communi<sup>29</sup> omnium<sup>30</sup> consensu, studioque servetur.

4L 2.132] C 1 q 1 c 73 as here to fidem domini perdiderunt, then very different

<sup>27</sup> eliminate CaMgPfSbTb; elimare Tc; pervenire ut hoc quod – eliminate om. Sb

<sup>28</sup> perpendimus Te

<sup>29</sup> cum omni Pa

<sup>30</sup> omnium AaBeCaCeGcLdOaPfSbTbTeTf; coepiscoporum omnium Ad; vel coepiscoporum omnium MgVp; hominum Pa; omnium coepiscoporum PcTc; omnium episcoporum Vn

### 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. Dampnationem utique quam<sup>15</sup> habuit per pravam manus impositionem dedit, et qui 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

<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 BeCaGcLbLdMgOaPhRfSbTbTeVnVo; 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 BeCaCeGcLdOaPaPrRaTbTdTeTfVnVoBrant; 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

<sup>16</sup> fac. est dam. CaMgPfTc; dam. fac. est PhTb

<sup>17</sup> inv. non (ss Ld) possum LdPfTbTcVn; non possum inv. CaMg

<sup>18</sup> Verum BdCeDaLbLdPaPcPfPhPkPqPwSbTbTcTeTfVm; Unum? Be; Unde CaGcVn; Sed Ld<sup>2</sup>Mg; Verum si Pa<sup>2</sup>

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>19</sup> vera ac iusta - benedictio BeCaEaMgPfTbTe; 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 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>

<sup>1</sup> Quam BeCaEaGcPfTc; Quod Mg

<sup>2</sup> in mg. Ad(against c 130)BeCaCeDaEa(no inscr.)GcLdLnMgPfPrSbTcTe<sup>2</sup>, in text Vo(adding cxxvi); De professione hereticorum in text and marg. Db, in text Ph; Quomodo heretici sunt reconciliandi in text Pa; om. LbMqOaPtRfTbVnVp. viii add in mg Be<sup>2</sup>

<sup>3</sup> pape add. MqRfTbTcTe, om. BeCaLbMgPfSbVn

<sup>4</sup> vi BeCaCe<sup>2</sup>LbPf?PrTbTcTeVo; vii CeGcMgVnVp; iii Oa. viii add. in mg. Be<sup>2</sup>

<sup>5</sup> misc- MgPfTbTc; inmisc- Ca

<sup>6</sup> ad add. CePkTb, om. CaMgPaPfPrTcTe

<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>LbLdPaPfPhPkPrTeVn

<sup>10</sup> -ationibus CaMgPfTb; -antibus Tc

<sup>11</sup> adepta BeMgPfTb; adempta Ca?Gc; adepti Tc

<sup>12</sup> omni CaMgPfTb; om. Tc

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>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 AaBeCaDaEaRaTfVn; 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>]<sup>6</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 urbis episcopum<sup>14</sup> data predicatione lucidissime veritatis exposuit. Confiteor unum eumdemque Dominum nostrum Iesum Christum unigenitum Dei Patris, perfectum

<sup>1</sup> De illo qui de aliqua BeCaEaGcMgTeVo; Qui de aliqua Pf; De illo qui de Tc

<sup>2</sup> quod BeCaEaMgTcTe; om. Pf

<sup>3</sup> conv. form] conventa formula Ce

<sup>4</sup> -are BeMgPfTc; -ari AdCeEa

<sup>5</sup> -eat AdBeCaEaGcMgVo; -et PfTcTe

<sup>6</sup> in mg. AdBeCaCeDaLnMgPfPrSbTcTe<sup>2</sup>, 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. EgLbMqOaPtQeRfTbVnVp

<sup>7</sup> Ex ep. \*BeCaEgGcLbPfTbTcTe; Exempla MgVn

<sup>8</sup> episcopo add. Tc, om. \*BeCaEgLbMgPfPwTb; no insc. Ea

<sup>9</sup> ill' AdBdCeDaGcLbMqOaPa<sup>2</sup>PfPhPkPqPtSbTeVmWc; Iohannes BePw; ille CaLdMgQeTb; ille N. Cb; Cirillus DbEgFcPcPyRfTcVp; N. Ea; illis PaVo

<sup>10</sup> ac Mg; hanc Te

<sup>11</sup> seq. sanct. CaMgPfTb; sanct. seq. Tc

<sup>12</sup> beatissimi \*CaMgPfTb; beati Tc

<sup>13</sup> pape Leon. \*MgPfTbTc; Leon. pape Ca

<sup>14</sup> confirmavit add. Tc, om. \*CaDcMgPfTb

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>15</sup> -dem \*MgPfTb; -demque Ca

<sup>16</sup> perf. eumd. BeCaFcObOdPfPhPkRa<sup>2</sup>Te; eumd. perf. Eg; eumd. GcMgRa; perf. eumdemque Tb

<sup>17</sup> eumdem in deitate - hum. CaEgFcMgObOdOeOfPcPfSgTbTeVn; om. Tc

<sup>18</sup> -dem DaMgPfTbTcTe; -demque \*CaGc. Patris, perfectum – eumdem over erasure Da

<sup>19</sup> consub- \*BeCaDa<sup>2</sup>TbTc; sub- AdDaGcLdMgPfPrTeVn

<sup>20</sup> deitatem AdBeCeDaDbLdPfTbTcTeVn; divinitatem CaGcMg. Patri sec. deit. om. Pa

<sup>21</sup> consubst. nobis eumdem susbs. canc. Pa

<sup>22</sup> humanam rationem \*AdBeCeEaGcLdMgPaPfTbTeVn; 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 \*AdCaLdMgPfPrTcTeVn; congenitum PhTb

<sup>26</sup> -ure \*CaMgPfTb; -uram Pf

<sup>27</sup> ss Gc

<sup>28</sup> nostrum add. BeMgPfTcTeVn, 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

<sup>2</sup> in mg. AdBeCaCeDaGcLdLnMgOaPfPrTcTe<sup>2</sup>, 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. LbMqOaPcRfPtTbVn

<sup>3</sup> Maximo \*BeFcGcLbMgPfPwTbTeVnVo; Maxime Ca; Martino Tc; Marino Rf

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>4</sup> -itus Rf

<sup>5</sup> nostra CaPfTbTc; tua Mg

<sup>6</sup> ceteris Pa

<sup>7</sup> -onibus BdBeCaCeOaPaPfPkPqSbTcTeVmVn; -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>TeTbVn; omnibus Ce; om. SbTc

<sup>12</sup> consecrata AdBdBeCaCeGcLbPaPfPhPkPqPwTbTeVmVn; 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. AdBeCaDaGcLdLnMgPfSbTcTe<sup>2</sup>, 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. LbMqOaPcPtRfTbVnVp

<sup>3</sup> Gregorius Ianuario episcopo Caralitano (Catal' Mq) BeCaLbMgMqObOdOeOfTcTeVnVo; 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 \*BeGcMgPfPhTcTeVo; ad nos et. Tb; ad nos RaA

<sup>6</sup> vel post pen. vel ante pen. \*BeMgPfTbTcVn; vel post pen. Ca; vel post vel ante pen. A

<sup>7</sup> hac PfTeSbA; hac re CaGcMgSb<sup>2</sup>Vo; hoc PhTb(obsc. corr.)Tc

<sup>8</sup> -ato \*CaPfTbTcTeVn; -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 BeCaGcLbMgPfTbVnA; Italie PcTc; Itolorum 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 CaMgPfTcTeVnA; vero Ca; qui PhTb

<sup>8</sup> peccato suo PfTbTcTeA; peccatis suis MgPr

<sup>9</sup> maluerint BeCaMgPfPrTeVnA; voluerint PhTc; voluerunt Tb

<sup>10</sup> eor. aud. pres. MgOaTbA; eor. pres. aud. BeCaPf; pres. aud. eor. Tc

<sup>11</sup> vert- OaPfTbTcTeVnA; 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 TcTe

<sup>16</sup> et beato Greg. inst. (-uere Te) BeCaMgPfTeA; et b. Greg. astruente Tb; *om.* Tc

<sup>17</sup> contendit AdCeGcMqPaPhPkPrPwTbTfVmA; contempnit

AaBdBcCaDaEaLbLdMgPcPfRfSbTcTeVnVo

## 135

<sup>1</sup>*Decretum<sup>2</sup> Nicolai iunioris<sup>3</sup>*

Nullus missam audiat<sup>4</sup> presbiteri quem scit concubinam indubitanter<sup>5</sup> habere, aut subintroductam mulierem. Unde etiam<sup>6</sup> ipsa sancta sinodus hoc<sup>7</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 feriendi sint *in text* Pa, Quod (Ut Te) non sit audienda missa presbiteri concubinam habentis *in mg.* SbTe<sup>2</sup>

<sup>2</sup> in decr' Lb.

excommunicatione posuit dicens, Quicumque sacerdotum, diaconorum aut<sup>8</sup>  
 subdiaconorum post constitutum beate memorie predecessoris nostri sanctissimi<sup>9</sup>  
 Leonis pape de castitate clericorum concubinam palam duxerit<sup>10</sup>, vel ductam non  
 reliquerit<sup>11</sup>, ex parte omnipotentis Dei<sup>12</sup>, auctoritate beatorum apostolorum Petri et  
 Pauli precipimus et omnino contradicimus, ut missam non cantet, neque<sup>13</sup> evangelium  
 vel<sup>14</sup> epistolam legat ad missam, neque in presbiterio ad divina officia<sup>15</sup>, qui prefate<sup>16</sup>  
 constitutioni<sup>17</sup> fuerint<sup>18</sup> inobedientes<sup>19</sup> maneat<sup>20</sup>, neque partem ab ecclesia suscipiat<sup>21</sup>,  
 quousque a nobis sententia super<sup>22</sup> huiusmodi, Deo concedente, procedat.

*Ars. 713 fo. 150] +D 32 c 5, D 32 c 6 to ab ecclesia suscipiat, then distinct]*

<sup>3</sup> De eodem cxxxi *add.* Vo

<sup>4</sup> missam audiat] audeat missam Te

<sup>5</sup> conc. ind. BeCaGcMgOaPfPrTeA; ind. conc. PhTbTc

<sup>6</sup> etiam CaMgPfTbA; hoc Tc

<sup>7</sup> hoc MgPfTbTcA; vel Ca

<sup>8</sup> aut CaMgPfTbA; *om.* Tc

<sup>9</sup> *corr. fr.* -ime Mg

<sup>10</sup> dux- \*MgPfTbTcA; dix- Ca

<sup>11</sup> reliq- MgPfTbTcA; derelinq- Ca

<sup>12</sup> omn. Dei CaMgPfTbA; Dei omn. Tc

<sup>13</sup> neque CaPfTbTcA; nec Mg

<sup>14</sup> vel CaMgPfTcA; neque PhTb

<sup>15</sup> officia CaMgPfTbTe; maneat officia cum his PcTc

<sup>16</sup> -ate BePfTbTcTeA; -ata Ca; -ati Mg

<sup>17</sup> non *add.* ss Pa

<sup>18</sup> -erint MgOaTbTcA; -erit BeCaPfTeVo; fuerint *om.* Sb

<sup>19</sup> inobedientes Gc<sup>2</sup>Ld<sup>2</sup>MgOaTbTc; inobediens AaBeCaDaEaLbPfSbTeVnVo; obedientes

CeGcLdPaPhPrTf; obediens A

<sup>20</sup> maneat BeCaEaPcPfPhTeVoVnA; maneant MgPrTb; *om.* Tc

<sup>21</sup> -iat BeCaPfTcTeA; -iant MgTb

<sup>22</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 canonicę  
 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; Quod sacerdotes –fuerint ab  
 honore ecclesiastico debent privari in mg Te<sup>2</sup>

<sup>2</sup> Car. archiepiscopo Be<sup>2</sup>DaGcLbMgPaPfTcTeVnVoVpA; Car' Be; Car. archid' CaOaPf; arch'o Car.  
 Tb

<sup>3</sup> et eius suffr. in mg. Lb. 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 BdBeCaCeDaLbLdMgPaPcPfPkSbTeTfVmVnA; 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 evidential<sup>10</sup> cummearunt<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 BdBeCaCeDaLbLdOaPaPfPrSbTeVmA; Toletano GcMqPhPqRfTbTcVnVp; Toletano 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 GcMqPfPhTeA; aut BeCaGc<sup>2</sup>MgTcVn; vel Tb

<sup>7</sup> ss Tb; *om.* Vn

<sup>8</sup> est MgPfTbTcA; cum Ca

<sup>9</sup> Siricii MgPfTbTcA; Siriati Ca

<sup>10</sup> -tia MgPfPhTcA; -tius Tb

<sup>11</sup> cummearunt MgPfTcA; comeantur Ad(vel commemorant ss)BeCePhVo; commeantur (vel commemorant ss) Ca; comeantur GcRaSbTeBrant; commemorant Tb; *lacuna in* Vn; 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>CaLbMgTbTcTeVnA; Aliis Ad; A. Be; *om.* (??) Pf; Ambrosius Vo

<sup>3</sup> Al. II] Urbanus II Sb; *om.* Da

<sup>4</sup> Dalmatiarum OaPfRaTbTeVo(*adding* cxxxiii)A; Dalmatiorum AdCaGcLbMgPrVn; Salmatiarum Be; Dalmaticarum PcTc

<sup>5</sup> diac. CaPfPhTcVpA; diac. vel subdiaconus Mg; *om.* Tb

<sup>6</sup> usque BeCeLdOaPaPhTbWcA; quousque CaPfTcTeTfVnVp; 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 BeCaOaPfTeVo(*adding* cxxxviA; -lano GcMgPrTbVn; -lanensi LbTc; -laneo Ph

<sup>3</sup> eligit BeMgPfTbTeVoA; 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 CaLbMgPfTb; Item Tc

<sup>3</sup> pop. -olano CaMgPfPrTbVn; pop. -ol' Lb; pop. -olani SbVo(Vo *adding* cxxxvi); pop. -olanensi Tc; clero Mediol' pariter et populo Te; *no break or insc.* A

<sup>4</sup> Eos CaCeDaGcMqPaPcPhPrRaTbTfA; Hos BdBeHaMgPfPkQeTcTdVnVoVpVqWc; Vos LbTe; Nos Py

<sup>5</sup> eius op. BeCaPfTbA; op. eius MgTc

<sup>6</sup> officio CaMgPfTbA; officii Tc

<sup>7</sup> abiud- BeCaMgPfTbTeA; 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. GcPaPfPhPrRaTe; in lapsu (-sum Ce) ceciderit BeCeEaLbMgVnVo; 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 BeCaLbMgOaTcVnVo(*adding* cxxxv)A; ep. Luversi Pf; Lunensi ep. PhTbTe. 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 CaMgPfTcVnA; porticu PhTb; *om.* Te

<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 tradatur<sup>8</sup>.

*Ars. 713 fo. 150v, ID 8.285] +D 81 c 10*

<sup>1</sup> Clericus adulterasse confessus aut convictus in monasterium tradatur *add. in mg.* MgPfTc; De clericis adulteris *add. in text* Pa; De eodem Vo; *om.* AdBeCaCeEaGcLdMqOaPcPrPtSbTbTdTeVp

<sup>2</sup> Sin. Aurel. \*BeDaEaLbPfTbA; VII sinodus Aurel' CaGcMgPrTeVn; Si quis Sin. Aur. PcRf; Ex sinodo Aurelianensi Tc

<sup>3</sup> Child. reg. \*CaDaGcLbPrTcTeA; Hildeberti reg. Be; Childiperti regis MgVn; Hyldiperti Mq; reg. Child. PhTb; ?? Pf; Gildeberti regis Vo

<sup>4</sup> cap. vii \*BeDaMgTbTcTeVnVo(*adding* cxxxviii)A; *om.* CaLb; ? Pf; temp. – vii *om.* Ea

<sup>5</sup> fu. aut con. MgOaPfTbTeA; aut con. fu. \*CaDa

<sup>6</sup> suo \*BeCaDaTcTeTfVn; *om.* GcLbLdMgPfPhPrTbA

<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 CaMgTbTcTeA; -itus Pf

<sup>4</sup> -erio CaMgPfTbTeA; -erium Tc. quod *add.* Lb

<sup>5</sup> est *add.* CaLbPfPtVnWc, 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.* BdBeCaFcLbPfPtPwRfSbTcTeTfVnWc

## 145

<sup>1</sup>*Gregorius Constantino Mediolanensium*<sup>2</sup> *episcopo*<sup>3</sup>

Si lapsis<sup>4</sup> ad suum ordinem revertendi licentia concedatur<sup>5</sup>, vigor canonice procul dubio frangitur discipline, dum pro reversionis spe, prave actionis desideria quisque concipere non formidat<sup>6</sup>. Et post pauca<sup>7</sup>. Illud pre omnibus studete, ut lapsos in sacrum ordinem nullius vobis<sup>8</sup> supplicatio aliquomodo revocare suadeat, ne huiusmodi non statuta, sed temporaliter dilata<sup>9</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.* SbTe<sup>2</sup>, Lapsi ad suum ordinem non revertantur *add. in mg.* Tc; De eodem *add.* Vo

<sup>2</sup> -ensi Lb

<sup>3</sup> Const. – episc.] papa Ea; cxli *add.* Vo

<sup>4</sup> -sis \*BeMgPfTbTc; -sus Ca

<sup>5</sup> -atur \*PhOaTbVm; -itur BdBeCaCeMgPaPfPkPwSbTcTeVnVo

<sup>6</sup> -idat \*MgPfTbTc; -idet Ca

<sup>7</sup> Et post pauca \*CaEaMgPfPwTb; *om.* Tc

<sup>8</sup> vobis \*CaPfTbTcTe; nobis MgVn

<sup>9</sup> dil- \*CaPfTbTcTe; del- MgVn

## 146

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

Gregorius<sup>4</sup> Sabiniano<sup>5</sup> Ladertino episcopo. Presbiterum de quo nos fraternitas tua latoris presentium legatione<sup>6</sup> consuluit, nulla ratione in sacro ordine post<sup>7</sup> lapsum aut permanere aut revocari posse cognoscas. Circa quem<sup>8</sup> tamen mitius agendum est propter commissum facinus, quia<sup>9</sup> facili<sup>10</sup> dicitur professione confessus.

*Coll. Sem. 3.124; AL 8.23] D 50 c 3*

<sup>1</sup> Idem Gr' De eodem *add. in mg.* Te<sup>3</sup>

<sup>2</sup> Gregorii BeCaLbMgTbTcTeVn; Greg. de eodem Vo; eiusdem Pf; *om.* Ce. In – Greg. *om.* Pt

<sup>3</sup> xcvi<sup>3</sup> BdBeCaOaPfPrQeRfSbTb; cxcvi<sup>3</sup> Cb; xvi<sup>3</sup> MgVn; xxviii GcLbPtTc; cap. xx.ii.iiii Te; cp. xcvi<sup>3</sup>. cp. cxlii Vo. De eodem *add.* Pa

<sup>4</sup> presul *add.* PhQe, episcopus *add.* Tb, *om.* CaLbMgPfPrTcTeVn

<sup>5</sup> Sabiniano CaCbLb<sup>2</sup>MgPfTb; Sabino Tc

<sup>6</sup> legatione CaMgPfTb; relatione Tc

<sup>7</sup> post CaMgPfTb; *om.* Tc

<sup>8</sup> ss Mg<sup>2</sup>

<sup>9</sup> quia CaMgPfTcTeVn; *om.* PhTb

<sup>10</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 sinodo incipientes, hanc cum reliquis quatuor veneramur<sup>10</sup>, que ipsam<sup>11</sup> sequentes in cunctis sentiis 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

<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. BeCaCbLbMgOaTb; Beatus Greg. papa *only* Ea; Greg. PtTcTeVnVo; Idem Pf

<sup>4</sup> ad Secundinum BeGcLbMgOaPfPrTcTeVnVoIDcpd; ad Sedunium Ca; Secundino Pt; ad Secundinum servum Dei TbIDm

<sup>5</sup> Beatus – inclusum BeCaLbMgPfTbTc; *om.* Lc. Qualiter lapsi reparandi sunt (cxliii *add.* Vo) *add.* TdVo

<sup>6</sup> hoc \*BeCaMgTb; hec Pf; ??Tc

<sup>7</sup> rescr- \*CaMgPfTbTe; scr- Tc; *om.* Brant

<sup>8</sup> scriberemus Brant; scriberem dum de tali officio post lapsum resurgendi scriberemus *add. Migne, om.* \*CaEaMgPfTbTcTeVoVp

<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 MgVn; illarum Te

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 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>15</sup> a cap. itaque \*CaMgPfPhSbTc; a cap. igitur Tb; accipite itaque Te

<sup>16</sup> ministrum \*BeCaTbTc; ministerium MgPfTeVn

<sup>17</sup> quem \*CaPfTbTcTe; quia MgVn

<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. MgVn

<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 \*CaPfTbTcVn; -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 BeCaMgTbTcVn; negationem penitentia PfTe

<sup>34</sup> esse \*RaTbTc; om. BeCaGcMgPfVn

<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>MgTbTcVn; 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 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, Quaecumque 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

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<sup>1</sup> decretali Ea

<sup>2</sup> In – pape *om.* Pt

<sup>3</sup> cap. ii BeCaGcLdLfLmMgOaPfPhPrPtTbVn; cap. v AdBdCbDaLjRfSbTeVo; cap. vi LbTcVp; *om.* Ea

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 BeCaCbEaLdLfLjPfPrTbTeVo; dignam GcMgTcVn; cum dignam Lm

<sup>6</sup> sac. cond. BePfTcVo; con. sac. GcMgVn; sac. cum digne Oa; sac. digne PhTb

<sup>7</sup> *corr. fr.* erant Lm

<sup>8</sup> solveritis BeCaCbLdLfLjLmMgTbTcTe; solveris Pf

<sup>9</sup> in terra BdGcMgPfPrTcTeVn; super terram BeCaLfPhTb

<sup>10</sup> et BeCaCbLdLfLjLmMgPfTb; *om.* LfTcTe

<sup>11</sup> Dom. non BeCaCbLdLfMgPfTb; non Dom. Lm; non Tc

<sup>12</sup> est *add.* MgVn, *om.* PfTbTcTe

<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>OaLfPrTbTcTe; ut magis CaGcMgVn; *om.* CbDaDbEaLdLfLmPfTf

<sup>19</sup> sal. tui BeCaCbLdLfLjLmTbTcVn; sa' Ea; s. t. LfTc; salutis tue Mg; sal. Pf

<sup>20</sup> me CaCbLdLfLjLmMgPfTbTc; *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.* CaMgPfTbTcTe

<sup>25</sup> gesserint BeCaCbLdLfLjLmMgPfTcVn; egerint PhTbTcTf

<sup>26</sup> et impii ad te convertentur et *add.* CbDaLjBrant, *om.* TbTc

dicebat<sup>29</sup>, Sacrificium Deo spiritus contribulatus<sup>30</sup>. Videns enim<sup>31</sup> propheta scelera sua mundata per penitentiam<sup>32</sup> non dubitavit predicando et Domino libando, curare aliena. 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>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) CbEgLjTbBrant; 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.  
AbAdBbBdBcCaCeDbEaEbEcFcGcLbLdLfLmLnMfMgMhMjMkMmMqOaObOdOeOfPaPdPfPhPkP  
qPrPtPwQaRaRfSbSdSeSgSlTeTfVmVoVpWaWbWcWdZa

<sup>30</sup> Sacr. - contrib. before Sacrificium pro se MoPcTc

<sup>31</sup> enim CaCbGcLfLjLmMgTbTcVn; om. BeEaFcLdPfPwTf; obsc. corr. Te

<sup>32</sup> proph. scel. sua mun. per pen. BeCaCbEaLdLfLjLmPfTbVn; scel. sua proph. mun. per pen. Mg; proph. sua scel. per pen. mun. Tc

<sup>33</sup> ergo add. CbLj, om. BeCaMgPfTbTcTeVn

<sup>34</sup> obsc. corr. Lf

<sup>35</sup> autem CaMgPfTbTcTe; aut Lm; om. RfSl

<sup>36</sup> avertitur CaMgPfSlTbTcTe; 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.

AdBdBcCaCbCeDaEaFcGcLbLdLfLjLmMgMqOaPaPfPhPkPqPtPwRaSbSlTbTeTfVmVn;  
satisfactione impleta – ab ira in mg. Sl<sup>2</sup>

<sup>38</sup> enim add. Tc, om. CaCbLdLfLmMgPfTb

<sup>39</sup> Quoniam BeCaMgPfTbTcTe; 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 CaPfTbTcVn; dixit Mg

<sup>45</sup> et CaCbGcLjMgTbTe; etiam BeLdLfTcVn; om. LmPf

<sup>46</sup> est BeCaCbLdLfLjLmMgPfTb; om. Tc

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<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 pristinos gradus canon redire<sup>9</sup> precepit, quos penitentiae 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 penitentiae receperunt noscuntur remedium vite. Id autem ne forte magis sit ambiguum, divine auctoritatis sententia confirmetur. Ezechiel quidem<sup>22</sup> propheta sub typo prevaricatoris Ierusalem ostendit post penitentiae 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,

<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; Epistola LbTcTe; Exempla MgVn

<sup>3</sup> Massanum CaPfPhTc; Massonum BeLbPaTbTe; Damasonem GcMg<sup>2</sup>Vn; Damasium Mq

<sup>4</sup> cap. i BeCaLbMgPaPfTbTe; *om.* Tc; ad M. – cap i *om.* Ea

<sup>5</sup> sancto BeCaMgGcLdMqPaPhPrOa; suo LbPfTbTcTeTf; Anno sancto Py; sancto suo Vn; *om.* CeVo

<sup>6</sup> vid. CaMgTbTc; *om.* Pf

<sup>7</sup> huiusmodi BePfTbTcTe; huiusmodi CaMgVn

<sup>8</sup> Hec div. hoc modo CaMgPfPhTc; Hoc modo hec div. Tb

<sup>9</sup> can. red. CaMgPfTb; red. can. Tc

<sup>10</sup> -serit MgPfTbTc; -sit Ca

<sup>11</sup> condig- CaMgPfTcVn; dig- PhTb

<sup>12</sup> contra hi CaMgPfTc; hi contra PhTb

<sup>13</sup> a MgPfTbTc; *om.* CaTe

<sup>14</sup> corruptionis emendantur CaFcMgPfPwTb; corporis emundantur Tc

<sup>15</sup> atque BeCaGcMgPfTe; aut *after corr.* ?Ph; cui Tb; neque Tc

<sup>16</sup> hoc BePfTbTcTe; *om.* Ca; id GcMgVn

<sup>17</sup> -dum CaPfTbTcVn; -du Mg

<sup>18</sup> nec CaMgPfPhTc; neque Tb

<sup>19</sup> est dir. BeLdMg<sup>2</sup>PfTeTfVo; est determinanda Ca(vel dirimenda ss)GcMgPr; est dirimenta Ph; determinanda est Tb; dir. est Tc; est determinanda vel dir. Vn

<sup>20</sup> adepti CaCeGcPaPfTcTeTfVn; 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 CaPfTbTcVn; portam Mg

<sup>25</sup> tuam CaMgPw<sup>2</sup>TbTc; *om.* Pf

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>. 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> deflare. 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

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<sup>26</sup> ss Be

<sup>27</sup> ad antiquitatem vestram CaCeDaGcLdMgPaPfPrPwTfVn; ad iniquitatem vestram BeTe; 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>MgPfPhTcTe; 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; digitum con. Te

<sup>35</sup> -avit BePfTcTe; -averit CaMgTb

<sup>36</sup> sui add. BeCaTc, om. MgPfTbTe

<sup>37</sup> antiquitatem CaMgPfTbTe; 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 BeMgPfTbTcTe; primo Ca; vel priori add. ss Mg

<sup>49</sup> ss Be

<sup>50</sup> nec MgPfTbTc; non Ca

<sup>51</sup> -ari CaMgTcVn; -are BePfTbTe

<sup>52</sup> ep. huius CaMgPfPhTc; huius ep. Tb

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>53</sup> sent. CaPfTbTcVn; 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 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>1</sup> cap. xxv \*EaLbMgOaPfRfSbTbTcTeVnVo; 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

<sup>3</sup> pecc. \*CaMgPfPhTc; *om.* Tb

<sup>4</sup> tantum CaPfTbTcTe; tamen MgVn

<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>EaGcLbLdMqPaPcPfPhPqPrSbTeTfVmVo; diaconi BeDaMgPwTcVn; subdiaconii PkTb

<sup>12</sup> retineat \*CaMgTbTc; obtineat Pf; portet Te

## 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

<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 CaLdLnMfMgMhMjMmPaTcTeVn; viii DaLbSb; PfTb *unclear*

<sup>4</sup> occupatus LbPa. fuerit *add.* GcTc, *om.* \*CaMfMgMhMjMkMkMoPaPfPrPtTbTe

<sup>5</sup> si *add.* Tc, *om.* \*BeCaGcMfMgMhMjMkMmMoPfTb

<sup>6</sup> non *add.* Tc, *om.* \*BeCaGcMgPfTb

<sup>7</sup> ordinationem \*BeCeMfMoOaPaRaTbTcVo; ordinem CaDaGcLdMgMhMjMkMmPrVn; *om.* DbLbPfPtSbTeTf

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>8</sup> deliquerit BeCeDaGcLbMgPaPf<sup>2</sup>PhTbTcTeTf; delinquitur Mf; relinquatur Mj; reliquetur Mm<sup>2</sup>; deliquit Ra; dereliquerit Sb

<sup>9</sup> de se ipse BeCaCeDaMfMgMhMjMkMmMoObOd<sup>2</sup>OeOfPaPfPhPrSbTeTfIDp; si *with lacuna following* Gc; de se Lb<sup>2</sup>Tb; ipse de se OaTc; ipse Od; de se ipso DbPtVnVoIDm

<sup>10</sup> fuerit \*CaMfMgMhMjMkMmPfPtTb; fuit Tc

## 152

*Ex epistola<sup>1</sup> Rabani<sup>2</sup> archiepiscopi<sup>3</sup> ad Heribaldum<sup>4</sup>. Ex concilio Hilerdensi, cap. x<sup>5</sup>*

De his vero visum est nobis scribendum qui sacros ordines habent et ante vel post ordinationem<sup>6</sup> contaminatos in capitalibus criminibus se esse profitentur. In quibus, ut mihi videtur, hec distantia esse debet, ut hi<sup>7</sup> qui deprehensi vel capti fuerint<sup>8</sup> publice in periurio, furto, atque fornicatione, et ceteris huiusmodi criminibus, secundum sacrorum<sup>9</sup> canonum instituta a gradu proprio<sup>10</sup> deponantur, quia scandalum est populo Dei tales personas superpositas<sup>11</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>12</sup> atque contrarii existentes eorum pravis exemplis quotidie peiores fiunt<sup>13</sup>. Qui autem de predictis peccatis abscondite a se admissis<sup>14</sup> per occultam confessionem coram oculis Dei, presente etiam sacerdote, qui eis indicturus est penitentiam, confitentur, et semetipsos<sup>15</sup> graviter deliquisse queruntur, si se per ieiunia et elemosinas, vigiliisque<sup>16</sup> et sacras orationes cum

<sup>1</sup> Exempla Vn

<sup>2</sup> Babini Ce

<sup>3</sup> archiepiscopi \*BeCaCeFcMgOaTbVp(*repeated*); episcopi Tc; *om.* Pw

<sup>4</sup> Ex (*om.* Te) - Her. \*BeCaCbEaFcLbMgOaPwRfTbTcTeVp; *om.* Pf

<sup>5</sup> cap. x \*BeCaCbFcMgPfRfTeVnVo; cap. xi Tc; *om.* Tb. Ex conc. - x *om.* LbMq.

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 (-antur Te) *add.* in mg. SbTe<sup>2</sup>; Qua distantia sit inter eos qui publice lapsi sunt in crimine et eos qui occulte (cxviii *add.* Vo) *add.* TdVo

<sup>6</sup> vel post ord. \*CaMgPfPhTc; ord. vel post Tb

<sup>7</sup> *supersc.* Tc

<sup>8</sup> vel capti fu. \*MgPfTbTc; fu. vel capti Ca

<sup>9</sup> sacrorum \*MgPfTbTc; sacrum Ca

<sup>10</sup> grad. prop. \*CaMgPfTc; prop. grad. PhTb

<sup>11</sup> superpositas \*CaMgPfPhTc; super se positas Tb

<sup>12</sup> hinc \*BeMgTbTc; huic CaPf

<sup>13</sup> fiunt \*CaMgPfTb; existunt Tc

<sup>14</sup> adm- \*MgPfTbTc; comm- Ca

<sup>15</sup> semetipsos \*CaMgPfPhTc; se ipsos Tb

<sup>16</sup> -que CaMgPfTb; *om.* Tc

lacrimis purgare certaverint<sup>17</sup>. His etiam gradu servato, spes venie de misericordia Dei<sup>18</sup> promittenda<sup>19</sup> est.

ID 6.400] D 50 c 34

<sup>17</sup> -int \*CaMgTbTc; -unt Pf

<sup>18</sup> mis. Dei \*CaMgPfTb; Dei mis. Tc

<sup>19</sup> prom- \*CaMqPaPhTcTeVo; perm- BeCeDaGcLbMgPcPfPrRaRfTbTfVnWc

## 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 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

<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> Venenensi Lb. Cenn. Ven.] contra Menocovenensi Rf

<sup>3</sup> x *in mg* Be<sup>2</sup>

<sup>4</sup> minus \*CaPfTbTcVn; nimis Mg ; munus Te

<sup>5</sup> posse in sacerdotio \*OaPcTc; in sacerdotio AaBdDaEaPfPhPwSbTeTfVo; in sacerdotio posse BeCaCeDa<sup>2</sup>GcMgMqPaPkPrPw<sup>2</sup>RaVmVn; 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>

<sup>1</sup> Urb. II CaGcLnMgPrPwTbTdVnVoA; Rab. II AaBeCbCeDaEaLdMqOaObPaPcPfPtRaRfSbTd; Rabanus II CeLbPaPkTe; Rabanus FcOdTc; Urbanus Od<sup>2</sup>

<sup>2</sup> Mereburgensi BeCaCeEaGcLbMgOaOdPaPfPrPwTbTeVnA; 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

Clericum quo iaciente 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*

<sup>4</sup> eod ord. CaMgPfTcTeA; ord. eod. PhTb

<sup>5</sup> pen. et tim. CaPfTbTcTeA; tim. et pen. Mg; timore et in pen. Vn

## 155

<sup>1</sup>*Stephanus* <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.

*Ars. 713 fo. 138v] D 50 c 38*

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

<sup>2</sup> Steph. – V] Ste<panus> Be; Steph. VI Lb; *om.* Pt

<sup>3</sup> Sichiperto BeCeDaMqOaPaRfTbVpA; Sigberto AaMgVn; Sichiberto CaPfRaTeVo; Sicperto Gc; Sigiberto LbTc; Sic inperto PrVm; Sichicperto Pt

<sup>4</sup> cl *add.* Vo. Steph. – ep.] Item Ea. Lb *reverses inscriptions of cc 155-6*

<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

## 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*

<sup>1</sup> 156-7 *as here*

BbBdBeCaCbCeDaDbEaEgFcGcHaLbLcLdLfLjLmLnMfMgMhMjMkMmMqObOdOeOfPaPdPfPkPqPrPtPwQaRaSbSeSgTdTeVmVnVoVpVqWcBrant; *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.* BdCb<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) BdBeCaCbGcLdLfLjLmMqPwRaTb; Ex Liberitano concil' cp. xx CePa; Elibertano conc. cp. xx DaDbLb; *om.* Ea; Ex conc. El. cap. xx EgMgVn; 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 BeGcMgPfTbTcTe; clericus AaLbPtVo

<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.*

<sup>1</sup> *cf c 156 for Pf rubr.* Quod episcopus, presbiter, diac' usuram exigens aut desinat aut dampnetur *in mg.* Te<sup>2</sup>; De eodem *add.* Vo

<sup>2</sup> Can. - xliiii BeCaCbGcLbLdLjLmMgOaObOdOeOfPaPfPhPrPwSbTbTeVn; Can. ap. EaMq; Can. - xxliiii 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>

Nullus clericorum<sup>4</sup> amplius recipiat<sup>5</sup> quam accommodaverit, si pecuniam, pecuniam, si speciem, speciem, eamdem quantam<sup>6</sup> dederit accipiat, et quicquid aliud tantum quantum dederit.

*ID 13.9] C 14 q 4 c 6*

<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; Quod nullus plus accipiatquam accomodaverit *in mg.* Te<sup>2</sup>; 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 CbMqTe; Concil. Cart. cap. xvi Lb; Ex conc. Cart. III cap. xvi MgVn; Concil. II Cartag', cap. v PcTc; Ex Cart. conc. cap. xvi Pf. cliiii *add.* Vo

<sup>4</sup> clericorum \*MgPfTbTc; *om.* Ca

<sup>5</sup> rec- \*CaMgPfTb; acc- Tc

<sup>6</sup> quantam \*BeCaCeEaGcMgOaPaPrTcVo; quam LbPfTbTe; 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.

<sup>1</sup> Terraconense (Tarrac- Tb) concilium cap. iii BeCaGcLbOaPhTbTeVo(*adding clv*)Vp; Item Ea; Ex conc. Terraconensi cap. iii MgVn; 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 \*BeCaPfPrTbTeVn; vel GcTc; hoc vel Mg

<sup>3</sup> de \*BeGcMgPfTbTcTe; *om.* CaOa

<sup>4</sup> temp. stat. \*CaMgPfPhTc; stat. temp. Tb

<sup>5</sup> augmento Ph

ID 13.14] +C 14 q 4 c 5

## 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. OaPfTe

<sup>4</sup> Alii \*BeCaCePaPfPrTbTcTeVn; Quidam EgMgVp

<sup>5</sup> inunusulam Ca; *corr. fr.* opuscula Lb

<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

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<sup>1</sup> Quid sit usura *add.* PaTe<sup>3</sup>(mg)Vo (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<sup>1</sup> Iulii pape usuariis missis<sup>2</sup>, cap. cxxxi<sup>3</sup>*

Quicumque enim<sup>4</sup> tempore messis vel vindemie non necessitate sed propter cupiditatem comparat<sup>5</sup> annonam vel vinum<sup>6</sup>, verbi gratia, de duobus denariis comparat<sup>7</sup> modium unum et servat usque dum venundetur<sup>8</sup> denariis quatuor aut sex, aut amplius, hoc turpe lucrum dicimus<sup>9</sup>.

*ID 6.201] C 14 q 4 c 9*

<sup>1</sup> concil' Lb

<sup>2</sup> us. (usurar- Wc) missis BeCaCeEaMgVoVpWc; usura.... *add.* Tb, de us. missis Cb(*after* cxxxi) ; us. messis DaGcLbPhPrRaSbTeVn; usariis mensis Oa; *om.* EgMqPaPcPfPtQaTc; Ex – missis *om.* Rf

<sup>3</sup> cxxxi \*BeCaEgLbPfPrPtRfTbTcVo; xli GcMgVnWc; c.xxxl Te; *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>4</sup> enim \*AaBeEaMqPhPtTb, *om.* BdCaEgGcLbMfMgMoOaPfPrRfQaSbTcTeVnVq

<sup>5</sup> *suppl. ss* Mh

<sup>6</sup> ut carius vendat usura est *add.* Mg, *om.*

\*AdBdBeEaEgLbMfMjMkMoOaObOdOeOfPfPtQaSgTbTcVmVnVoBrant. non nec. set propter cupiditatem *after* vinum Pt

<sup>7</sup> annonam vel - comparat MgPfTbTc; *om.* Ca

<sup>8</sup> venundetur \*CaMgPfPrTcTe; venditur PhTb

<sup>9</sup> dicimus BeCaEgLbMgPaTbTcTe; 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>*

Si quilibet<sup>3</sup> servus<sup>4</sup> dominum fugiens, aut latitans, aut<sup>5</sup> adhibitis testibus pretio conductis vel<sup>6</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>7</sup> in eadem provincia filium genuerit, et ipse filius ibidem educatus, et<sup>8</sup> ad gradus ecclesiasticos promotus fuerit, et utrum servus sit ignoraverit<sup>9</sup>, et postea veniens dominus eius legibus eum adquisierit, sancitum est<sup>10</sup> ut

<sup>1</sup> V Ln

<sup>2</sup> lxxxii BeCaEaGcLbLdLnMgPhSbTcVnVoA; lxxii DaVp; lxx... Pf; lxxxiii Tb. (xiiii. *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; *For* Te *see c. 164*

<sup>3</sup> quis Py

<sup>4</sup> *om.* Te

<sup>5</sup> aut BeCaMgTbTcTeA; vel Vo; *om.* Pf

<sup>6</sup> vel AaBeCaGcMgMqOaPcPfPrTbTeVnVo; aut TcA

<sup>7</sup> in al mig. BeCaMgPfTc; <in al.> mig. A; mig. in al. PhTb; mig. Te

<sup>8</sup> et CaMgPfPhTcA; *om.* Tb

<sup>9</sup> ignoverit Te

si dominus eius illi<sup>11</sup> libertatem dare voluerit<sup>12</sup>, in gradu suo permaneat, si vero eum<sup>13</sup> catena<sup>14</sup> servitutis a castris dominicis abstrahere voluerit, gradum amittat<sup>15</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>10</sup> sanc. est DaMgTbTcA; statutum Ca

<sup>11</sup> eius illi TbTcA; ei BeCaMg; eius in Vn

<sup>12</sup> sancitum - voluerit CaMgTbTcA; om. PfTe

<sup>13</sup> cum add. MgVn, om. CaLbPfTbTcA; cum (with eum in mg.) Ra; cum Te

<sup>14</sup> -ena CaMgPfTbA; -is Tc

<sup>15</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.*

*<sup>3</sup>In ceteris ordinibus vicarium<sup>4</sup> non prestat sed deponatur et domino<sup>5</sup> reddatur]<sup>6</sup>.*

*Gelasius<sup>7</sup> Martino<sup>8</sup> et Iusto episcopis<sup>9</sup>*

Actores<sup>10</sup> siquidem<sup>11</sup> illustris viri filii nostri Amandiani graviter conqueruntur, homines iuri suo<sup>12</sup> debitos<sup>13</sup>, alios adhuc clericos, alios iam diaconos ordinatos, cum non solum post modernum quod<sup>14</sup> tantorum collectione pontificum sub omnium saluberrime provisionis assensu constat esse perfectum<sup>15</sup>, huiusmodi personas<sup>16</sup> suscipere non debere<sup>17</sup>, verum etiam si qui forte in divine cultum<sup>18</sup> militie ante fuerint, ignorantia faciente, suscepti, eliminare<sup>19</sup> prorsus et exutos religioso privilegio ad

<sup>1</sup> Ea lacks canon, but incorporates rubric as end of c 163

<sup>2</sup> in gradu permaneat CaGcMgTcVp; maneat in gradu AdBeCeEaSbTeVo; in gradu maneat Pr

<sup>3</sup> et add. Te

<sup>4</sup> om. Sb

<sup>5</sup> -inio Sb

<sup>6</sup> in mg. BeCaCeDaGcMgPrSbTc; in text EaVo(adding clx)Vp(as separate canon); De eodem Pa; in mg. to c. 163 Te<sup>2</sup>; om. MqOaPtPfTbVn

<sup>7</sup> papa add. BePaPfTbTcTe, om. \*CaGcMgOaVnVp

<sup>8</sup> Esculentio Stephano Gc (cf c 165); Martirio PaVo<sup>2</sup>

<sup>9</sup> Gel. <papa mr'io> Herculentio Stephano et Iusto <episcopis> Lb (cf next c.)

<sup>10</sup> Act- BeGcLb(with lex ss)MgOaPfTbTcVp; Auct- CaOf; Lect- Gb

<sup>11</sup> siquidem \*CaMgTbTc; quidem PfSbTe

<sup>12</sup> iuri suo BeCaCeGcMgOaOfPaPfPhPkPwSbTcVmVoVp; suo iuri \*Tb; viri suos Te

<sup>13</sup> deb- DbOaPcPfRaTcTeVoIDpBrant; ded-

BdB<sup>2</sup>CaCeDaGcLbMgMqObOdOfPaPhPkPrPwSbTbVmVnIDm

<sup>14</sup> quod \*BeCaPfSbTbVo; tempus quemquam Mg; quidem TcVn; quid Te

<sup>15</sup> constat esse perfectum \*CaPfTbTcVn; perspectum constat esse Mg

<sup>16</sup> in mg. Ra<sup>2</sup>

<sup>17</sup> sus. non deb. MgPfTb; accipere (suscipere ss) non deb. Ca; non deb. sus. Tc

<sup>18</sup> -tum \*CaMgPfTb; -tu Tc

<sup>19</sup> -are \*MgPfTbTc; -atos Ca

dominorum possessiones iusta debuerint admonitione compelli<sup>20</sup>. Et ideo, fratres charissimi, eos quos supradicti viri actores<sup>21</sup> in clericatus<sup>22</sup> officio monstraverint, adtineri discussos et obnoxios approbatos<sup>23</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<sup>24</sup> obnoxietate<sup>25</sup>, si convincitur<sup>26</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>20</sup> debuerint admon. compelli \*BeDbPfTbTeVo; admon. debuerint compelli CaGc(*obsc. corr.*)Pr; admon. debere compellere MgVn; debere admonitionem compelli Tc

<sup>21</sup> act- \*DbMgPfTbTc; auct- CaGcTe

<sup>22</sup> *corr. fr.* -tos Mg

<sup>23</sup> approb- BeCaGcMgTbTcTe; approbato Mq; ac prob- \*Pf

<sup>24</sup> *om.* Te

<sup>25</sup> -ietate \*BeCaDbPf<sup>2</sup>TbTcVn; -iatate Gc; -itate MgPf

<sup>26</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> 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,

<sup>1</sup> De eodem *add. in mg* Mj, *in text* PaVo

<sup>2</sup> Gelasius \*BeCaFcGcMfMgMhMjPtTbTcTe; Idem Pf; Gel. papa Pt

<sup>3</sup> Herculentio \*DaLbPfGcVo; Exculentio BePaPwRfTbTc; Erculenio CaFc; Erculeio Db; Erculentino MgVn; Herculenio Mq; Erculentios Oa; Erculentio PhPrTe; Eleulentio Vp

<sup>4</sup> Stephano et Iusto \*DaGcLbMgPaPfTbTcTeVnVo; et Stephano et Iusto Be; et Iusto Stephano MhMkMq. clxi *add.* Vo

<sup>5</sup> Act- \*BeGcLbMgPfPtTbTcTeVo; Auct- CaMhMjMkOfPy; Lectores Gb; Factores LmPk; *corr. fr.* Hoctores Ce, Maiores Oa; Auctore Vn

<sup>6</sup> -die CaGcMfMgMhMjMkObOdOeOfPf(*lacuna follows*)PtTcVnVm; -de BeCePaPhPkTbTeVoBrant

<sup>7</sup> pet. obl. *om* Pt

<sup>8</sup> -sis \*CaMfMhMjMkPfPtTbTc; -sem GcMgVn; Marcellinensis Te

<sup>9</sup> Cusilinitis Da<sup>2</sup>MgPfTbTeVn; Silinitis CaDa; Cusmaltis Ce; Culismatis Gc; Culsunatis Pw; Cusumatis Ra; ...sinatis ss Ra<sup>2</sup>; Culisnitis Tc

<sup>10</sup> patrone \*BeMgPfTcTeVn; viri matrone Mf; matrone Mj

<sup>11</sup> -ductum \*CaMfMhMjMkPfPtTbTeVn; -duxisse MgTc

<sup>12</sup> mei *add.* Mf

<sup>13</sup> in Pt

<sup>14</sup> act- \*BeMfMgPfTbTcTe; auct- CaMhMjMkPt

objectam cognitionem<sup>15</sup> vobis nostra<sup>16</sup> auctoritate deputamus, ut<sup>17</sup>, omni veritate discussa, si revera objectam 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>15</sup> objectam cognitionem

BdBeCaCbCeDbGcLbMfMgMhMjMoOaObOdOeOfPaPcPfPkPqPwSbVmVoVpIDpBrant; objectam conditionem (id est cognitionem *superscr.* Tc) DaMkMmMqTc; objecta cognitione PhTb; objectam cognationem Te; obnoxam cognitionem Vn; obiectu cognitionem *Migne*

<sup>16</sup> nostra CaMfMgMhMjPfTcTeVn; vestra PhTb

<sup>17</sup> om. Mj

<sup>18</sup> masculam Bd

<sup>19</sup> iuste Bd(*lacuna follows*)BeCaCbDaFcLbMgOaPqPtPwSbTcTeVnVo; iustitie CeDbGcMkMqPaPhPkPrTbVm; ratione iuste Mf; iustitiam Mj; iustitia vel iuste Pf

<sup>20</sup> -ione Pa

<sup>21</sup> ratione diluere \*BeFcLbPrPtPwRaTbTe; ratione divellere CaGcMgTcVn; 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>TcTeVo; rehibite Ce; exhibite MfMjPfPtVn; rehibite Mk; reddite MqRa

<sup>24</sup> iam non potest\*BePfRaTbTe; non iam potest CaGcMfMgPtVo; non iam post Oa; non iam poterit Tc

<sup>25</sup> suam ecclesiam \*GcMfMgMhMjMkPfPtTbTeVn; sua ecclesia BeCaTc

<sup>26</sup> -are \*BeCaMfMgMjPfPtTcTeVn; -ari MkPhTb

<sup>27</sup> sed \*CaMfMgMhMjMkPtTbTc; *lacuna* Pf

## 166

[Si servus ordinatus fuerit sciente et non contradicente domino<sup>1</sup>, liber maneat. Si ignorante domino intra annum liceat<sup>2</sup> probare et servum suum recipere, post annum 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>

<sup>1</sup> (et *add.* Sb) ord. fuerit sciente (-enter Ea) et non contrad. domino AdBeEaSbTeVo; scienter et non contrad. domino ord. fuerit CaMgTc; sciente domino et non contrad. ord. fuerit Gc; sciente et non contr. domino Pr

<sup>2</sup> om. Te

<sup>3</sup> liceat BeCaEaGcTcTe; om. Mg

<sup>4</sup> in mg. AdBeCaDaFcGcLdLnMgPrSbTe<sup>2</sup>Tc, Ea in text after *in sc.* Vo(*here, adding* clxii); Si servus ordinatus fuerit in mg. Ce; De eodem Pa; om. LbMqOaPcPfPtRfTbVnVp; for Pk see *Conspectus*

<sup>5</sup> Nov. (in black Tb) const. V (et Fc, ss Te) cap. xxiii BdBeCbEaFcLbOaPcPfPwTbTeVo; Nov. constitutiones cap. xxiii Ca; Novellar' constit' CXVII (ss Sb) cp. xxviii DaSb; Nov. const. cap. xiii GcLnMgVn; Nov. con. cap. xxiii Ld; Constitutionum lib. II cap. xxiii Tc; cap. xxiii only QaA. xiii *add. in mg.* Be<sup>2</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<sup>8</sup> ecclesiasticum reliquerit, et ad laicorum vitam transierit, in<sup>9</sup> servitio tradatur<sup>10</sup>.

*Juliani epitome Const. CXV (CXVI) c. 28; Ars. 713 fo. 138] +D 54 c 20 begins so, but ends widely var.*

<sup>6</sup> et non cont. dom. CaGcMgPfTcTeVnA; dom. et non cont. PhQeTb

<sup>7</sup> enim CaMgPfPwTbA; autem Tc

<sup>8</sup> misterium Te

<sup>9</sup> in BeMgPfTbA; in in Ca; om. Tc

<sup>10</sup> tradatur GcLbMg(vel reddatur ss)MqOaPaPcPfPrTbTeVoA; reddatur BeCa(vel redigatur ss)DaRaTcVnVp; 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<sup>4</sup> Meldensi, cap. viii<sup>5</sup>*

Episcopum, presbiterum aut diaconum<sup>6</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>7</sup>, presbiter duobus mensibus, diaconus<sup>8</sup> uno<sup>9</sup>, ab omni officio et<sup>10</sup> communione suspendatur<sup>11</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)DaGcLdLnMgPfPrSbTe<sup>2</sup>, 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. LbMkMqOaPcPrTbTcVnVp; De canibus non habendis in mg. Ra<sup>2</sup>

<sup>4</sup> decretis Te

<sup>5</sup> Ex – viii om. EaMj. xiii in mg. Be<sup>2</sup>

<sup>6</sup> -num \*EaPtTbTcTe; -nem CaCbMfMgMjMkPf

<sup>7</sup> suspendatur \*BdBeCeCbOaPcRfTcWdBrant; privetur

AaBeCaDaEaGcLbMfMgMhMjMkMqPaPfPhPkPrPtRaSbTbTeVmVnVoWc

<sup>8</sup> vero add. Mj

<sup>9</sup> et add. Cb, et si non resipuerit add. Tc, mense add. Tb, om. \*BeCaEaFcGcMfMgMjMkPcPfPtPw

<sup>10</sup> et \*BePfTbTcTeVo; et a CaDa<sup>2</sup>GcMgRa; a DaEa; om. MfMhMkPt.

<sup>11</sup> suspendatur \*BeCaDaEaFcGcLbMfMgMhMjMkMqOaPaPfPhPkPrPtRaVnVoWc; privetur MoPcRfSbTbTcTeVm

## 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> xxviii Lb. 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- CaGcMgPfPhTcTe; hab- PhTb; prferant Vn

<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. CaGcMgPrVn

<sup>6</sup> ministrare Da. quia non possunt – mil. *om. SbTe (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. AdBeCaCeDaGcLdMgPfPrSbTcTe<sup>2</sup>, 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. LbMkMqOaPcRfTbVnVp*; *cf c 168 for Ln*

<sup>4</sup> Toletanum concilium IV (*corr. fr. III Gc*) CaDaGcMfMkMqPaPrTbVm; Ex Tol. conc. IV PfTc; Toletanum conc. BeLb; Ex conc. Tol. IV MgVn; Toletano concilio IV MhMoPcID; Toletanum concilium IV Oa; Toletano concilio III Pt; *om. Sb*; Ex decretis Te; Toletano concilio \*Vo; Ex eodem concilio Vp

<sup>5</sup> xxix Da; xviii Vp; cp. xxx *om. PrSbTeVm. No insc. Ea*

<sup>6</sup> clericos *add. Py*

<sup>7</sup> aut \*BeCaMfOaPtTbTcVn; vel Mg; *om. PfSbTe*

<sup>8</sup> *corr. fr. aut Ca*

<sup>9</sup> aut \*CaPfTbTc; et MgVn

<sup>10</sup> *om. Mf*

<sup>11</sup> eorum \*CaMfMgPfPfTb; *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 penitentie<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 BeCeDaLbMgOd<sup>2</sup>Sb<sup>2</sup>Brant; multatus Oa; cadat Pa<sup>2</sup>; exutus Tb; expulsus Vn; deiectus Vo; depressus IDp; suspensus Migne; om.

CaDbEaGcMfMkMmMqObOdOeOfPaPfPrPtRaSbTeVmWc

<sup>14</sup> accipiat MfVn

<sup>15</sup> perpetue pen. \*CaEaMgMhMkOaPfTb; pen. perp. Pt; pen. Tc

<sup>16</sup> quia non possunt simul Deo et seculo militare add. SbTe (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. AdBeCaDaGcLdMgPfPrSbTcTe<sup>2</sup>, in text EaVo; De clericis aleatoribus aut ebriosis Pa; om.

CeLbMqOaPtTbVnVp

<sup>2</sup> cap. xlii om. Ea

<sup>3</sup> aut add. PhTb, om. \*CaLbMgPfTc

<sup>4</sup> atque \*CaGcMgPfTe; vel Be; et Ph; aut TbTc

<sup>5</sup> cap. xliii BeCaMgPfPrSbTcVn; xliii DaPkRfSbTe; Ibidem cap. xliiii Pt; Sermo Aug' in letaniis secundis (cf c 171) Tb; De eodem cp. xliii. clxvii Vo; Ysidorus Ethimologiarum Wc; om. Lb(with break)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 BeCaDaEaFcGcMgOaPaPhSbSeTeVnVo(adding clxviii); Aug' sermo in let. II Lb; 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 AdBdCaCbDaEcEgMgOaObOfPcPdPwQaRaTcVnWa; Furiosum AaBbBeDbEaGcKaLbLcMfMhMjMkMmMoMqPfPrQeRfSbSdSgTbVmVqVtWbWcZa; Luxuriosum vel furiosum Eb; Curiosum CeFcLaLdOePaPhPkPqPtTeSeVo; 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 BeCaFcMgPfPtPwSbTbTe; in omni Ad; omni etiam Tc

<sup>5</sup> fuge AaBbCeDaGcMfMgMjPf<sup>2</sup>PhPrQaSlVnVm; fugiat Ad; fugite BeMkMmMqOaPaPcRaRfTbTc; fugiet BdEaFcLbPdPkPqPtPwQeSbTeVoWc; 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*)DaGcLdLnMgPfPrSbTcTe<sup>2</sup>, *in text* LcPaVo(*adding clxviii*); *om.* LbMgOaPtTbVnVp

<sup>5</sup> *Ex conc. Cart. cap. lx* BeCaGcLbLdLnMgOaOePfPrTeVo; *Ex conc. Cart. IIII (ss Sb) cp. lx* DaSb; *Ex concil' Cart. i* Mq; *Ex - xix* ObOd; *Ex - lvi* Of; *Ex - x* Rf; *Ex eodem conc. cap. xlx* Tb; *Ex conc. Cart. cap. x* Tc; *Ex - xl* Vn; *Ex - ix* Vp; *Ex eodem cap. lx* IDp; *Ex Cartag. cap. lx* IDm; *om.* Ea

<sup>6</sup> ioculatores BdCaDaMgPcPfPwSbTbTcVn; iocundatores Ce; iocundatores GcLbPaPkPqPrVm; iaculatores PhRf; iocudatores Te. censem *add.* Tc, censens *add.* Lc; *om.*

\*BdBeCaCeDaGcMgPfPqPwRfSbTbTeVnVo

<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 BeDaDbMgMqPaOaSbTbTeVo(*adding clxx*)IDp; cap. lvi PfPtIDm; concilio CaPcRfTc; *Ex concilio Cartaginensi* Ea; concil. c. lxi Lb; concil' cap. vi Vp; *no insc.* Vn

<sup>4</sup> ab BeDa<sup>2</sup>MgPfTbTcTeVn; *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.* GcMgPrVn) incipit – esse (*om.* PcRf) episcopo (-pis Lf, episcopo esse Te)

AdCaCeEaGcLbLd(*mg.*)LfLmLnMgObOdOe(*mg.*)PcPdPrPwRfSbSlTeVcVnVo; (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*

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

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*marg.* Db; Quod monachi ...iecti esse deb.... aut exc....Pt; Hic incipit debeant episcopo (*sic*) Tc; *om.* MfMjMmOaPfPkRaWc

<sup>3</sup>Ex - iii \*BeCbCeFcGcLbLdLfLjLnMgOaPaPfPrTeVnVo(*adding* clxxi)Vp; Ex - iii 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.* CaCeGcLfMgMgPaSb<sup>2</sup>TcVn, *om.* \*BeCbLdLfLjLnMgPfTbTe

<sup>10</sup> in monasteriis \*Da<sup>2</sup>LdPf<sup>2</sup>Vn; monasterii BeCaCbCeEaGcLfLjLnMgPaPfPrRaSb<sup>2</sup>TbTcVo; monasteriis DaLmMqSbTe; monasterium Oa

<sup>11</sup> esse deb. ep. \*EaGcMgOaPfSbTcTeVo; 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 \*CaCbGcLdLfLjLnMgPfTb; se Deo semel Be; Deo semel se Lf; semel se Deo Tc

<sup>16</sup> 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 CaGcMgPfSbTbTcTe; -rii CbGc<sup>2</sup>LjVn

<sup>21</sup> vero \*BeCaPfSbTcTe; enim CbLj; ergo GcMgPhTbVn

<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<sup>4</sup> in epistola ad Paulinum presbiterum<sup>5</sup>*

Si cupis esse quod diceris monachus, id est solus, quid facis in urbibus<sup>6</sup>? Que utique non sunt solorum<sup>7</sup> habitacula<sup>8</sup>, sed multorum. <sup>9</sup>Habet unumquodque propositum principes suos. Et ut ad nostra<sup>10</sup> veniamus, episcopi, presbiteri habeant ad exemplum apostolos et apostolicos viros quorum honorem possidentes habere nitantur et meritum. Nos autem<sup>11</sup> habeamus propositi nostri principes Paulos et Antonios, Iulianos, Hilarios, Macharios<sup>12</sup>. Habeto simplicitatem columbe, ne<sup>13</sup> cuiquam machineris dolos, et serpentis astutiam, ne aliorum supplanteris<sup>14</sup> insidiis. Non multum distat in<sup>15</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>16</sup>. Preter victum et vestitum<sup>17</sup> et manifestas necessitates nihil cuiquam tribuas, ne filiorum panem<sup>18</sup> canes comedant.<sup>19</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. BePaPrTeVm

<sup>3</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, in text Ea(after Ieron')PaVmVo(adding clxxii) ; om. LbMqOaPcPtTbVnVp

<sup>4</sup> om. Lb

<sup>5</sup> in ep. – presb. om. Ea, presb. corr. fr. episcopum Mq

<sup>6</sup> qui solus es add. PhTb, om. \*CaCeDbMgPfTcTeVn

<sup>7</sup> sunt sol. \*OaPfTbTcTe; sol. sunt CaMg

<sup>8</sup> -ula \*MgPfTbTcTe; -ulum Ca

<sup>9</sup> Item add. Tc, om. \*CaMgPfTbTe

<sup>10</sup> vestra \*GcTcTe; nostra CaMgPfSbTb

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

<sup>12</sup> Qe here has substantial addition, for which see *Conspectus*

<sup>13</sup> ne CaEaMgPfPhTcTeIDp; nec TbIDm

<sup>14</sup> corr. fr. -aris Tb

<sup>15</sup> in \*CaMgPfPhTc; obsc. Tb

<sup>16</sup> monachum \*CaMgPfPhTb<sup>2</sup>Tc; clericum Tb

<sup>17</sup> vestitum \*CaMgPfTcVn; vestimentum PhTb

<sup>18</sup> panem \*BePfTbTeVo; panes CaGcMgSbTcVn

<sup>19</sup> Ea here adds Idem. Monachus non doctoris – pretoletur adventum from beginning of c 176

176<sup>1</sup>

<sup>2</sup>*Idem<sup>3</sup> in epistola ad Riparium<sup>4</sup> et Desiderium presbiteros unde supra<sup>5</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. SbTe<sup>2</sup>

<sup>3</sup> Ier' SbTe

<sup>4</sup> Riparium \*CaDbMgPfTb; Ripacium Tc

Monachus non doctoris habet sed plangentis officium<sup>6</sup>, qui vel se vel<sup>7</sup> mundum lugeat, et Domini pavidus pretoletur adventum, qui sciens imbecillitatem suam et vas fragile quod portat, timet<sup>8</sup> offendere ne impingat<sup>9</sup> et<sup>10</sup> corruat atque<sup>11</sup> frangatur. Unde et mulierum maximeque<sup>12</sup> adolescentularum vitat<sup>13</sup> aspectum<sup>14</sup>, et in tantum castigator sui est<sup>15</sup>, ut etiam que tuta sunt pertimescat<sup>16</sup>. Cur, inquis<sup>17</sup>, pergis<sup>18</sup> ad<sup>19</sup> heremum? videlicet ut te non audiam, non videam<sup>20</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>21</sup> viceris coroneris. Fateor imbecillitatem meam. Nolo spe pugnare victoriae, ne perdam aliquando<sup>22</sup> victoriam.

ID 7.3] C 16 q 1 c 4 to prest. adventum only

<sup>5</sup> presbiteros (-erum Od) unde supra AdBeCaCeDbGcLbMgOaOdOeOfPrTeVmVnVo(*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>6</sup> hab. sed pl. off. \*CaMgPfTb; sed pl. hab. off. Tc

<sup>7</sup> vel se vel \*MgPfTbTc; se hec Ca

<sup>8</sup> -et \*BeOaPfTbTcTe; -eat CaMgVn

<sup>9</sup> impingat \*CaGcMgTbTcTe; impinguat OaSb; impingatur Pf

<sup>10</sup> et \*CaMgPfTb; *om.* Tc

<sup>11</sup> atque \*CaPfTbTcVn; et Mg

<sup>12</sup> maximeque \*CaMgPfTb; et maxime Tc

<sup>13</sup> -at \*BeOaPfTe; -et CaMgTbTc; -tes Vn

<sup>14</sup> *corr. fr.* eff- Tb

<sup>15</sup> est \*BePfTbTe; sit CaMgTcVn

<sup>16</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<sup>2</sup>; *om.* PfSbTe

<sup>17</sup> -uis \*BeCaMgPfPhTe; -uit TbTcVn

<sup>18</sup> *after corr.* Pf

<sup>19</sup> ad \*PhTbTc; in BeCaGcMgPfSbTeVn

<sup>20</sup> non aud. non vid. \*MgPfTbTc; non vid. non aud. Ca

<sup>21</sup> posquam Tb

<sup>22</sup> perdam aliquando \*CaMgPfSbTb; perdam Lb; quando Tc; perdam aliquam Te

## 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 Genezareth ad piscationem hominum transierunt. Tunc

<sup>1</sup> Quod monachi non desiderent 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.* BePfSbTbTcTe, *om.* \*CaGcMgVn

<sup>6</sup> domini *add. and canc.* Ca

<sup>7</sup> ne \*BePfSbTbTcTe; nec CaVn; *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.* AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in *text* EaPaVo(*adding* clxxv); *om.*

LbMqOaPtRfTbVnVp

<sup>4</sup> Idem \*CaTcVn; Item BeGcMgOaPfSbTbTeVo

<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>SbTb<sup>2</sup>TeVn; -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.* CaVn (*before cog.*), *om.* \*MgPfTbTcTe

<sup>15</sup> cum *add.* CaMgTcVnVp, *om.* \*BeGcOaPfTbTe

<sup>16</sup> -unti \*BeDa<sup>2</sup>GcLbPfTbTeVo; -unte CaDaMgTcVnVp; -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

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>3</sup> Nos AdCeEgTe; Quos Rf

<sup>4</sup> qua \*CaDa<sup>2</sup>MgPfTbVn; 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 \*BeCaCeOaPaPfPhSbTeVn; mites MgTbTc

<sup>9</sup> nec. prep. eccl. BdBeCaCeGcMgPaPfPkPwSbTeVm; nec. eccl. prep. \*Oa; prep. nec. eccl. PhTbVo; eccl. prep. nec. Tc

<sup>10</sup> min. vellent \*DaMgPfTbTcVn; ministras (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>

<sup>1</sup> ss Vo<sup>2</sup>

<sup>2</sup> ad dig. cl. prov. CaCeEaGcLdPaPfPrSbTeVo; prov. ad dig. cl. AdMgTc; ad cl. dig. prov. Be

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPaVo(adding clxxvii); om.

LbMqOaPcPtRfTbVnVp

<sup>4</sup> Aug' BeCaLbMgOaSbTcTeVnVo; 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 MgTcVn

<sup>10</sup> -dum \*BeOaPfSbTeVo; -dus est Ca; -dum est GcMgTbTcVn

<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

ID 7.7 med.] +C 16 q 1 c 36 med.

## 181

[*Quomodo debeat<sup>1</sup> fieri abbatis electio*]<sup>2</sup>. *Ex decretis<sup>3</sup> Gregorii pape<sup>4</sup>*

Defuncto vero abbate cuiusque congregationis, non extraneus nisi de eadem congregatione, quem sibi propria voluntate concors<sup>5</sup> fratrum societas elegerit, et qui electus fuerit<sup>6</sup> sine dolo vel venalitate aliqua ordinetur<sup>7</sup>. Quod si aptam inter se personam invenire nequeunt, solerter sibi de aliis monasteriis similiter eligant ordinandum. Neque constituto<sup>8</sup> abbate<sup>9</sup> quecumque persona qualibet occasione preponatur<sup>10</sup>, nisi forte exstantibus<sup>11</sup> quod absit criminibus<sup>12</sup>, que sacri canones punire monstrantur<sup>13</sup>. Pariter autem custodiendum est, ut invito abbate ad ordinanda alia<sup>14</sup> monasteria, aut ad<sup>15</sup> ordines sacros<sup>16</sup>, vel clericatus officium, tolli<sup>17</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> -et Te

<sup>2</sup> in mg. AdBeCaCeGcLdLnMgPfPrSbTe<sup>2</sup>Tc, in text PaVo(adding clxxviii); om. DaOaPcPtRfTbVn

<sup>3</sup> Ex decretis PfVo; Decreta Be; Decretum CaGcMgRaRfSbTcTeVn; Decr' CeDaOaPaTb; De reg' Lb

<sup>4</sup> Greg. pape CaGcLbMgTbTc; pape Greg. BeEaPaPf

<sup>5</sup> et (concors ss) Ad

<sup>6</sup> et qui electus (est add. Oa) fuerit \*BeCaCeDa(subs.

canc.)GcMqOaOd<sup>2</sup>PaPhPkPqPrRaSbTbTcVmVn; om. BdEaFcLbMgObOdOeOfPfPtPwTeVoWc

<sup>7</sup> aliq. ord. \*CaMgPfTb; ord. aliq. Tc. et qui electus – ord. all over an erasure Sb

<sup>8</sup> defuncto Pa

<sup>9</sup> -ate \*CaMgPfPh; -ati TbTc

<sup>10</sup> preparatur (preponatur ss) Ad

<sup>11</sup> exstantibus \*MqOaPfPhPrSbTbTe; existentibus BeCaDaGcMgTcVnVoBrant

<sup>12</sup> -inibus \*CaPfTbTcVn; -inalibus Mg

<sup>13</sup> -antur \*BeCaPfSbTbTe; -ant GcMgTc. Ea ends cap. here

<sup>14</sup> ord. alia MgPfTbTc; alia ord. Ca

<sup>15</sup> ad \*CaMgPfTb; om. Tc

<sup>16</sup> ord. sac. \*CaMgPfTc; sac. ord. Tb

<sup>17</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>*

<sup>1</sup> monachi Pa

<sup>2</sup> -eat GcMgPfTe; -et BeCaCeTc; -ent Pa

<sup>3</sup> in mg. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text PaVo(adding clxxviii); om.

LbMqOaPcPtRfTbVnVp

<sup>4</sup> cap. xii BeCaLbMgOa(before Leo)PfTb; om. TcTe



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 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>5</sup> Prop. mon. in mg. in different ink Mq

<sup>6</sup> aut \*CaMgPfTb; et Tc

<sup>7</sup> vovit \*MgPfTbTc; novit Ca

<sup>8</sup> et CaMgPfTb; om. SbTcTe

<sup>9</sup> et add. BeCaGcPfTbTeVo, om. \*MgOaSeTcVn

<sup>10</sup> relicta \*CaMgSbTbTc; recta GcPfTe; de recta Gc<sup>2</sup>

<sup>11</sup> sing. prof. \*CaMgPfTc; prof. sing. PhTb

<sup>12</sup> vel \*BePfSbTbTcTe; et CaGcMgVn

<sup>13</sup> pen. sat. \*CaMgPfTb; sat. pen. Tc

<sup>14</sup> innoxens 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?MgMjPfPrSbTcTe<sup>2</sup>, in text MfPa; Quod non – nisi prius per annum probetur. clxxx Vo; om. LbLcMhMkMqOaPcPtRfTbVnVp

<sup>4</sup> II \*BeCaGcLbMfMgMhMjPfPtTcTcVn; om. PhTb

<sup>5</sup> Hudoni Ad<sup>2</sup>BeDaFcGcMkPfPhPtRaTbVo; Hudini Ad; Hidoni CaPw; Hugoni CbPcRfTe; Hydoni CeSb; Udoni Lb; Ludoni Mf; Huidoni MgVn; Hosdoni Mj; lacuna Tc

<sup>6</sup> et \*BeGcLbMfMgMjPfTbTeVo; om. CaPt; lacuna Tc

<sup>7</sup> Theoderico CbFcGcLbPfRaTbTeVo; Theodorico BeCaOaPt; Theorico MgVn; om. Tc

<sup>8</sup> Verd. ep. \*BeDaGcLbMfMgMjPfPtTbTcTeVo; Undumersi ep. Ca; om. Pw. et theod. – episc. om. Mk

<sup>9</sup> canonica \*BeCaCbFcGcLbMfMhMjMkMoOaPfPtPwQe(id est regula ss)TbTeVo; regula EgTcVn; regula canonica Mg

<sup>10</sup> que \*BeGcMfMhMjMkOaPc<sup>2</sup>PfPtSbTbTeVnVo; quo Ca; ?Mg?Tc; om. MoPc

<sup>11</sup> et \*BeCaEgGcMfMgMhMjMkMoPfPtSbTbTeVnVo; om. PhQeTbTc

<sup>12</sup> canonica add. Eg; canonica et add. Tc, om. \*BeCaFcMfMgMhMjMkMqOaPcPfPtPwSbTbTeVo

<sup>13</sup> et add. EgTc, om. \*BeCaMgPfTb

<sup>14</sup> -tio \*BeCaEgTcTeVn; -tio est GcPfTb; -tionem Mg

<sup>15</sup> unius anni prob. \*BeCaEgGcMfMhMjMkMqPfPtSbTbTeVn; 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 \*LbMgPfTbTc; 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 \*GcMgPfTbTeVnVo; 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 \*CaGcMgPfSb; infra PhTbTc; inter Te

<sup>10</sup> postea qu. non pot. \*CaMgPfPhTc; qu. non pot. postea Tb

<sup>11</sup> tantum \*BeCaOaPfPhSbTc; tamen GcMgTbTeVn

## 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

<sup>1</sup> fac. - his BeCaGcEaPfTeVo; 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. BeCeDaGcLdLnMgMjPfPrSbTe<sup>2</sup>, 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. AdLbPcPfTbVnVp

<sup>5</sup> interfuit \*GcMgMjSeTcVn; interfuerunt BeCaLbOaPfTbTeVo; inter Pt

<sup>6</sup> imperator \*CaGcMgPfSeTb; om. Tc

<sup>7</sup> Ricolfus BeCaPaPhSbTeVo; Richoldus Da; Richolfus GcLbMgOaVn; Rocolfus PcTc; Ricolphus Pf; Arnulfus Tb

<sup>8</sup> cap. xx \*AaBeDaGcLbMgPfPhTcTeVn; 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

episcopum, aut ad missum dominicum<sup>11</sup>, in ipso clericatu permaneat<sup>12</sup>. Si vero post 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<sup>19</sup>. Si vero prefate persone<sup>20</sup> infra annum reclamationem fecerint, hi qui eos clericos<sup>21</sup> fecerunt<sup>22</sup> ipsis sive parentibus<sup>23</sup> eorum hoc per legem exsolvent, quod contra eos<sup>24</sup> contraxerunt.<sup>25</sup> Ille vero qui ante legitimos annos tonsuratus est, utrum in eadem<sup>26</sup> tonsura permanere debeat necne, in potestate sit parentum<sup>27</sup>. Si vero is<sup>28</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 permaneat<sup>29</sup> in potestate sit domini sui<sup>30</sup>. Si vero hi qui liberi<sup>31</sup> sunt ante legitimos aut post legitimos annos<sup>32</sup>, hoc modo, sicut superius taxatum<sup>33</sup> est, tonsurati sunt, et ad gradus ecclesiasticos pervenerint, in eisdem gradibus perseverare cogantur. Si vero servus qui<sup>34</sup> superius taxato modo tonsuratus est, et ad gradus ecclesiasticos

<sup>11</sup> dominicum \*LbMgPc<sup>2</sup>PhTc; dominum BeCaPcPkPrRaSbSeTbTeVmVo; domini episcopi *after corr.* Gc; domini PfVn

<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 PaTcVn

<sup>16</sup> ipso *add.* Vo

<sup>17</sup> permaneant \*MoTb; permaneat BeCeLbPaPcPhVo; maneat CaEgMgPkQaRaSe; maneat DaGcOd<sup>2</sup>PkPqPrTdVmVn; 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>VmVnVoVtWaWb; *om.*

AaAdBdCbCeDbFcKaLbObOdOeOfPdPfPtPwSgTdZaBrant

<sup>18</sup> *after corr.* Pf

<sup>19</sup> Si vero post legitimos – dictum est *om.* Te

<sup>20</sup> pref. pers. \*BePfTbTcVn; pers. pref. CaEgGcMgVm

<sup>21</sup> clericos \*EgTbTcVn; ecclesiasticos Mg

<sup>22</sup> (vel *add.* Sg) hi qui - fecerunt (-int PrTbVm) \*EgMgOaPcPhPrSbSg<sup>2</sup>TbTcVnVm; *om.*

BdBeCaCeDaFcGcLbMhMjMkMmPaPdPfPkPqObOdOeOfPfPwRaSgTeVoBrant

<sup>23</sup> ipsis sive parentibus \*EgMgOaSbTcVn; ipsi (ipse GcVo) sive (sine Ca) parentes

BdBeCaCeDaFcGcLbMhPaPcPdPfPhPkPqPrPwRaTbTeVmVo

<sup>24</sup> dixerunt vel *add.* PhTb, *om.* \*CaEgMgPfTc

<sup>25</sup> *Lc ends cap. here.*

<sup>26</sup> *corr. fr.* eodem Tb

<sup>27</sup> sit par. \*PfTbTc; par. sit CaGcMg

<sup>28</sup> is MgPfTbTc; his Ca

<sup>29</sup> *corr. fr.* perm. ton. Ca

<sup>30</sup> sit dom. sui \*CaMgPfPhTc; dom. sui sit Tb

<sup>31</sup> liberi \*BeCaMgPfPhTcTe; liberti Aa; legitimi Tb

<sup>32</sup> aut post leg. annos \*CePaPhPkTbTc; annos aut post BdBeCaGcMgPfPrPwSbTeVmVo; annos Vn

<sup>33</sup> taxatum BdBePfPrSbTbTc; tractatum AaCaGcMgVnVo; vel taxatum *add.* Mg<sup>2</sup>; tractum Te

<sup>34</sup> qui BeMgPfTb; quis CaTc

pervenerit<sup>35</sup>, domino suo per legem emendetur, et ei redditus in suo gradu permaneat<sup>36</sup>. Hoc et de velandis puellis observandum est.<sup>37</sup>

ID 7.26]

<sup>35</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>36</sup> perm- \*CaMgPfTb; rem- Tc

<sup>37</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<sup>9</sup> se susceptam, non<sup>10</sup> mox visam in filiis abdicaverint, sed<sup>11</sup> vel coram se, vel coram ecclesia palamque in conventu, eosdem filios talia habere permiserint, ad secularem reverti habitum ipsis filiis, quandoque penitus<sup>12</sup> non licebit<sup>13</sup>, sed convicti quod tonsuram<sup>14</sup> aut<sup>15</sup> religiosam vestem aliquando habuerint<sup>16</sup>, mox ad religionis cultum habitumque revocentur, et sub strenua districtione huiusmodi observantie<sup>17</sup> inservire<sup>18</sup> cogantur. Parentibus sane<sup>19</sup> filios suos<sup>20</sup>

<sup>1</sup> possint BeCeGc; debeat Vo

<sup>2</sup> in mg. BeCaCeDaGcLdLn?MgPfPrSbTcTe<sup>2</sup>, 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. AdMqPtRfTbVnVp

<sup>3</sup> Toletanum conc. BeLdOaPhTbTeVo; Ex Tol. conc. PfTc; Concilium Toletanum Ca; Tol. conc. X (ss Sb) DaSb; Toletano conc. GcLbMq; Ex conc. Toletano \*LnMgVn; Toletano concilio <x> Sb

<sup>4</sup> de minoribus etatibus BeCeDaGcLbLnMgOaPrTbTcTeVnVoVp, de maioribus etatibus Ca, om. \*MqPaPfPt

<sup>5</sup> vi \*BeCaLbPfTbTcTeVn; v Mg?

<sup>6</sup> -ioni \*MgTbTc; -ionis BeCaGcPfSbTeVnVo; vel religionis in mg. Lb

<sup>7</sup> aut \*CaPfTbTcVn; om. Mg

<sup>8</sup> aut \*MgTbTc; vel BeCaGcPfSbTe

<sup>9</sup> aut nesc.] om. Vn

<sup>10</sup> non \*CaPfTbTcVn; nox Mg

<sup>11</sup> sed \*CaMgPfTb; si Tc

<sup>12</sup> penitus \*CaMgPfTb; reverti Tc

<sup>13</sup> non lic. in mg. for insertion before quandoque Tb

<sup>14</sup> religionem add. Tc, om. \*CaMgPfTb

<sup>15</sup> in mg. Ra

<sup>16</sup> aliquando habuerint \*MgPfTbTc; habuerit Ca

<sup>17</sup> observande obs. corr. Ca

<sup>18</sup> viri add. ss Ca<sup>3</sup>

<sup>19</sup> sane \*CaMgTbTc; om. BdPfSb

<sup>20</sup> filios suos \*MgPfTbTcVn; filiorum suorum Ca

religioni contradere<sup>21</sup> non amplius quam usque ad decimum etatis eorum annum<sup>22</sup> licentia poterit<sup>23</sup> esse. Postea vero an cum voluntate parentum, an sue devotionis<sup>24</sup> sit solitarium votum, erit filiis licitum<sup>25</sup> religionis assumere cultum. Quisquis autem vel abolitione<sup>26</sup> tonsure vel secularis vestis<sup>27</sup> assumptione detectus fuerit attigisse transgressionem, excommunicationis censuram accipiat<sup>28</sup>, et religioni semper inhereat.

ID 7.27, IDm only] C 20 q 2 c 1

- <sup>21</sup> contradere \*CeOaPfTbTcVo; tradere BePc; contradicere CaGcMgPaSbTeVn; vel tradere add. Mg<sup>2</sup>  
<sup>22</sup> eorum annum\*OaPc<sup>2</sup>PhSb<sup>2</sup>TcVm; annum BdBeCaCeGcMgPaPcPfPkPwSbTeVo; annum eorum Tb; om. Vn  
<sup>23</sup> lic. pot. \*CaMgPfTb; pot. lic. Tc  
<sup>24</sup> vel voluntatis add. ss Mg  
<sup>25</sup> voluntarium add. Mg, om. \*CaPfTbTc  
<sup>26</sup> abolitione \*BdBeCa<sup>2</sup>DaMgSb(partly over ersaure)TbVnVo; obligatione CaGcMqPa<sup>2</sup>PcPrTcTeVm; oblicione CeLbPaPc<sup>2</sup>; oblivione OaRa; oblatione PfPhPkPq; ab abolitione Pw; vel abolitione and vel obligatione in mg. Ra  
<sup>27</sup> vestis \*DaPaTcSbVo; usus BdBeCaCeGcLb(after lacuna)MgOaPfPhPwTbTeVmVn  
<sup>28</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. BeCaCeDaGcLdLnMgPfPrTcTdTe<sup>2</sup>, 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. AdLbMqOaPcPtSbTbTeVnVp  
<sup>2</sup> Trib- \*BeCaPfPhMgTcTeVn; Triburigeni Lb; 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 GcOaPfTcTe; -dis BeMgTbVnVo; -dus obsc. corr. Ca  
<sup>6</sup> -urdi BePfTbVoTe; -urdii CaGcMgTcVn  
<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 CaMgPfTcVn; tacte PhTb  
<sup>12</sup> eorum \*BePaPfTbTcTeVnVo; illorum CaGcMg

## 188

<sup>1</sup>*Ex concilio Carthaginensi<sup>2</sup>, cap. xi*

Sanctimonialis virgo, cum ad consecrationem suo episcopo offertur in talibus vestibus applicetur<sup>3</sup> qualibus semper usura<sup>4</sup> est professioni et sanctimonie aptis.

ID 7.43] D 23 c 24

<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.* LbMqOaTcTbVn

<sup>2</sup> IIII *add.* DaSb<sup>2</sup>, *as IDm*

<sup>3</sup> *obsc. corr.* Ca

<sup>4</sup> usura \*BeCaDaLbMgOaTbTcVn; usus PfSbTe

## 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 BeCeEaDaGcMgPfTcTe; esse Ca

<sup>2</sup> *in mg.* AdBeCaCeDaGcHaLdLnMgPfPrTcTe<sup>2</sup>, *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.* LbMqOaPfTbTcVnVp

<sup>3</sup> cap. xii \*DaGcMgPfTbTcVnVo; cp. xi Be; c. xx Lb; *om.* CaTc; *insc. in mg.* Mq

<sup>4</sup> quoque MgPfTbTc; quippe Ca

<sup>5</sup> aut \*CaPfTbTcVn; 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. \*BeOaPfTbTcTcVn; 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

<sup>1</sup> Bb repeats this cap. at foot of fo 60v.

<sup>2</sup> cons. sint BeGcMgTe; cons. sunt CaCeDaPfPr; sint cons. Tc

<sup>3</sup> *in mg.* AdBeCaCeDaGcHaLdLnMgPfPrSbTc(also in text after pape)Te<sup>2</sup>, *in text* Rf(after pape)Vo(*adding clxxxvii*); De eodem Pa; *om.* LbMqOaPcPfTbVnVp

<sup>4</sup> annos etatis \*BeDaOaTbTcVo; etatis annos CaPr; annos GcMgPfVn; annos etatis sue Vp

<sup>5</sup> sunt \*MgPfTbTc; *om.* Ca

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>6</sup> et \*CaMgPfTb; aut Tc

<sup>7</sup> abis Pf

<sup>8</sup> in \*MgPfTbTc; om. Ca

<sup>9</sup> ap. nat. \*BeCaGcOaPfTcTeVnVo; 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. AdBeCaCeDaGcLdLnMgPfPrSbTcTe<sup>2</sup>, in text PaVo(adding clxxxclxxxviii); Quod omni – virgines in mg. Ha<sup>2</sup>; om. LbMqOaPcPtRfTbVnVp

<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 \*AaBeCaGcPfPhTcTeVo; vel cum MgTbVn

<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

<sup>1</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPaVo(adding clxxxviii); om. LbMqOaPcPtRfTbVnVp

<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 BeCaMqPfTbTeVn

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>9</sup> hoc de vid. \*CaMgPfTc; de vid. hoc PhTb

<sup>10</sup> hoc add. Mg, om. \*CaPfTbTcVn

<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 BdCbCeEaEgGcLfLjLkLmMhMkMmMoMqOaOfPaPfPhPkPwQaQeRfSbTcTeVnVoWd;  
cc 194-5 AaAdBeCaDaDbFcHaLbLdLgLhLnMfMgMjObOdOePdPqPrPtPyRaSeSgSITbTdVmVpWc;  
cc 195-4 om. BbLc

<sup>2</sup> sit BeCaLdMgPfTc; est CeMjTc

<sup>3</sup> -moniali BeLdMgPfSb; -monialibus Tc; nunna Te

<sup>4</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPaVo(adding clxxx); om.

CbEgLmMhMqOaPtTbVnVp

<sup>5</sup> papa et add. Pt

<sup>6</sup> marturi Pr. Bon. mart. om. Lb

<sup>7</sup> Hiltribaldo BeCaDaEgLbLfLjLmOaPfPhSbTe; Hiltibardo Aa; Iltribaldo Ad; Hildribaldo CbLdMq;  
Hiltibaldo MgPaVn; Hatvibaldo ?Pc; Tribaldo Pr; Histribaldo Pt; Hilitribaldo Qe; Hatribaldo Rf;  
Hiltribaldo Tb; Atribaldo Tc; Hyltribaldo Vo; Tibaldo Vp. mart. Hiltr.] martutribaldo Gc

<sup>8</sup> est add. MgTc, om. \*BeCaCbGcLdLfLjLmMhMkPfPtTbTeVnVo

<sup>9</sup> -asset \*BeCaPfTbTcVn; -asse Mg

<sup>10</sup> sit ut \*CaCbLdLfLjLmMgMkTbTc; an obsc. corr. Pf

<sup>11</sup> nonna \*AaBdBeCbCeDaDbLdLfLjLmOaObOdPaPcPkPwQeRaTbMigne; sanctimoniali  
CaEgGcMgMjPrTcVm; una EaLgBrant; nunna LbMhMkMmMqOePfSbTeVo; om. Mo; non Of; anna  
Ph; monacha PqPt; nuana (with abbrev. mark over) Sl; sanctimoniali nunna Vn; nona Wc

<sup>12</sup> Dei \*BdBeCbLbLdLfLjLmMgMkPaPcPfPhPkPtPwTbVnVo; om. CaGcMjPqPrSbTcTe

<sup>13</sup> -eretur \*BeCaGcMgMjMkPfTbTcVn; -etur CbLjLmPtSbTeVo

<sup>14</sup> hoc \*Ce<sup>2</sup>MkPfSbTbTcTeVo; quod hoc BeCaGc; hec LfLm; quod MgMjVn; om. Ce

<sup>15</sup> obsc. corr. Ld

<sup>16</sup> esse videtur BeLdLfLjLmMgMjMkPfPtTbTeVo; 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 BeCaMgMjPfPtTcTeVnVo; -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>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 abbatisse, 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>1</sup> virg. nec vid. BeCaLdPf; vid. nec virg. EaGcMgMjPaSbTcTe

<sup>2</sup> in mg. AdBeCaCeDaGcHaLdLnMgMjPfPrSbTcTe, 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. CbEgLbLfMqOaPcPfRfTbVnVp

<sup>3</sup> Ex decr. om. Mj

<sup>4</sup> Euticiani \*BeCaCbLbLf(?)LjMgPtQaRfSbTbTeVn; Eutaciani DaEgGcLdLmPfPr; Eutichii Tc; Cuticiani Vo

<sup>5</sup> cap. xiii \*BeGcLbMgPfPfTbTcTeVnVo; 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 \*Lb<sup>2</sup>MgPaTcVo; inditum BdBeCaCbCeDaEaGcLbLdLfLjLmPfPrRaSbTbTe; 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 puelle 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

<sup>1</sup> Quod – velande in mg. AdCaCeDaGcHaLdLnMgPrSbTcTe<sup>2</sup>, in text Vo(adding clxxxxii); Quod puelle a presbiteris non sint velande sed ab episcopis tantum in mg. Be; Quod vidue non debeant velari, et quod puelle ab episcopis tantum velande sint Pa; om. EaLbMqOaPcPfPfTbVnVp

<sup>2</sup> ix \*BeDaLbMgPfTbTcTeVn; 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 BeCaEaGcLgMgOaObOeOdOfPfTcTeVmVoIDp; deb. -ari Od<sup>2</sup>TbIDm; velari deb. Brant

<sup>5</sup> quispiam BeCaGcMgOaObOeOfPfPhTcTeVmVnVoIDpBrant; quippiam Lg; quisquam TbIDm

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>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 professa, 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> -ate Te. semper *add. pr*

<sup>3</sup> *in mg.* AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, *in text* Vo(*adding* clxxxxiii); Quod vidue si sponte velamen sibi imposuerint sanctimonie habitum ulterius habere debent Pa; De viduis *in mg.* Vp; *om.* LbMqOaPcPfTbVn

<sup>4</sup> Magontiensi conc. \*PhTb; conc. Magon- BeCaCePkPwVo; conc. Magunt- CbDaRaSbTcTeVm; conc. Mogunt- GcLbMgVn; 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 \*BeCeGcPaPfTbTcTeVo; Quod CaDaMgOaSbVn

<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- \*BeCaGcPfTcVnVo; 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 synodus in eodem proposito eas permanere. Non enim fas 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

<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. \*BeCaMgOaPfPhTbTcVnVoVp

<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 AaBeCaGcMgPfTbTeVnVo; decernimus \*Tc

<sup>8</sup> se \*CaMgPfPhTc; om. Tb

<sup>9</sup> -ones \*MgPfTbTc; -onem Ca

<sup>10</sup> conc. Sp. sancto ment. \*BeCaMgPfTbTeVo; 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

<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 \*BeCaGcMgPfTbTeVo; quod Oa; quippe PcRfTc; om. Vn

<sup>3</sup> posuerit \*CaMgPfTb; suo imposuerit Tc

<sup>4</sup> si BeCaCeGcLbLgMgObOeOdOfPfTcTeVmVnVoIDmBrant; 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.

<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

ID 7.146] +C 27 q 1 c 33

<sup>3</sup> si voverint *add.* Tc, *om.* \*CaMgOaPfTb

## 201

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

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>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; v Te. De eodem clxxxxvi *add.* Vo. Rf *has here insc. to c 200*

<sup>3</sup> secretario \*AaBe<sup>2</sup>CaCeDaGcLbOaPaPfPhPqPwSbTdTeVnVo; sacrario BeRaTb; secretorio MgTc; consecrario Pc;

<sup>4</sup> coram ep. \*MgPfTbTc; *om.* Ca. in secretario – episcopo *ss* Td

<sup>5</sup> decernimus \*AaBeCeDaPaPfPrSbVoVp; decrevimus CaGcMgOaTbTcTeVn

## 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 penitentie 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.* AdHaMqOaPcPrPtTbVnVp

<sup>5</sup> conc. Tol. CaDaMgPfSb(*adding* x *ss*)TcTe; Tol. conc. PhTb

<sup>6</sup> x Lb. Rf *as here*

<sup>7</sup> contegant BeCaGcMgPfTeVo; non tegant Oa; tegant PhTbTc

<sup>8</sup> -ionis BeGcMgPfTcVo; -ionem CaSbTbTe

<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 MgPfSbTeVo; -ionem BeCaTbTcVn

<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>*

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>1</sup> missis \*AaCeGcLbMgOaPaPfVnVo; om. BeCaMqTc

<sup>2</sup> Ex - ix \*BeDaGcLbMgMqPfPhSbTcVn; Ex - episcopos Ca; Gelasius papa Tb; Ex dec. Gelasii pape cp ix Te

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

<sup>3</sup> que religioso proposito – nubere prohibemus in mg. Mq

<sup>4</sup> peregr- \*CeGcLbMgMqOaPaTbTcVn; eg- BeDaCaPfRaSbTeVoVp

## 204

*[Quod vidue a proposito continentie<sup>1</sup> discedentes excommunicande sint donec ad propositum redeant<sup>2</sup>]<sup>3</sup>. Ex epistola Gregorii pape<sup>4</sup> missa ad Bonifacium<sup>5</sup>*

Viduas a proposito discedentes<sup>6</sup> viduitatis, super quibus<sup>7</sup> nos<sup>8</sup> consulere voluit dilectio tua, frater charissime, credo te nosse a sancto Paulo et a multis sanctis patribus<sup>9</sup> nisi convertantur, olim esse dampnatas. Quas et nos apostolica auctoritate dampnandas et a communione fidelium atque<sup>10</sup> a liminibus ecclesie arcendas fore censemur, usquequo obediant suis episcopis<sup>11</sup>, et ad bonum quod ceperunt, invite aut voluntarie revertantur.<sup>12</sup> De virginibus autem<sup>13</sup> non velatis, si deviaverint, a sancte memorie predecessore nostro papa Innocentio taliter decretum habemus. He vero que necdum sacro velamine<sup>14</sup> tecte, tamen in proposito virginali semper se simulaverunt<sup>15</sup>

<sup>1</sup> cont. a prop. Be

<sup>2</sup> ad (corr. fr. a Pf) prop. red. BeMgPaPfTcTe; red. ad prop. Ca; donec – red. om. Ea

<sup>3</sup> in mg. AdBeCaCeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPa; De eodem cc Vo; om. LbMqOaPcPtRfTbVnVp

<sup>4</sup> pape \*BeCaLbMgTbTc; om. DaPfSbTe

<sup>5</sup> missa ad Bon. \*BeCaLbPfSbTbTcTeVo; ad Bon. missa GcMg; ad Bon. misse Vn. Ex – Bonef.] Greg' Ea

<sup>6</sup> in mg. Lb<sup>2</sup>

<sup>7</sup> quibus \*CaMgPfTb; quas Tc

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

<sup>9</sup> patribus \*CaMgPfTb; fratribus Tc

<sup>10</sup> atque \*CaMgPfTb; et Tc

<sup>11</sup> ob. suis epp. \*CaMgPfTc; epp. suis ob. PhTb

<sup>12</sup> Viduas a proposito – revert. om. Aa, suppl. at foot of leaf by Aa<sup>2</sup>

<sup>13</sup> autem \*MgPfTbTc; om. Ca

<sup>14</sup> sacro velamine \*CaMgPfTb; sunt velamine sacro Tc

<sup>15</sup> -erunt \*CaMgPfTe; -erint PhTbTcVn

permanere, licet velate non fuerint<sup>16</sup>, si nupserint, aliquanto<sup>17</sup> tempore his agenda penitentia est<sup>18</sup>, quia sponsio earum a Domino tenebatur. Si enim inter homines solet bone fidei contactus<sup>19</sup> nulla ratione dissolvi, quanto magis ista pollicitatio quam cum Deo<sup>20</sup> pepigit, solvi sine vindicta non poterit, etc<sup>21</sup>. Nam si virgines nondum velate taliter penitentia publica<sup>22</sup> puniuntur, et a cetu fidelium usque ad satisfactionem veniant excluduntur, quanto potius vidue, que perfectioris etatis et maturioris sapientie atque<sup>23</sup> consilii existunt, virorumque consortio multotiens use sunt, et habitum religionis assumpserunt, et demum apostataverunt, atque<sup>24</sup> ad priorem vomitum sunt reverse, a nobis et ab omnibus fidelibus a liminibus ecclesie et a cetu fidelium usque ad satisfactionem<sup>25</sup> sunt eliminande et carceribus tradende, qualiter<sup>26</sup> iuxta beatum apostolum Paulum<sup>27</sup>, Tradentes<sup>28</sup> huiusmodi hominem Satane ut spiritus salvus sit in die Domini<sup>29</sup>. De talibus enim et Dominus<sup>30</sup> per Moisen loquitur, dicens<sup>31</sup>, Auferte malum de medio vestri. De quibus et per prophetam<sup>32</sup> ait, Letabitur iustus cum viderit vindictam, manus suas lavabit in sanguine peccatoris. De talibus namque et eorum similibus atque eisdem<sup>33</sup> consentientibus dicitur, quia non solum qui faciunt, sed etiam qui consentiunt facientibus<sup>34</sup> rei sunt.

ID 7.63] C 27 q 1 c 2

<sup>16</sup> fuerint \*MgPfTbTc; fuerunt Ca

<sup>17</sup> -anto \*CaMgTbTc; -ando Pf

<sup>18</sup> ag. pen. est \*BeMgPfTbVo; ag. est pen. Ca; est ag. pen. Tc

<sup>19</sup> contactus CePaPfPhPkPrSbTbTcTeVmVo; tractus Be; contractus

BdBe<sup>2</sup>CaDaGcLbMgPcPqPwSb<sup>2</sup>TdVn

<sup>20</sup> Deo \*CaMgPfPhTc; Domino Tb

<sup>21</sup> etc \*CaMgPfTb; om. Tc

<sup>22</sup> pen. pub. \*CaMgPfTb; pub. pen. Tc

<sup>23</sup> atque \*CaPfTbTcVn; at Mg

<sup>24</sup> corr. fr. adque Mg

<sup>25</sup> usque ad sat. \*CaMgPfTb; om. Tc

<sup>26</sup> qual- \*CaPfTcVn; equal- BeTb; et Gc; om. Mg

<sup>27</sup> ap. Paulum \*CaGcMgPfPhVo; Paulum ap. BeTc; Paulum Tb

<sup>28</sup> -entes \*BeTbTcVn; -ere CaGcPfSbTe; -entem Mg; -amus Vo

<sup>29</sup> Domini \*CaMgPcPfTb; iudicii Tc

<sup>30</sup> Dominus \*MgPfTbTc; Deus Ca

<sup>31</sup> dicens \*MgTcVn; om. BeCaPcPfTbTe

<sup>32</sup> per proph. \*BePfTcTeVo; prophetam Ca; propheta GcMgPhTb

<sup>33</sup> eisdem \*CaPfTbTc; om. Mg

<sup>34</sup> qui cons. fac. \*BeCaEaMgPfTeVo; consentientibus fac. PhTb; qui fac. cons. Tc

## 205

[Si mulier<sup>1</sup> post obitum viri sui sanctimoniale<sup>2</sup> velum sumpserit, tenere cogitur<sup>3</sup> quod sponndit, 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 interrogasti de femina que post obitum mariti sui velamen sacrum super caput suum imposuit et finxit se<sup>11</sup> sub eodem velamine sanctimoniale 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 illusionem nefanda, et<sup>13</sup> revertatur ad id quod sponndit, 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 prenuntiatum<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

<sup>1</sup> Si mul.] Quod mul. si Pa

<sup>2</sup> -ale] -alis CaCeSbTe; -l' BeGcMgPfTc

<sup>3</sup> -itur CaMgTc; -atur BeCeGcPaPfPr

<sup>4</sup> quod spop. - fuerit BeMgPfTcTe; om. Ca; licet fig. fuerit om. Pa

<sup>5</sup> in mg. AdBeCa<sup>2</sup>CeDaGcHaLdLnMgPfPrSbTcTe<sup>2</sup>, in text EaPa, no insc. Ea; De eodem Vo; om.

EgLbMqOaPcPtRfTbVnVp

<sup>6</sup> Ex - v BdBeCaDaEgGcLbMgPfRfSbTbTcTeVn; Nicholaus ad Adalwinum episcopum Iuvac. Cb; cap. v Pt

<sup>7</sup> episcopus \*GcMgPc<sup>2</sup>TbTcVn; papa CePa; om. BeCaHaPcPfSbTeVo

<sup>8</sup> confratri \*CaPfTbTcVn; et fratri Mg

<sup>9</sup> nostro \*CaMgPfTb; suo Tc

<sup>10</sup> Iuvav- CaOaTbIDp; Iuvac- BeGcLgVo; Vivac- CeMg?ObOdOePaPfSb?Tc?TeVmVnBrant; Viennensis Migne

<sup>11</sup> se \*MgPfTbTc; om. Ca

<sup>12</sup> voto suo permansit \*CaGcMgPfPhTeVo; 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. BeDaGcMgMqOaPaPcPfRaTbTeVnVo

<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. CaPhTbVn

<sup>21</sup> quid \*PfVoVn; quod BeCaTb; quod id GcMgSbTcTe

<sup>22</sup> pren- \*CaMgPfTb; pron- Tc

<sup>23</sup> est \*GcMgTbTc; fuit BeCaPfSbTeVnVo

<sup>24</sup> -one BeGcMgPfTbTcVo; -onem \*Ca

<sup>25</sup> Deo \*CaMgPfTb; Domino Tc

<sup>26</sup> ab \*GcPfSbTbTeVo; de BeCaMgTcVn

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>27</sup> hec \*TcTb; hoc GcMg; om. BeCaPf

<sup>28</sup> obligatione \*BeEaGcOaSfTbTcTe; oblatione Ca(id est obligatione add. Ca<sup>2</sup>)Mg; obligationem PfVo.

Et obl. om. Vn

<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 (om. Te) sacratarum filii perditionis dicuntur add. in mg. SbTe<sup>2</sup>

<sup>2</sup> eodem Rf

<sup>3</sup> Arelatensi \*BeCaEaGcLbMgPfSbTbVn; Aurelian' MqTc; Aurelianensi Te; 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 \*BeDaEaGcLbMgOaPfTbTeVo; sacratarium Ca; sacrarum Tc; sacratum Vn

<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 luxuriate fuerint in Christo nubere volunt,

<sup>1</sup> Que vidue et in quali etate eligantur vidue add. in mg. SbTe<sup>2</sup>. Ex and lacuna add. Te

<sup>2</sup> Ap. dicit BdCaCbDbLbMqPfPrSbTe(in text)Vo(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>; Apostolus ad Tymotheum in prima epistola Vn<sup>3</sup> over erasure. Qua etate vidue eligantur add. Pa

<sup>3</sup> apostolus add. Mg, om. BeCaPfTbTcVn

<sup>4</sup> xl \*CaGcMqPfPrSbTeVo; lx BeMgPhTbTcVn

<sup>5</sup> etc \*BeCaLbMgTbVo; om. Pf; etc. Et Item Tc

<sup>6</sup> vid. dev. marked for corr. Tb



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>7</sup> quia \*MgPfTbTc; quod Ca

<sup>8</sup> conv- \*BeCaMgPfTb; rev- Tc

<sup>9</sup> retro BdBeCe(repeated and cancelled)DaDbEaGcLbMgMqPaPcPfPkPqPwRfSbTbTcTdTeVmVnVo; 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<sup>3</sup> cui interfuit Carolus imperator<sup>4</sup>

Abbatissas autem cum sanctimonialibus omnino recte et iuste vivere<sup>5</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>6</sup>, nec foras exitum habeant, sed et<sup>7</sup> ipse abbatisse in monasteriis sedeant, nec foras<sup>8</sup> vadant<sup>9</sup>, sine licentia et consilio episcopi sui<sup>10</sup>.

ID 7.76]

<sup>1</sup> agere MgPaPfPrTc; gerere AdBeCaGcSbTe

<sup>2</sup> in mg. AdBeCaCeGcHaLdLnMgMjPfPrSbTcTe<sup>2</sup>, in text EaPaVo(adding cciiii); (xx. add. Bd) De abbatissis in mg. BdLj, in text AaPh; De abb' in text and mg. Db; om. LbMqOaPcPtRfTbVnVp

<sup>3</sup> vii Lb

<sup>4</sup> cui - imperator (rex Tb) \*GcMgOaTbVn; om. AaBdBeCaDaEgLbMqPfPtRfSbTcTeVo; 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>5</sup> recte et iuste vivere \*CaGcMgOaPfPhTeVo; iuste ac recte vivere Be; recte vivere et iuste Tb; iuste et recte vivere Tc

<sup>6</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>7</sup> et \*MgPfTbTc; etiam Ca

<sup>8</sup> -as \*CaPfTbTcVn; -is Mg

<sup>9</sup> exitum habeant – vadant suppl. in mg Mh

<sup>10</sup> ep. sui \*CaLbMgPaPfTcTeVnVo; ipsius episcopi PcRf; sui ep. PhTb. Ea here runs on end of c 210: et si quando foras – peccandi, and then: Abbatissas iuenculas 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. and lacuna Lb; conc. Gangrensi MqPtVo; conc. Grangrensi OaPrSe; Conc. Magonciensi cp. xiii cui interfuit Karolus imperator CePaPk; conc. Egrangrensi Ph; conc. Granetensi Pw; conc. Granerensi SbTcTe; conc. Mogunt' Vn; concilio Granensi Vp

<sup>3</sup> ix GcLgMgMqPfPhPrPtSbTbTeVnVo; xi BeOa; ii CaDaPcRfTc; xxvi EgLbPw; 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 DbEgGcLgMjMkOdOeOfPfSbTcTeVnVoIDmBrant; nisi per lic. sui ep. BeCaMfMhOaObPaPdPtVmIDp; sine sui ep. lic. Mg; nisi per ep. sui lic. PhTb

<sup>5</sup> aliqu- \*PfSbTeVnVo; 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. \*BeCaEgGcMgPfSbSeTcTeVn; ne pecc. ulla eis detur occ. PhQeTb

## 211

*Ex concilio Magantino<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. Magantino BeCaEaOaPfSeTb; Grantiensi Eg; Moguntino Gc; Moguntiensi Mg; Magoncio Pa; Magantino SbTe; Maguntiensi Tc; Manguntino Te; Mogunt' Vn

<sup>2</sup> xxvi BeCaGcMgPfPkSeTbTcTeVnVo; ix Eg; xxiii Lb ; 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- \*CaMgPfTbTe; imp- Tc; cogantur Vn

## 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 CaDaCeLbPa, Maguntiensi BeDbOa, Magot' Ea, Moguntiensi Gc, Magontino TbVo, Manguntino Te, Mog' Vn)  
BeCaDaDbEaMgMqPhPtTbTeVnVo; eodem concilio RaIDm; Maguntino Vp

<sup>3</sup> xxiiii Lb. 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, Quod sanctimoniales de monasteriis non nisi pro magna necessitate exeant *add.* in mg. Te<sup>2</sup>. 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>*

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>1</sup> cc 213-4

BbBeCaCbDaDbEaFcLbLcLdLfLgLhLjLkLmLnMfMgMhMkMmMoMqOaObOdOeOfPaPdPfPhPkP  
qPrPtPwQeRaSbSeSITbTcTdTeVmVnVoVpWcBrant; 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. SbTe<sup>2</sup>

<sup>3</sup> Ex conc. Gangrensi (Gravensi CbPfTbTc, Grangensi MgQe, Grangrenti Ph, Grangrensi Pr, Gerundensi Ra, Granerensi SbTe) cap. xiii \*BeCbGcLmMgPfPhPrQeRaTbTcTeVo; Ex conc. Grangrensi, cap. xiiii CaDaLfOa; Item Ea; Ex eodem conc. cap. xvii Ld; *om.* LbMq.  
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 \*BeCaCbGcLdLfLjLmMgPhSbTeVnVo; -mat PfTbTc

214<sup>1</sup>

*<sup>2</sup>Ex eodem concilio, cap. xvii<sup>3</sup>*

<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> Quod mulier crines suos in signum subiectionis datas non tondeat *add.* in mg. Te<sup>2</sup>

<sup>3</sup> Ex (De Vo) eodem concilio cap. xvii \*BeCaLfLjLmLnMgPaPhPrQeSbTbTeVnVoBrant; 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; *om.* Lb. De muliere que propter divinum cultum crines attondet *add.* Pa, De eodem ccviii *add.* Vo

Si qua mulier propter divinum cultum ut estimat crines attondet<sup>4</sup>, quos ei Deus ad subiectionis memoriam<sup>5</sup> tribuit, tanquam preceptum dissolvens<sup>6</sup> obediencie, anathema sit.

ID 7.80]

<sup>4</sup> -det \*BeCaCbLdLjLmPfTbTeVnVo<sup>2</sup>; -dit Mg; -dat TcVo

<sup>5</sup> sub. mem. \*BeCaMgPfTbTcVo; mem. sub. CbLj

<sup>6</sup> dissolvens \*CaMgPfTbTcTe; 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, 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

<sup>1</sup> -agensi BeCaCbLbLmMgOaTbTcTe; -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 (et sanct. om. Te) frequenter intrare, vitam eorum investigare et emendare debeant (-eat Sb) *add. in mg.* SbTe<sup>2</sup>, Qualiter episcopus se erga claustra monachorum et sanctimonialium habere debeat (ccx *add.* Vo) *add.* TdVo,

<sup>3</sup> Ut \*BeCaEaLbPfPkSbTbTcTeVnVo; 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>PaPcPkRaSbTeVmVnVo; earum CbLmMgMqPf<sup>2</sup>; vel in earum Td

<sup>6</sup> disc- \*BeCaMgPfTcTe; exc- PhTb

<sup>7</sup> si \*CaMgPfTbTc; sic Lm

<sup>8</sup> *corr. fr.* pudicitiam Lm

<sup>9</sup> subt. inv. \*BeCaGcPfTcTeVn; 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. \*CaGcMgPfRaTeVn; 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 CbPfSbTdTeVo ; sit periculum Vn

sponsam Christi<sup>18</sup> vitiare 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>18</sup> violare vel *add.* PhTb, *om.* \*CaMgPfTcTe

<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.* BbBdBeCaCeGcLbLcMgMqPcPhPrPwRaRfTdTeVmVnVpVqWc. *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, 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

<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*, Vn *after* 3.209, 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; curreint Qa

<sup>4</sup> -ant \*EgMgRaQa; -at LkTc

<sup>5</sup> de hom. hec rat. \*EgLkMgRaQa; hec rat. de hom. Tc

<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