

Unpublished Fragments of the Registers of Common Letters of Pope Urban VI (1378)

von Patrick Zutshi

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Among the numerous aspects of the late medieval church that Brigide Schwarz's work has illuminated are the profound changes that occurred in the papal curia during the Great Schism.[Anm. 1] These changes to a considerable extent moulded the character of the papacy in the century prior to the Reformation. Yet historians seeking to understand the functioning of the curia in the period of the Schism are hampered by the erratic survival of official sources in the Vatican Archives and above all of the registers of outgoing papal correspondence. In the case of the first pope of the Roman obedience, Urban VI, the extant registers are especially meagre. In order to understand the nature of what survives, we must look briefly at the registers of Urban's Avignonese predecessors, from John XXII to Gregory XI (1316–1378). There are three main categories of registers of letters: [Anm. 2] 1) Common letters (for the most part, letters issued in response to petitions and at the expense of the beneficiaries) [Anm. 3] were transcribed into paper registers, which now make up the series of Avignon Registers. Parchment copies of these registers were made, now forming part of the series of Vatican Registers, but from the pontificate of Innocent VI (1352–1362) the copying became increasingly selective. 2) The secret registers are so called not because their contents were secret but because they contain copies of *littere secrete*, letters close mainly addressed to secular rulers. *Littere patentes* issued on the initiative of the papal curia were also copied into these registers. The secret registers are written on parchment and belong to the Vatican series. 3) The chamber registers take their name from the curial department that produced them, the apostolic chamber; but this name is rather unsatisfactory, for the secret registers were also products of the chamber. The chamber registers are paper registers, smaller in format than the secret registers. They contain mainly curial letters (those issued on the initiative of the curia) – for the most part administrative correspondence concerning the Papal State or financial matters. Like the secret registers, the chamber registers belong to the Vatican series. In addition to the registers of letters, I should mention the registers of supplications, or petitions, to the pope. The extant series begins with the pontificate of Clement VI (1342).[Anm. 4]

For Urban VI's pontificate, which lasted over eleven years (1378–1389), only thirty-eight folios from the registers of common letters are known to survive. The greater proportion of these (thirty-five folios) are to be found in MS. Ottob. lat. 1443 in the Vatican Library.[Anm. 5] Two smaller fragments occur rather

unexpectedly in one of the Avignon Registers, and they date from Urban VI's first pontifical year. They form the main subject of the present article. There is no reason to suppose that copies of the registers of common letters were made on parchment, as was the case under Urban's predecessors at Avignon. The survival of Urban VI's chamber registers is somewhat more satisfactory. There are three volumes written on paper containing letters from his third, fourth, fifth, ninth, tenth, eleventh and twelfth pontifical years.[Anm. 6] On the other hand, there are no secret registers. Such registers do not survive after the fifth pontifical year of Gregory XI and the return of the papacy to Italy. Their principal purpose was to record the pope's political correspondence with secular rulers (mainly *littere clause* under the leaden seal, or *bullae*). Such letters continued to be issued under Urban VI.[Anm. 7] They were not copied into the chamber registers; and it is unclear whether the curia continued to maintain secret registers in which to record them.[Anm. 8] There are also no extant registers of petitions to Urban VI.[Anm. 9]

The poor survival of registers from the pontificate of Urban VI is brought into focus if one surveys the records for his predecessor Gregory XI, his successor Boniface IX, and his adversary at Avignon, Clement VII. For Gregory XI, whose pontificate lasted a little over seven years (1370–1378), there are thirty-seven volumes of original registers of common letters,[Anm. 10] one chamber register for each of the first seven pontifical years,[Anm. 11] and nine volumes of secret registers.[Anm. 12] There are, however, no registers of petitions. Boniface IX's pontificate lasted longer than Urban's, almost fifteen years (1389–1404). The registers of his common letters form a new series, the Lateran Registers, and number 119 volumes.[Anm. 13] On the other hand, there are only seven volumes of chamber registers,[Anm. 14] and one volume of petitions.[Anm. 15] In most respects, the survival of records of the Avignon popes of the Great Schism is better than for the Roman popes. The registers of common letters of Clement VII of Avignon (1378–1394) belong to the series of Avignon registers, and there are no fewer than sixty-nine volumes.[Anm. 16] Registers of petitions are well represented with thirty-six volumes.[Anm. 17] In addition there are twelve chamber registers.[Anm. 18]

Urban VI, in terms of registers of letters, is much the most poorly documented pope of the fourteenth century. This circumstance is to be explained not by the failure of his curia to produce such records but by their destruction, doubtless largely as a result of the vicissitudes of his pontificate and the instability of his position and that of his successors.[Anm. 19] In these circumstances, the existence of even a small group of enregistered letters of this pope is of some interest. Twelve letters of Urban VI are to be found on fols 40, 51 and 52 of Reg. Av. 182. This volume contains mainly letters of Gregory XI, but one section (fols 15v–130) consists of letters from the first pontifical year of several different popes. A note at the beginning of the section by the seventeenth-century archivist Pierre de Montroy records that the letters could not be readily identified, that it would have been excessively laborious and time-consuming to attempt this, and that they were being placed together here so that they could be bound up. The letters of Urban VI occur in this part. In accordance with the usual practice of the papal registers, the pope is not named in them; but there can be no doubt about his identity. The letters are all dated at St Peter's, Rome,

and none of the Avignon popes resided there in his first pontifical year; while the form of the tax mark shows that the registers cannot derive from any of Urban's successors in the Roman obedience.[Anm. 20] Camille Tihon in his description of the register correctly assigns the letters to Urban VI; [Anm. 21] in this study of the origins of the Great Schism, Olderic Prerovský refers in passing to the letters on fols 51–52; [Anm. 22] but as far as I am aware Andreas Rehberg and Monique Maillard-Luypaert are the only scholars to have made specific use of any of them.[Anm. 23] The fragments are indeed little known: they do not appear in the lists of registers of Urban VI published by Gerd Tellenbach and Marguerite Gastout, nor does Giulio Battelli describe them in his study of *membra disiecta* of papal registers.[Anm. 24]

As far as one can judge on the basis of the three extant folios, Urban's registers of common letters at the beginning of his pontificate did not differ from those of his predecessors at Avignon. Each entry is preceded by a tax mark, recording the amount payable for registration or that no fee was payable (*Gratis* or *Gratis pro deo*). On two occasions a name appears to the right of the entry, *P. Ber.* and *B. Franc.*[Anm. 25] This shows the involvement of a papal secretary, Pontius Beraldi or Bartholomeus Francisci, in the production of the letter.[Anm. 26] Changes in hand and ink suggest that what we have is the pope's original register, not a copy of it, and that the register was maintained intermittently, as the letters became available for copying, rather than being written in one go. One finds all these features in the Avignon Registers of Urban VI's predecessors.

In both the Avignon Registers (from Benedict XII onwards) and the Lateran Registers the letters were grouped according to subject matter. The letters from Urban VI's first pontifical year mainly initiate judicial proceedings by appointing ecclesiastical judges outside the papal curia to hear cases. Such letters appear in the Avignon Registers under the heading *De litteris communibus*. Three letters concern apostate religious and a fourth the implementation of a judgement of the Rota. Letters of these types occur in the registers of Gregory XI under the same heading.[Anm. 27] The first folio displays the heading *De prebendis vacantibus anno nono*, but not all the letters fall into this category. We find a change in the way that the tax was recorded. In the first pontifical year, the tax appears by itself at the head of the entry, as is the case in the Avignon Registers. In the ninth pontifical year, it occurs at the end of the entry and in a distinctive way. The sum was written so as to interrupt the name of the registrar (the official responsible for registration), for instance, *N. XXIII de Bento*. In this case the name of the registrar was Nicolaus de Benevento. The same practice continued in the Lateran Registers of Boniface IX.[Anm. 28] A second registrar appears in the volume, Iohannes Embrini.

The evidence of the letters of Urban VI in Reg. Av. 182 – in relation both to the organization of the letters by subject and to the tax marks – suggests that the practice of registering common letters early in Urban's pontificate was a direct continuation of the techniques of the Avignon Registers. We should therefore not regard the fragments as prototypes of the Lateran Registers.

Bartolomeo Prignano, archbishop of Bari, was elected pope on 8 April, and crowned on 18 April. He took the name Urban VI. Bartolomeo had been acting head of the chancery from the time of Gregory XI's departure to Italy until that pope's death (1376–1378).[Anm. 29] This appointment was necessary since the vicechancellor, Cardinal Pierre de Monteruc, had chosen to remain in Avignon. Urban's service in the chancery and experience of the curia were clearly significant in his election as pope.[Anm. 30] The cardinals, discontented with Urban's severe rule and unpredictable behaviour, began to withdraw from Rome to Anagni in early May 1378; but it was only in August that they publicly challenged his authority, when they required him to relinquish his office and declared him to be anti-Christ and a usurper and the Apostolic See to be vacant. The following month at Fondi they elected one of their number, Robert of Geneva, as Pope Clement VII.

The letters of Urban VI in Reg. Av. 182 antedate these dramatic events. The three earliest letters of them are dated the day of his coronation. The remaining letters bear various dates down to 12 June. Urban issued new rules for the chancery at the beginning of his pontificate. One of these, dated 9 April 1378, concerns petitions for benefices, and another, dated 1 May 1378, the text of letters appointing confessors.[Anm. 31] The early dates of the letters in Reg. Av. 182 and of the chancery rules might lead one to suppose that the chancery was functioning from the beginning of the pontificate, but it is by no means clear that this was the case. The most revealing and vivid sources concerning the chancery in the early months of Urban VI's pontificate are the various, mainly eyewitness, accounts of the origins of the Great Schism which occur in the *Libri de Schismate* in the Vatican Archives. Martin de Zalva, cardinal of Pamplona, was the compiler of this vast body of testimonies, treatises and related documentation.[Anm. 32] The account of the origins of the Schism by Conradus Henrici de Veselá, dean of Vyšehrad near Prague, whom the Emperor Charles IV and his son Wenceslas, king of Bohemia, had sent to the court of Gregory XI, is especially valuable. It reveals that Pietro Corsini, cardinal of Florence, dealt with the correspondence and that in late May or early June there was still no means of sealing papal letters with either the leaden bulla or the private seal. Only in late July was a matrix for the bulla produced and did Urban sign petitions.[Anm. 33]

Yet the cardinals were petitioning the pope for favours early as 9 and 10 April. Not all these petitions were oral, for Cardinal Pietro Corsini submitted a roll of petitions (a rotulus).[Anm. 34] Later the cardinals submitted further rotuli and individual petitions to Urban.[Anm. 35] The casus of the abbot of Sistre in the *Libri de Schismate* states that the cardinals beneficia in personis propriis receperunt porrexeruntque rotulos et pro familiaribus et sociis dignitates et beneficia impetrarunt.[Anm. 36] Similarly the bishop of Todi, who had been one of the custodians of the conclave, recalled: vidi cardinales dantes rotulos pro familiaribus et aliis suis, vidi eos facientes promotiones, vidi cardinales petentes beneficia et promotiones, tam pro se ipsis, quam pro suis, ¶ Audivi quod ¶ omnes quasi cardinales habuerunt promotiones et beneficia, ¶[Anm. 37] This continued even after the cardinals had withdrawn to Anagni: Audivi et vidi stantibus cardinalibus in Anagnia rescribentibus D. N. pro

beneficiis, gratiis, promotionibus et aliis factis eorum et familiarium eorum.[Anm. 38] The cardinals' own testimony confirms this: Bertrand Lagier, Guillaume d'Aigrefeuille, Guillaume Noëllet and Pierre de Vergne all refer to the submission of rotuli on behalf of their familiars,[Anm. 39] while Guy de Malesset, Pedro de Luna and Géraud du Puy admitted that they had submitted petitions for themselves.[Anm. 40]

According to Nicolas Eymeric, O. P., inquisitor of Aragon, Urban refused to sign the petitions submitted to him.[Anm. 41] The testimony of Pedro de Luna seems to confirm this as far as his own requests are concerned.[Anm. 42] Nonetheless, there is evidence of Urban signing petitions, notably from Guillaume d'Aigrefeuille.[Anm. 43] Another witness recalled seeing a signed petition conferring an archdeaconry on Simone da Brossano, Cardinal of Milan.[Anm. 44] Moreover, the use of the word *impetrarunt* in the abbot of Sistre's testimony implies that the cardinals' petitions were at least in part successful.[Anm. 45] Yet one cannot conclude from this that Urban was also signing the more routine petitions from those of lower status. The period during which poor clerks were permitted to submit petitions for benefices only began on 24 June 1378 (it lasted until 15 August 1378),[Anm. 46] while the account of Conradus Henrici implies that it was even later, in mid-July, that Urban began to sign petitions.[Anm. 47] Although the evidence is imprecise and far from conclusive, it suggests that the letters in Reg. Av. 182 are unlikely to have been produced and registered until some time after the dates which they bear and that they were all backdated. It was common procedure to backdate papal letters to the day of the pope's coronation; why the other dates were chosen is unclear.

It remains uncertain how, if at all, Urban managed to issue political and administrative correspondence during the first two or three months of his pontificate. While delays in producing common letters would not directly have harmed papal government, the same cannot be said of letters issued on the initiative of the curia, most notably, diplomatic correspondence and letters concerning finance and the Papal State. Such letters survive from early in the pontificate, and neither their text nor their dating clause suggests that any special arrangements were made to produce or seal them.[Anm. 48]

The Appendix publishes the twelve letters of Urban VI which survive in Reg. Av. 182. Three of the texts are fragmentary (nos 1, 6 and 12), but in the case of all but one of these (no. 1) one can deduce something of the letter's contents. It is not possible to discuss here in detail the subject-matter of all the letters, but I shall conclude this essay with a few brief observations. Even though the letters apparently all derive from one quire of *littere communes*, the variety of their subject matter is considerable and their geographical range extensive. The petitioners are from France, the Low Countries, Italy, the Empire, Ireland, England and Spain. The letters illustrate how, when momentous political events were about to overwhelm the papacy, the papal curia, and in particular the chancery, continued to conduct day-to-day business. Some concern routine judicial matters – a suit brought by the perpetual chaplain, the rector or the vicar of a parish church, or matrimonial litigation (nos 2, 3, 10, 12). Three of the letters were issued on behalf of religious who had abandoned their order without permission, the men in question being a

Cistercian in Ireland and two regular canons in England (nos 7–9).[Anm. 49] Benedict XII's constitution *Pastor bonus* of 17 June 1335 had sought to encourage the return and reconciliation of such 'apostates'. Among other provisions, it obliged heads of religious houses to readmit apostates who wished to return. The constitution specifically authorised apostates and others affected by the legislation to impetrate appropriate letters in the papal chancery.[Anm. 50] The normal procedure seems to have been for the apostates themselves to request such letters, by which the pope appointed three executors ordering the latter to ensure that the rulings of *Pastor bonus* were applied. It is precisely into this category that our three letters fall. Each of the apostates is described as 'bearer of the present letters' (*lato presentium*), which implies that he had gone to the curia in person to obtain them.[Anm. 51]

Of particular interest are two letters of 17 and 9 June 1378 (nos 4–5) addressed to the senator of Rome, Tommaso di San Severino.[Anm. 52] The first of these concerns the exemption claimed by the citizens of Segni from the salt and hearth taxes due to the camera of the city of Rome. These long-standing taxes were an important constituent of the urban revenues and were a frequent point of contention between the papacy and the city authorities.[Anm. 53] The present case refers to a dispute between Segni and the city of Rome. The letter refers to Segni's assertion of its exemption; it does not state what was the basis of that claim. A list of places obliged to pay the tax, of 1416, does not record Segni as being exempt.[Anm. 54]

The second letter addressed to the senator of Rome orders him to hear a case, using summary procedure, about a disputed portion of the castle of Rocca Sinibalda in the Turano valley in the diocese of Rieti. The litigants were all members of noble families. One party consisted of members of the Montanea, Brancaleone, and Mareri families. The family of Andrea and Isabella Montanea (or della Montagna) was from the Abruzzi and by the mid-fourteenth century had established itself as part of the Roman nobility. Giovanni di Andrea Montanea, who became a canon of S. Maria Maggiore, Rome, in 1375 was apparently the son of Andrea and Isabella.[Anm. 55] The Brancaleone family were from Monteleone Sabino in the diocese of Rieti,[Anm. 56] although the daughter of Matteuccio Brancaleone, another of the litigants, is described as a widow resident in Rome. The final litigant on this side was another widow from Rome, Lippa, daughter of Cola Mareri. The Mareri were lords of the Appennine territory of the Cicolano in the south of the diocese of Rieti. Already in the thirteenth century they appear to have controlled Rocca Sinibalda.[Anm. 57] The most prominent member of the Mareri family in the late fourteenth century was Filippo (generally called Lippo), but at this time another branch of the family was in possession of the condominium of Rocca Sinibalda.[Anm. 58] The four named litigants were plaintiffs against the powerful Luca Savelli, who had played a prominent part in Roman politics since the time of Cola di Rienzo.[Anm. 59]

Appendix

The transcription follows the spelling of the original manuscript, but I have standardised punctuation and capitalisation.

1) *Rome, St Peter's, 1 May 1378. Last three lines of a letter. ASV, Reg. Av. 182, fol. 40r.*

□ quod interdicti, suspendi vel excommunicari aut extra vel ultra certa loca ad iudicium evocari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mencionem. Dat. Rome apud Sanctum Petrum kal. Maii anno primo.

2) *Rome, St Peter's, 18 April 1378. Order to the official of Angers to hear a case between Guillermus Bernardi, perpetual chaplain in the church of St John de Perioco, La Rochelle, in the diocese of Saintes, on the one hand, and Iohannes Picardi, priest, and certain laymen, of the dioceses of Saintes and Maillezais, on the other. ASV, Reg. Av. 182, fol. 40r.*

To the right: Gratis pro deo

Dilecto filio officiali Andegavensi salutem etc. Exhibita nobis pro parte dilecti filii Guillermi Bernardi perpetui capellani in ecclesia sancti Iohannis de Perioco de Rupella, Xanctonensis diocesis, peticio continebat quod dilecti filii Iohannes Picardi, presbiter, Guillermus Perfecti, Petrus Theobaldi, Symon Baugis, Helias Pinant, Philippus Sutoris, laici, et dilecta in Cristo filia Dyonisia ipsius Philippi uxor, predicte Xanctonensis et Malleacensis diocesum, super quibusdam annuis redditibus, pecuniarum summis et rebus aliis iniuriantur eidem. Quare pro parte dicti Guillermi no-bis fuit humiliter supplicatum ut, cum ipse propter dictorum iniurancium potenciam non speret se posse in illis partibus super premissis consequi iusticie complementum, providere ei super hiis de benignitate apostolica dignaremur. Nos itaque huiusmodi supplicacionibus inclinati discrecioni tue per apostolica scripta mandamus quatinus partibus convocatis audias causam et appellatione remota debito fi ne decidas, faciens quod decreveris per censuram ecclesiasticam firmiter observari. Testes autem qui fuerint nominati si se gratia, odio vel timore subtraxerint censura simili appellatione cessante compellas veritati testimonium perhibere. Non obstantibus tam felicis recordationis Bonifacii pape viii predecessoris nostri in quibus cavetur ut, cum eiusdem civitatis et diocesis fuerint actor et reus, extra illas causa auctoritate litterarum sedis apostolice nullatenus committatur nec conveniatur aliquis eorumdem seu ne iudices a sede deputati predicta aliquos ultra unam dietam a fine diocesis eorumdem trahere presumant, dummodo ultra duas dietas aliquis auctoritate presentium non trahatur, quam aliis constitucionibus apostolicis contrariis quibuscunque, seu si eisdem iniurantibus vel quibusvis aliis communiter vel divisim a predicta sit sede indultum quod interdicti, suspendi vel excommunicari aut excommunicari [sic] vel ultra certa loca ad iudicium evocari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huius modi mencionem. Dat. Rome apud Sanctum Petrum xiv kal. Maii anno primo.

3) *Rome, St Peter's, 12 June 1378. Order to the bishop of Liège[Anm. 60] to hear a matrimonial dispute between Iohannes de Sevri and Maria daughter of Iohannes de Sancto Remigio,[Anm. 61] both of the diocese of Cambrai. ASV, Reg. Av. 182, fol. 40r. Calendar: Gastout, Suppliques et lettres (as n. 6), p. 10, no. 2.*

To the right: xvi

Venerabili fratri .. episcopo Leodiensi salutem etc. Exhibita nobis pro parte dilecti filii nobilis viri Iohannis de Sevri, domicelli Cameracensis diocesis, peticio continebat quod olim dilecta in Cristo filia Maria nata quondam Iohannis de Sancto Remigio, domicelli dicte diocesis, falso asserens quod dictus Iohannes de Sevri cum ea matrimonium clamdestine [sic] per verba legitime de presenti contraxerat eamque postmodum carnaliter cognoverat, eundem Iohannem de Sevri super hoc petendo ipsum sibi adiudicari in virum coram dilecto filio officiali Cameracensi non ex delegacione apostolica traxit in causam; idemque officialis perperam in huiusmodi causa procedens diffinitivam contra eundem Iohannem de Sevri sententiam promulgavit iniquam, a qua quidem sententia dictus Iohannes de Sevri ad Remensem curiam loci metropolitanam appellavit, dictamque Mariam fecit in causa appellationis huiusmodi coram officiali dicte curie ad iudicium evocari; idemque officialis dicte curie perperam in huiusmodi appellationis causa procedens prefatam diffinitivam sententiam per suam ut dicebat diffinitivam sententiam confirmavit iniquam. Cum autem, sicut eadem petitio subiungebat, prefata Maria ex eo uxor ipsius Iohannis de Sevri esse non possit quod prefatus Iohannes de Sancto Remigio dicte Marie pater ipsum Iohannem de Sevri de sacro baptismatis[Anm. 62] fonte levavit, pro parte dicti Iohannis de Sevri nobis fuit humiliter supplicatum ut providere sibi in premissis de benignitate apostolica dignaremur. Nos itaque ipsius Iohannis de Sevri supplicationibus inclinati fraternitati tue per apostolica scripta mandamus quatinus vocatis qui fuerint evocandi et auditis hincinde propositis, quod canonicum fuerit appellatione remota decernas, faciens quod decreveris per censuram ecclesiasticam firmiter observari. Non obstante tam felicis recordationis Bonifacii pape viii predecessoris nostri in qua cavetur ne iudices a sede apostolica deputati aliquos ultra unam dietam a fine diocesis eorumdem trahere presumant et de duabus dietis in consilio generali quam aliis constitutionibus apostolicis contrariis quibuscumque seu si eidem Marie vel quibusvis aliis communiter vel divisim a sede apostolica indultum existat quod interdici, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Dat. Rome apud Sanctum Petrum ii id. Iunii anno primo.

4) *St Peter's, Rome, 17 June 1378. Order – in response to a petition from Gorius Angeli Ferrarii and the citizens of Segni, stating that Gorius and four asses have been unjustly arrested in Rome on the pretext of non-payment of the hearth and salt taxes – to Thomas de S. Severino, senator of Rome, that, if this be so, he should cause Gorius and the asses to be released. ASV, Reg. Av. 182, fol. 40v.*

To the left: P. Ber. To the right: xii

Dilecto filio nobili viro Thome de Sancto Severino, militi, alme Urbis senatori, salutem etc. Exhibita nobis

nuper dilectorum filiorum Gorii Angeli Ferrarii, civis, et communis et hominum civitatis nostre Signino petitio continebat quod licet ipsi commune et homines ac civitas prefata, que de provincia Campanie ad nos et Romanam ecclesiam pleno iure pertinente consistit, ad solvendum aliquid pretextu salis ac focatici dilectis filiis populo alme Urbis seu camere ipsius Urbis minime sunt astricti, tamen ipsi commune et homines quandoque pretextu non solutionis salis et focatici huiusmodi per senatorem ac officiales Urbis et camere predictarum pro tempore existentes indebite molestantur, et quod nuper dictus Gorius cum ad dictam Urbem cum quatuor asinis suis pro quibusdam negotiis accessisset extitit una cum dictis asinis per nonnullas officiales dicte camere occasione premissa arrestatus, ac ipse Gorius postmodum in cancellaria capitoli dicte Urbis carceri mancipatus et adhuc in eadem cancellaria captus ac asini prefati per eosdem officiales indebite detinentur in magnum ipsius Gorii preiudicium et gravamen. Quare pro parte Gorii ac communis et hominum predictorum nobis extitit humiliter supplicatum ut providere eis super premissis de benignitate apostolica dignaremur. Nos igitur cupientes indemnitati Gorii ac communis et hominum predictorum providere, huiusmodi supplicationibus inclinati, nobilitati tue per apostolica scripta mandamus quatinus si est ita dictum Gorium facias auctoritate nostra libere relaxari ac pristina libertate gaudere sibi que restitui dictos asinos indilate nec deinceps eosdem commune et homines occasione premissa contra iustitiam molestare presumas nec permittas eos ab officialibus Urbis et camere predictarum qui sunt et erunt pro tempore indebite molestari, contradictores auctoritate nostra per distractionem temporalem et alia iuris remedia appellatione postposita compescendo. Non obstantibus tam felicitatis recordationis Bonifacii pape viii predecessoris nostri qua cavetur ut nullis cause auctoritate litterarum sedis apostolice committantur nisi dignitate predictis aut personatus obtinentibus seu cathedralium ecclesiarum canonicis quam aliis constitutionibus apostolicis contrariis quibuscumque. Dat. Rome apud Santum Petrum xv kal. Iulii anno primo.

5) *St Peter's, Rome, 9 June 1378. Order to the same to hear a case between Andreas de Montanea, layman of the diocese of Marsi, and Isabella his wife, Iohanna daughter of Mathucius de Branchaleonibus and Lippa daughter of Cola de Marerio, dwelling at Rome, on the one hand, and Lucas de Sabello, domicellus of Rome, on the other, who is said unlawfully to have occupied the three quarters share in the castle of Rocca Sinibalda belonging to Isabella, Iohanna and Lippa. ASV, Reg. Av. 182, fol. 40v.*

To the left: xiv To the right: B. Franc

Eidem salutem etc. Exhibita nobis pro parte dilecti filii Andree de Montanea, laici Marsicane diocesis, et dilectarum in Cristo filiarum Ysabelle eiusdem Andree uxoris ac Iohanne quondam Mathucii de Branchaleonibus et Lippe quondam Cole de Marerio, laicorum, relictarum viduarum Rome commorantium petitio continebat quod olim dilectus filius nobilis vir Lucas de Sabello, domicellus Romanus, ad quem, ut asseritur, quarta pars pro indiviso Castri Rochesinibaldi, Reatine diocesis, pertinet, prefatas Ysabellam, Iohannam et Lippam reliquis tribus partibus eiusdem Castri ad ipsas Ysabellam, Iohannam et Lippam communiter et pro indiviso iusto titulo pertinentibus et in quarum

possessione eedem Ysabella, Iohanna et Lippa communiter existebant de facto et contra iusticiam spoliavit dictasque tres partes occupavit et detinuit, prout adhuc detinet, indebite occupatas, fructus percipiendo ex eis. Quare pro parte ipsarum Ysabelle, Iohanne et Lippe fuit nobis humiliter supplicatum ut providere ipsis super hoc de opportuno remedio dignaremur. Nos igitur, huiusmodi supplicationibus inclinati, discretioni tue per apostolica scripta mandamus quatinus partibus convocatis audias causam et eam summarie et de plano sine strepitu et figura iudicii, etiam non servatis terminis in talibus servari consuetis, sed sola veritate facti inspecta, debito fine decidas, faciens quod decreveris auctoritate nostra firmiter observari. Testes autem qui fuerint nominati si se gratia, odio vel timore subtraxerint auctoritate predicta appellatione cessante compellas veritati testimonium perhibere. Non obstantibus tam felicis recordationis Bonifacii pape viii predecessoris nostri in quibus cavetur ut nullis nisi dignitate predictis vel personatum obtinentibus aut ecclesiarum cathedralium canonicis cause auctoritate litterarum sedis apostolice committantur quam aliis constitutionibus apostolicis contrariis quibus cumque. Dat. Rome apud Sanctum Petrum v id. Iunii anno primo.

6) St Peter's, Rome, 18 April 1378. Order to a judge to hear a case between one Stephanus and Franciscus Alziati, prior of the priory of Saint-Honorat des Alyscamps near Arles, OSB, concerning certain tithes and annuities. Details of the case are unclear, since the beginning of the letter is missing. ASV, Reg. Av. 182, fol. 51r.

¶ Alziati, priore prioratus sancti Honorati de Aliscampis prope Arelatem, ordinis sancti Benedicti, falso suggerente dilecto filio Rostagno de Granis, archidiacono ecclesie Arelatensis, [Anm. 63] conservatori, ut dicebat, eidem Francisco priori a sede apostolica per ipsius sedis litteras deputato et habenti cognoscendi de hiis que iudicalem indaginem exigunt specialem per easdem litteras potestatem, quod perceptio huiusmodi decimarum et undecime partis dictorum fructuum ad ipsum Franciscum de simili consuetudine pertinebat, prefatus archidiaconus ad falsam suggestionem huiusmodi ex arrupto nulla super suggestis ipsis cognitione prehabita, quamquam sibi de eisdem suggestis aliquatenus non constaret, prout nec constare poterat, cum ea non essent notoria neque vera, dictoque Stephano ad hoc etiam non vocato sed absente non per contumaciam, prefatum Berengarium monuit et sub pena excommunicationis, quam si secus ageret incurreret eo ipso, mandavit eidem ut de huiusmodi decimis et undecima parte non eidem Stephano sed prefato Francisco responderet et quod etiam quendam annum censum in quo prefatus Berengarius eidem Stephano ex predicta terra ratione dicte ecclesie solvere tenetur nullatenus persolveret, propter que pro parte dicti Stephani, quamprimum monicio et mandatum huiusmodi ad eius noticiam pervenerunt, sencientis exinde indebite se gravari fuit ad sedem apostolicam appellatum et deinde nobis humiliter supplicatum ut huiusmodi appellationis et etiam negotii principalis causam alicui discreto in partibus committere et alias providere sibi in premissis de opportuno remedio dignaremur. Nos itaque, huiusmodi supplicationibus inclinati, discretioni tue per apostolica scripta mandamus quatinus vocatis qui fuerint evocandi et auditis hincinde propositis quod canonicum fuerit appellatione remota decernas, faciens quod decreveris per censuram ecclesiasticam

firmiter observari. Testes autem qui fuerint nominati si se gratia, odio vel timore subtraxerint censura simili appellatione cessante compellas veritati testimonium perhibere. Non obstantibus tam felicitatis recordationis Bonifacii pape viii predecessoris nostri in quibus cavetur ut cum eiusdem civitatis et diocesis fuerint actor et reus extra illas causa auctoritate litterarum sedis apostolice non committatur nec conveniatur aliquis eorumdem seu ne iudices a sede deputati predicta aliquos ultra dietam a fine diocesis eorumdem trahere presumant dummodo ultra duas dietas aliquis auctoritate presentium non trahatur quam aliis constitutionibus apostolicis contrariis quibuscumque, seu si prefato Francisco vel quibusvis aliis communiter vel divisim a dicta sit sede indultum quod interdicti, suspendi vel excommunicari aut ad iudicium evocari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mencionem. Dat. Rome apud Sanctum Petrum xiv kal. Maii anno primo.

7) *St Peter's, Rome, 29 May 1378. Order to the bishop of Down,[Anm. 64] the abbot of Furness[Anm. 65] in the diocese of York and the treasurer of Dublin to ensure that the rulings of Pope Benedict XII concerning apostates are observed in the case of John Eland, monk of the Cistercian monastery of Inch in the diocese of Down, who having abandoned the religious life now wishes to be reconciled to his order. ASV, Reg. Av. 182, fol. 51r-v.*

To the right: G(rat)is

Venerabili fratri .. episcopo Dunensi et dilectis filiis .. abbati monasterii de Fornesie, Eboracensis diocesis, ac .. thesaurario ecclesie Dublinensis salutem etc. Dudum felicitatis recordationis Benedictus papa xii predecessor noster, animarum periculis occurrere desiderabiliter affectans, circa quorumlibet ordinum apostatas ac etiam de ordinibus suis eiectos et quosvis alios religiosos sine prelatorum suorum licentia per seculum evagantes nonnulla salubria et utilia duxit auctoritate apostolica ordinanda. Inter cetera vero voluit et ordinavit idem predecessor auctoritate prefata quod universi et singuli tam exempti quam non exempti prelati quorumcunque ordinum, a quibus temere apostatarunt ipsi apostate, illos ad habitum et religionem eorum priores recipere tenerentur, quod si forte dicti prelati, capitula ecclesiarum, conventus monasteriorum et fratres eorum et locorum eorumdem recusarent apostatas recipere prelibatos, ipsi prelati, capitula, conventus et fratres per certos executores super hoc a sede apostolica deputandos ad eos recipiendos salva ordinis disciplinam [sic for disciplina], quam voluit et mandavit circa illos qui sponte redirent ea vice ut infrascriptur misericorditer temperari, monitione premissa per censuram ecclesiasticam sublato appellationis obstaculo cogere. Rursusque voluit et ordinavit erga omnes apostatas supradictos et quemlibet ipsorum per eorum prelatos subscripto moderamine provideri, scilicet quod ipsi prelati circa huiusmodi apostatas, etiam si ante vel post eorum apostasiam excessus in suo ordine vel extra illum commisissent, et proinde vel alia quacumque causa in apostasiam huiusmodi lapsi fuissent vel ordinis sui carceres effregissent seu ab ipsis evasissent, pro predictis eis penam vel penitentiam salutarem imponent iuxta eorumdem ordinum antiqua statuta, quam tamen penam seu penitentiam sic etiam voluit misericorditer temperari quod apostate ipsi terrore

ultionis seu pene non retraherentur a resumpcione religionis et habitus eorumdem. Memoratis insuper prelati eorumdem apostatarum dictos apostatas ad religionem pristinam ut pretangitur redeuntis absolvendi ea vice ab excommunicationis sententia in quam apostatando taliter inciderunt et cum eis super irregularitate quam occasione apostasie huiusmodi vel alias forsitan sic ligati divina officia celebrando ymo verius prophanando aut illis se inmiscendo dampnabiliter incurrerunt, prout eorumdem apostatarum animarum saluti dicti prelati expedire conspicerent, dispensandi plenam ac liberam idem predecessor concessit auctoritate eadem potestatem. Non obstantibus quibuscunque statutis et consuetudinibus quorumlibet ordinum, ecclesiarum, monasteriorum et aliorum locorum predictorum contrariis iuramento, confirmatione apostolica vel quacumque firmitate alia roboratis vel etiam privilegiis, indulgentiis ac litteris apostolicis seu aliis quibuscunque que premissis possent quomodolibet obviare, prout in eiusdem predecessoris litteris inde confectis plenius continetur. Cum autem sicut Iohannes Eland, monachus monasterii de Ynes, Cisterciensis ordinis, Dunensis diocesis, lator presentium, in sacerdotio constitutus, nobis humiliter exposuit, idem Iohannes de dicto monasterio, in quo se voto professionis astrinxerat, absque sui superioris licencia regulari habitu dicti ordinis derelicto exiverit vestes deferens laicales per seculum evagando, nos predicti Iohannis reconciliari deo et eidem ordini suo ut asserit cupientis devotis supplicationibus inclinati, discretioni vestre per apostolica scripta mandamus quatinus vos vel duo aut unus vestrum per vos vel alium seu alios voluntates, ordinationes, mandata et concessionem eiusdem predecessoris predicta circa eundem Iohannem faciatis auctoritate nostra firmiter observari, contradictores per censuram ecclesiasticam appellatione postposita compescendo, non obstantibus omnibus supradictis seu si dilectis filiis abbati et conventui dicti monasterii vel quibusvis aliis communiter vel divisim a dicta sit sede indultum quod interdici, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Datum Rome apud Sanctum Petrum iv kal. Iunii anno primo.

8) *St Peter's, Rome, 29 May 1378. Order to the bishop of Achonry[Anm. 66] and to the priors of Thornholm[Anm. 67] and Elsham[Anm. 68] in the diocese of Lincoln to ensure that the rulings of Pope Benedict XII concerning apostates are observed in the case of John Appulby, canon of the Premonstratensian monastery of Newhouse in the diocese of Lincoln, who having abandoned the religious life now wishes to be reconciled to his order. ASV, Reg. Av. 182, fol. 51v.*

To the right: G(ra)t(is)

Venerabili fratri episcopo Akatensi et dilectis filiis de Thornholm ac de Elsam, per priores solitorum gubernari, Lincolniensis diocesis, monasteriorum prioribus salutem etc. Dudum felicis recordacionis Benedictus papa xii predecessor noster animarum periculis etc. ut in superiori proxima[Anm. 69] usque 'continetur'. Cum autem, sicut Iohannes Appulby, canonicus monasterii de Neuhaus, ordinis Premonstratensis, Lincolniensis diocesis, lator presencium, in sacerdotio constitutus, nobis humiliter exposuit, idem Iohannes de dicto monasterio, in quo se voto professionis astrinxerat, absque sui

superioris licentia regulari habitu dicti ordinis derelicto exiverit, vestes deferens seculares per seculum evagando, nos predicti Iohannis reconciliari deo et eidem ordini suo ut asserit cupientis devotis supplicationibus inclinati, discretioni vestre per apostolica scripta mandamus quatinus vos vel duo aut unus vestrum per vos vel alium seu alios voluntates, ordinationes, mandata et concessionem eiusdem predecessoris predicta circa eundem Iohannem faciatis auctoritate nostra firmiter observari, contradictores per censuram ecclesiasticam appellatione postposita compescendo, non obstantibus omnibus supradictis seu si dilectis filiis abbati et conventui dicti monasterii de Neuhaus vel quibusvis aliis communiter vel divisim a dicta sit sede indultum quod interdicti, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Dat. Rome apud Sanctum Petrum iv kal. Iunii anno primo.

9) *St Peter's, Rome, 29 May 1378. Order to the bishop of Achonry,[Anm. 70] the abbot of Burton upon Trent[Anm. 71] and the prior of Repton[Anm. 72] in the diocese of Lichfield to ensure that the rulings of Benedict XII concerning apostates are observed in the case of Walter de Rolleston, canon of the priory of St Thomas Martyr, OSA, near Stafford in the diocese of Lichfield, who having abandoned the religious life now wishes to be reconciled to his order. ASV, Reg. Av. 182, fol. 52r.*

To the right: G(ratis)

Venerabili fratri . [sic] episcopo Achadensi et dilectis filiis abbati de Burton super Trentam ac priori de Repyndon, per priorem soliti gubernari, monasteriorum, Lichefeldensic diocesis, salutem etc. Dudum felicis recordationis Benedictus papa xii predecessor noster etc. ut in secunda superiori[Anm. 73] usque 'continetur'. Cum autem, sicut Walterus de Rolleston, canonicus prioratus sancti Thome martiris iuxta Staffordam, ordinis sancti Augustini, Lichefeldensis diocesis, lator presentium, qui in sacerdotio constitutus existit, nobis humiliter exposuit, idem Walterus ab eodem ordine apostatans per seculum evagando, gesserit et adhuc gestet vestes clerici secularis, nos predictum Walterum [recte predicti Walteri] reconciliari deo et eidem ordini suo ut asserit cupientis devotis supplicationibus inclinati, discretioni vestre per apostolica scripta mandamus quatinus vos vel duo aut unus vestrum per vos vel alium seu alios voluntates, ordinationes, mandata et concessionem eiusdem predecessoris predicta circa eundem Walterum faciatis auctoritate nostra firmiter observari, contradictores per censuram ecclesiasticam appellatione postposita compescendo, non obstantibus omnibus supradictis seu si dilectis filiis priori et conventui dicti prioratus vel quibusvis aliis communiter vel divisim a predicta sit sede indultum quod interdicti, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Dat. Rome apud Sanctum Petrum iv kal. Iunii anno primo.

10) *St Peter's, Rome, 8 June 1378. Order to the abbot of the Scots monastery, Nuremberg, in the diocese of Bamberg, the dean of the church of St Peter, Avignon, and the official of Bamberg to execute a judgement of the Rota in favour of Ulric, rector of the parish church of St Mary, Gungolding,[Anm. 74] in the diocese of*

Eichstätt, and against the bishop, dean and chapter of Eichstätt, concerning the same parish church. ASV, Reg. Av. 182, fol. 52r.

To the right: G(rat)is) pro deo

Dilectis filiis .. abbati monasterii Scotorum in Nuringberg, Bambergensis diocesis et .. decano ecclesie sancti Petri Avinionensis ac .. officiali Bambergensi salutem etc. Exhibita nobis pro parte dilecti filii Ulrici clerici, rectoris parrochialis ecclesie sancte Marie Inguldoltingen [recte in Guldoltingen], Eystetensis dyocesis, petitio continebat quod olim ipse in causa per eum contra Rabnonem episcopum Eystetensem[Anm. 75] ac decanum et capitulum ecclesie Eystetensis super dicta parrochiali ecclesia, quam tunc vacantem per obitum quondam Seyfridi Ofman, ipsius ecclesie rectoris, idem Ulricus canonice assecutus fuerat quamque aliquandiu tenuerat et possiderat et tunc etiam pacifice tenebat et possidebat fructus percipiendo ex ea, et qua per episcopum, decanum et capitulum predictos contra iustitiam spoliatus extiterat, mota et coram dilecto filio Magistro Iohanne de Vayrollis, archidiacono Visalmensi in ecclesia Agennensi, capellano nostro et auditore causarum palatii apostolici,[Anm. 76] in palatio predicto ex commissione apostolica diutius ventilata unam diffinitivam sententiam, que nulla pronotatione suspensa in rem transiverat iudicatam et per quam ipse Ulricus ad possessionem dicte parrochialis ecclesie restitutus ipsique episcopus, decanus et capitulum in fructibus ex dicta ecclesia perceptis et in expensis in huiusmodi causa factis condempnati extiterant, reportavit et super executione huiusmodi sententie et dictarum expensarum que ad certam summam taxate fuerant apostolicas ad vos sub certa forma litteras impetravit, tuque fili decane solus in huiusmodi executionis procedens negotio, prout ex forma ipsarum litterarum poteras, nunnullos processus fecisti in talibus fieri consuetos, monens inter cetera episcopum, decanum et capitulum predictos ut infra certum peremptorium terminum competentem tunc expressum predictam parrochiale ecclesiam eidem Ulrico libere dimitterent et sibi de predictis perceptis fructibus et florenorum summa pro dictis expensis satisfacerent, alioquin in eosdem episcopum, decanum et capitulum, si monitioni huiusmodi non parerent, et alios contradictores quoslibet et rebelles diversas excommunicationis, suspensionis et interdicti sententias promulgabas, et licet processus huiusmodi ad ipsorum episcopi, decani et capituli indubitatam pervenerint notitiam, tamen episcopus, decanus et capitulum predicti in reprobum sensum dati spretis processibus et monitionibus huiusmodi claves ecclesie contempnendo eisdem monicionibus et processibus infra dictum terminum seu etiam post parere contumaciter recusarunt, ipsasque sententias per duos annos et ultra sustinuerunt et adhuc sustinent animis induratis in animarum suarum periculum, apostolice sedis contemptum, dicti Ulrici preiudicium et scandalum plurimorum. Quare pro parte dicti Ulrici nobis fuit humiliter supplicatum ut providere sibi super hoc de oportuno remedio dignaremur. Nos itaque huiusmodi supplicationibus inclinati, discretioni vestre per apostolica scripta mandamus quatinus vos vel duo aut unus vestrum per vos seu alium seu alios, legitimis per te, fili decane, in huiusmodi executionis negotio habitis servatis processibus, prout iustum fuerit in eodem negotio procedatis iuxta predictarum vobis directarum continentiam litterarum, invocato ad hoc si opus

fuerit auxilio brachii secularis, contradictores auctoritate nostra appellatione postposita compescendo. Non obstante si eisdem episcopo, decano et capitulo vel quibusvis aliis communiter vel divisim a dicta sede indultum existat quod interdicti, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Dat. Rome apud sanctum Petrum vi id. Iunii pontificatus nostri anno primo.

11) *St Peter's, Rome, 18 April 1378. Order to the abbot of the monastery of S. Cugat (or Cucufat) del Vallès in the diocese of Barcelona to hear a case between Arnaldus Sciplana (?), guardian of Berengarius Renardi, cleric, pupillus of Gerona, and Margareta wife of Petrus Berengarii Sancii of Campllonch, lay persons of the diocese of Gerona, concerning a sum of money owed to Berengarius, in accordance with the mandate of Gregory XI, who died before his letters concerning this matter could be issued. ASV, Reg. Av. 182, fol. 52v.*

To the right: xii

Dilecto filio abbati monasterii sancti Cucuphatis Vallensis,[Anm. 77] Barchinonensis diocesis, salutem etc. Rationi congruit et convenit equitati ut ea que de Romani pontificis gratia processerunt licet eius superveniente obitu super eis littere apostolice confecte non fuerint suum consequatur effectum. Dudum siquidem pro parte dilecti filii Arnaldi Sciplana (?), civis, curatoris et curatorio nomine dilecti filii Berengarii Renardi, clerici, pupilli Gerundensis, felicitis recordationis Gregorio pape xi predecessori nostro exposito quod olim ipse Arnaldus dilectam in Cristo filiam Margaretam uxorem dilecti filii Petri Berengarii Sancii de Campolongo, laici Gerundensis diocesis, que eidem clerico in quadam pecunie summa tunc expressa ex causa mutui etiam tunc expressa legitime tenebatur, super hoc petendo ipsam condempnari et compelli ad dandum et solvendum sibi curatorio nomine huiusmodi predictam pecunie summam coram officiali Gerundensi, ad quem cognitio causarum huiusmodi que contra laicales personas dicte diocesis moventur pro tempore de antiqua et approbata et hactenus pacifice observata consuetudine pertinet, non ex delegatione apostolica traxit in causam, idemque officialis, perperam in huiusmodi causa procedens, prefatam uxorem ab impetitione dicti Arnaldi per suam diffinitivam sententiam absolverat iniquam, et quod prefatus Arnaldus curatorio nomine dicti pupilli ab huiusmodi sententia ad sedem apostolicam appellaverat et super appellatione huiusmodi cum ipsius Margarete ut asserebat potentiam merito perhorrescens eam infra civitatem seu diocesim Gerundensem d (?) [Anm. 78] nequiret convenire secure, apostolicas ad priorem monasterii sancte Eulalie de Campo Barchinonensis,[Anm. 79] per priorem soliti gubernari, sub certa forma litteras impetraverat dictamque Margaretam fecerat super premissis coram eodem priore dictarum litterarum vigore ad iudicium evocari et quod tandem postquam coram eodem priore ad nonnullos actus inter partes ipsas in causa appellationis huiusmodi processum fuerat, prefata Margareta a quodam conficto sufficienti gravamine sibi ab eodem priore ut falso dicebat illato ad sedem apostolicam appellaverat, dictusque prior appellationi huiusmodi dicte Margarete detulit reverenter; idem predecessor videlicet xiv kal. Martii pontificatus sui anno octavo [16 February 1378] discreto alicui suis [recte suas] dare voluit et concessit litteras in mandatis ut vocatis qui forent evocandi et auditis hincinde propositis quod iustum foret

appellatione remota decerneret, faciens quod decerneret [recte decreverit] per censuram ecclesiasticam firmiter observari, non obstante si eidem laico et Margarete vel quibusvis aliis communiter vel divisim a predicta esset sede indultum quod interdicti, suspendi vel excommunicari non possent per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem. Ne autem pro eo quod super premissis dicti predecessoris littere ipsius superveniente obitu confecte minime extiterunt dictus Arnaldus huiusmodi voluntatis et concessionis dicti predecessoris frustretur effectum, nos volentes et apostolica auctoritate decernentes quod eadem voluntas et concessio perinde a dicta die videlicet xiv kl. Martii plenum sortiatur effectum ac si super ea eiusdem predecessoris littere sub ipsius diei data confecte fuissent prout superius enarratur quodque presentes littere ad probandum plene voluntatem et concessionem predictas ubique sufficiant nec ad id probationis alterius adminiculum requiratur discretioni tue per apostolica scripta mandamus quatinus vocatis qui fuerint evocandi et auditis hincinde propositis quod iustum fuerit appellatione remota decernas, faciens quod decreveris per censuram ecclesiasticam firmiter observari. Testes autem qui fuerint nominati si se gratia, odio vel timore subtraxerint censura simili appellatione cessante compellas veritati testimonium perhibere, non obstantibus omnibus supradictis. Dat. Rome apud Sanctum Petrum xiv kal. Maii anno primo.

12) *No date. Beginning of a letter ordering the dean of Mondoñedo to hear a case between Fernandus Garsie, perpetual vicar of the parish church of St Mary de Valonga in the diocese of Lugo, and Didacus Gometii, treasurer of Lugo, [Anm. 80] to whose office the parish church is said to be annexed. ASV, Reg. Av. 182, fol. 52v.*

To the right: xii

Dilecto filio decano ecclesie Mindoniensis salutem etc. Exhibita nobis pro parte dilecti filii Fernandi Garsie, perpetui vicarii, rectoris nuncupati, parrochialis ecclesie sancte Marie de Valonga, Lucensis diocesis, petitio continebat quod dilectus filius Didacus Gometii, thesaurarius ecclesie Lucensis, ratione thesaurarie dicte Lucensis ecclesie, cui dicta parrochialis ecclesia ut asseritur canonice est annexa, tantum de fructibus ipsius parrochialis ecclesie percipit annuatim quod idem vicarius de residuo ipsorum non potest congrue sustentari ac iura episcopalia solvere, hospitalitatem tenere et alia onera vicarie ipsius parrochialis ecclesie incumbentia supportare. Quare pro parte □

Anmerkungen:

1. See especially B. SCHWARZ, Die Organisation kurialer Schreiberkollegien von ihrer Entstehung bis zur Mitte des 15. Jahrhunderts (BibIDHIR 37), Tübingen 1972; IDEM, Die Ämterkäuflichkeit an der römischen Kurie. Voraussetzungen und Entwicklungen bis 1463, in: St. KUTTNER/ K. PENNINGTON (eds), Proceedings of the Sixth International Congress of Medieval Canon Law (Monumenta Iuris Canonici Series C: Subsidia 7), Vatican City 1985, pp. 451–463.
2. For what follows see F. BOCK, Einführung in das Registerwesen des avignonesischen Papsttums (QFIAB 31 Ergbd.), Rom 1941; L. E. BOYLE, A survey of the Vatican Archives and of its medieval holdings, Toronto 1972; P. N. R. ZUTSHI, Original papal letters in England, 1305–1415 (Index Actorum Romanorum Pontificum ab Innocentio III ad Martinum V electum 5), Vatican City 1990, pp. lxxxix–lxxxix.
3. Modern diplomatists use the term 'common letters' in this sense. In fourteenth-century curial sources, littere communes has a much narrower meaning; see below at n. 27.

4. See P. ZUTSHI, The origins of the registration of petitions in the papal chancery in the first half of the fourteenth century, in: H. MILLET (ed.), *Suppliques et requêtes. Le gouvernement par la grâce en Occident* (Collection de l'École française de Rome 310), Rome 2003, pp. 177–191.
5. See below at n. 28.
6. ASV, Reg. Vat. 310–312. See RG II: Urban VI., Bonifaz IX., Innocenz VII. und Gregor XII., bearb. v. G. TELLENBACH, Berlin 1933–1961, p. 18*; M. GASTOUT, *Suppliques et lettres d'Urban VI (1378–1389) et de Boniface IX (cinq premières années: 1389–1394)* (Analecta Vaticano-Belgica 29), Brussels and Rome 1976, pp. xxv–xxvii; M. GIUSTI, *Studi sui registri di bolle papali* (Collectanea Archivi Vaticani 1), Vatican City 1979, p. 37; G. GUALDO (ed.), *Sussidi per la consultazione dell'Archivio Vaticano* (Collectanea Archivi Vaticani 17), Vatican City 21989, p. 175.
7. E. g., ZUTSHI, *Original Papal Letters* (as n. 2) nos 360, 364, 365, 384, 386.
8. Cf. RG II, p. 20*.
9. GASTOUT, *Suppliques et lettres* (as n. 6) p. xxii. Cf. RG II, pp. 41*–42*. That they once existed is shown by the passage cited by C. KROFTA, *Acta Urbani VI. et Bonifatii IX., I: 1378–1396* (Monumenta Vaticana res gestas Bohemicas illustrantia 5), Prague 1903, p. ii n. 3, and by GASTOUT, *Suppliques et lettres*, p. xxii. C. BARONIUS/O. RAYNALDI/J. LADERCHIUS, *Annales ecclesiastici*, new edition by A. THEINER, XXVI, Bar-le-Duc 1872, pp. 299–300, prints from the *Libri de Schismate* in the Vatican Archives extracts from petitions from the cardinals to Urban VI. To judge from a passage *ibid.*, p. 339, the *Libri's* source seems to be Urban's registers of petitions.
10. ASV, Reg. Av. 173–207 and Reg. Vat. 272–273, 288–290, these Vatican Registers being the same type of register as those in the Avignon series. Reg. Vat. 282–287 are copies on parchment of some sections of the original registers. The fullest description of the registers of Gregory XI is in C. TIHON, *Lettres de Grégoire XI (1371–1378)*, IV (Analecta Vaticano-Belgica 27), Brussels and Rome 1975, pp. 9–56.
11. ASV, Reg. Vat. 274–80. In addition, Reg. Vat. 281 is a chamber register covering the fourth to the eighth year.
12. ASV, Reg. Vat. 263–271.
13. ASV, Reg. Lat. 1–118, Reg. Vat. 318 (which properly belongs in the Lateran series), and Trinity College, Dublin, MS. 1223.1: see RG II, pp. 7*–15*; BOYLE, *Vatican Archives* (as n. 2) p. 146. For losses in the registers of Boniface IX, see especially H. DIENER, *Verlorene Kanzleiregister der Päpste Bonifaz IX., Innocenz VII., Gregor XII., Alexander V. und Johannes (XXIII.) (1389–1415). Verluste und Bestand*, in: E. GATZ (ed.), *Römische Kurie. Kirchliche Finanzen. Vatikanisches Archiv. Studien zu Ehren von Hermann Hoberg, I* (Miscellanea Historiae Pontificiae 45), Rome 1979, pp. 107–133.
14. ASV, Reg. Vat. 313–320. See M. GIUSTI, *Inventario dei Registri Vaticani* (Collectanea Archivi Vaticani 8), Vatican City 1981, pp. 80–81.
15. ASV, Reg. Suppl. 104A (formerly in the Royal Library at Eichstätt). See G. ERLER, *Ein Band der Supplikenregister Bonifatius' IX. in der königlichen Bibliothek zu Eichstätt*, in: *Historisches Jahrbuch* 8 (1887) pp. 487–495.
16. J. SERRA ESTELLES, *Los registros de suplicas y letras pontificias de Clemente VII de Aviñon (1378–1394)* (Publicaciones del Instituto Español de Historia Eclesiástica. Monografías 29), Rome 1988, pp. 64–66.
17. *Ibid.*, pp. 53–55.
18. RG I: *Clemens VII. von Avignon*, bearb. v. E. GÖLLER, Berlin 1916, pp. 29*–31*.
19. RG II, pp. 2*–4*; GASTOUT, *Suppliques et lettres* (as n. 6) pp. xxi–xxii; M. MAILLARD-LUYPAERT, *Papauté, clercs et laïcs. Le diocèse de Cambrai à l'épreuve du Grand Schisme d'Occident (1378–1417)* (Publications des Facultés Universitaires Saint-Louis 88), Brussels 2001, pp. 155–157.
20. See below n. 29.
21. TIHON, *Lettres de Grégoire XI* (as n. 10) IV, pp. 15–16. Tihon prints Montroy's note on p. 15.
22. O. PREROVSKÝ, *L'elezione di Urbano VI e l'insorgere dello scisma d'Occidente* (Miscellanea della Società Romana di Storia Patria 20), Rome 1960, p. 109 n. 181.
23. See below nn. 56–57, 62.
24. RG II, p. 7*; GASTOUT, *Suppliques et lettres* (as n. 6) pp. xxvii–xxviii; G. BATTELLI, "Membra disiecta" di registri pontifici dei secoli XIII e XIV, in: *Mélanges Eugène Tisserant*, IV (Studi e Testi 234), Vatican City 1964, pp. 1–33, at pp. 30–31. Gastout, however, calendars one item from this source: see Appendix, no. 3. Cf. Th. FRENZ, *Papsturkunden des Mittelalters und der Neuzeit* (Historische Grundwissenschaften in Einzeldarstellungen 2), Stuttgart 1986, p. 49.
25. Appendix, nos 4–5.
26. Pontius Beraldi was a chancery scribe under Urban V and Gregory XI. He transferred his allegiance from Urban VI to Clement VII, under whom he appears as a secretary and as corrector litterarum apostolicarum: see T. GRAF, *Papst Urban VI. Untersuchungen über die römische Kurie seines Pontifikats*, Diss. Berlin 1916, p. 15a; P. M. BAUMGARTEN, *Kleine diplomatische Beiträge*, in: RQ 29 (1907) pp. 198–209, at p. 205; B. SCHWARZ, *Der "corrector litterarum apostolicarum." Entwicklung des Korrektorenamtes in der päpstlichen Kanzlei von Innozenz III. bis Martin V.*, in: QFIAB 54 (1974) pp. 122–191, at pp. 137–140. He was the representative of the vicechancellor, Cardinal Pierre de Montereuc, during his last illness: P. M. BAUMGARTEN, *Von der apostolischen Kanzlei. Untersuchungen über die päpstlichen Tabellionen und die Vizekanzler der Heiligen Römischen Kirche im XIII., XIV. und XV. Jahrhundert*, Cologne 1908, p. 126. He appears as a witness in the "Libri de Schismate": M. SEIDLMEYER, *Die Anfänge des großen abendländischen Schismas* (Spanische Forschungen der Görresgesellschaft, 2. Reihe 5), Münster in Westfalen 1940, pp. 217, 222, 246–247 (see also pp. 255, 257, 273). Bartholomeus Francisci was a scribe and secretary from the time of Urban V onwards. He remained in the service of the Roman popes, becoming acting head of the chancery (regens cancellarie): see GRAF, *Urban VI.*, pp. 6a, 7a, 21a, 29a; BAUMGARTEN, *Kleine diplomatische Beiträge* (as above), II, pp. 203, 205; IDEM, *Von der apostolischen Kanzlei* (as above) pp. 108, 113–116; E. VON OTTENTHAL (ed.), *Regulae cancellariae apostolicae. Die päpstlichen Kanzleiregeln von Johannes XXII. bis Nikolaus V.*, Innsbruck 1888, p. 73; G. OPITZ, *Die Sekretärsexpedition unter Urban V. und Gregor XI.*, in: QFIAB 33 (1944) pp. 158–198, at p. 173.

27. For apostates see, e. g., A.-M. HAYEZ/J. MATHIEU/M.-F. YVAN, Grégoire XI (1370–1378): lettres communes (Bibliothèque des Écoles françaises d'Athènes et de Rome, 3rd Series), II, Paris 1992, nos 11156, 11172; for the Rota, e. g., *ibid.*, nos 11210, 11227. We may therefore safely conclude that the three folios all derive from a quire of *littere communes*. It is worth adding that, when under Boniface IX a series of registers of common letters again survives (the Lateran Registers), *littere communes* no longer appear in a section on their own. It may be worth comparing the fragment from Urban VI's first year with the only other portion of his registers of common letters to survive, from nine years later. BAV, Ottob. lat. 1443. For what follows see M. TANGL, in: *MIÖG* 11 (1890) p. 339; RG II, p. 7*; BATTELLI, "Membra disiecta" (as n. 24) pp. 30–31; GIUSTI, *Studi* (as n. 6) pp. 101–102.
28. Cf. KROFTA, *Acta Urbani VI. et Bonifatii IX.* (as n. 9) p. iii.
29. BAUMGARTEN, *Von der apostolischen Kanzlei* (as n. 26) pp. 108–109; H. BRESSLAU, *Handbuch der Urkundenlehre für Deutschland und Italien*, Leipzig and Berlin 21912–1931, I, pp. 260–261, 290; PREROVSKÝ, *L'elezione di Urbano VI* (as n. 22) pp. 22–23.
30. See, e. g., SEIDLMEYER, *Anfänge* (as n. 26) pp. 259, 293; W. ULLMANN, *The origins of the Great Schism*, London 1948 (reprinted with a new introduction 1972), pp. 26, 35, 79–80; BARONIUS, *Annales* (as n. 9) pp. 304, 327 and especially 333 (from the memorandum produced in support of the validity of Urban's election, known as the "Factum Urbani"): "considerantes [scil. cardinales Lemovicenses] scientiam et prudentiam ipsius domini nostri tunc Barensis, qui etiam in causis et negotiis curiae erat instructus, et ipsis cardinalibus ab antiquo familiariter notus, ac socius et capellanus domesticus cardinalis Pampilonensis vicecancellarii Romanae Ecclesiae, qui erat, sicut est, de natione Lemovicensi, et in cuius cardinalis Pampilonensis absentia, praefatus Gregorius papa in partibus Italiae existens praefecit dictum tunc Barensis archiepiscopum ad gubernandum officium cancellariae □ quod officium fideliter et laudabiliter gessit, □"
31. OTTENTHAL, *Regulae Cancellariae Apostolicae* (as n. 26) pp. 46–47, § 6 and p. 48, § 11. For a ruling made by Urban VI in primordio creationis sue, see E. GÖLLER, *Wilhelm Horbach und die Decisiones antiquae der Rota Romana*, in: *Archiv für katholisches Kirchenrecht* 91 (1911) pp. 662–680, at p. 679, § 19.
32. See M. SEIDLMEYER, *Die spanischen 'Libri de Schismate' des Vatikanischen Archivs*, in: *Spanische Forschungen der Görresgesellschaft*, 1. Reihe: *Gesammelte Aufsätze zur Kulturgeschichte Spaniens* 8, Münster in Westfalen 1940, pp. 199–262.
33. KROFTA, *Acta Urbani VI. et Bonifatii IX.* (as n. 9) p. 12: "□ sub bulla sua, quam fecerat de novo et circa festum sancti Jacobi. Et tunc primo etiam incepit facere et signare rotulos et gracias, quam ante non fecerat." The feast of St James falls on 25 July. See also BAUMGARTEN, *Von der apostolischen Kanzlei* (as n. 26) pp. 109–110.
34. PREROVSKÝ, *L'elezione di Urbano VI* (as n. 22) p. 61; BARONIUS, *Annales* (as n. 9) p. 337; L. GAYET, *Le Grand Schisme d'Occident. Les origines*, Florence and Berlin 1889, II, *Pièces justificatives*, pp. 19–20, 55
35. See N. VALOIS, *La France et le Grand Schisme d'Occident*, I, Paris 1896, pp. 63–64, 74–75.
36. GAYET, *Le Grand Schisme* (as n. 35) II, *Pièces justificatives*, p. 56.
37. *Ibid.*, I, *Pièces justificatives*, p. 59.
38. *Ibid.*, p. 60.
39. *Ibid.*, II, *Pièces justificatives*, pp. 92, 119, 134–135, 147
40. *Ibid.*, pp. 105, 159, 167.
41. *Ibid.*, I, *Pièces justificatives*, p. 131: "ille Barensis quamdiu cum collegio DD. cardinalium in Roma fuit, licet supplicationes multas recepit, nullam tamen, ut dicebatur communiter, signavit," □
42. *Ibid.*, II, *Pièces justificatives*, p. 159.
43. *Ibid.*, p. 119: "familiares mei pro se fecerunt et ordinaverunt unum rotulum sub nomine meo, qui □ per unum de istis qui tunc Rome remanserunt fuit sibi oblatus, quem, licet, ut audivi, dictus B. postea signaverit, ipsum tamen non recuperavi, □" See also BARONIUS, *Annales* (as n. 9) p. 300; PREROVSKÝ, *L'elezione di Urbano VI* (as n. 22) pp. 70–73, 85
44. E. BALUZE/G. MOLLAT (eds.), *Vitae Paparum Avenionensium*, II, Paris 1928, p. 658: "vidit unam supplicationem signatam per illum primum electum per quam providerat cardinali Mediolanensi de archidiaconatu de Majorico □" This testimony is printed not from the *Libri de Schismate* but from MS. lat. 11745 in the *Bibliothèque Nationale*.
45. See above at n. 37.
46. A. MEYER, *Arme Kleriker auf Pfründensuche. Eine Studie über das in forma pauperum-Register Gregors XII. von 1407 und über päpstliche Anwartschaften im Spätmittelalter* (Forschungen zur kirchlichen Rechtsgeschichte und zum Kirchenrecht 20), Cologne and Vienna 1990, p. 69.
47. See above n. 34.
48. See, e. g., PREROVSKÝ, *L'elezione di Urbano VI* (as n. 22) pp. 214–218, with four letters dated 19 April to 19 May.
49. The two English apostates do not appear in the 'Register of apostates' in F. D. LOGAN, *Runaway religious in medieval England, c. 1240–1540* (Cambridge Studies in Medieval Life and Thought, Fourth Series), Cambridge 1996, pp. 184–267.
50. A. TOMASSETTI (ed.), "Bullarium diplomatum et privilegiorum sanctorum Romanorum Pontificum", IV, Turin 1859, pp. 326–328; LOGAN, *Runaway religious* (as n. 50) pp. 123–127.
51. Cf. *ibid.*, pp. 126–127.
52. He was a close associate of the pope: see A. SEGRE, *I dispacci di Cristoforo da Piacenza, procuratore mantovano alla corte pontificia (1371–1383)*, in: *Archivio Storico Italiano* 44 (1909) pp. 253–326, at pp. 272–273; W. BRANDMÜLLER, *Zur Frage nach der Gültigkeit der Wahl Urbans VI.*, in: IDEM, *Papst und Konzil im Grossen Schisma*, Paderborn etc. 1990, pp. 1–41, at p. 40 n. 184. The testimony of the castellan of Castel S. Angelo in the *Libri de Schismate* frequently mentions him: GAYET, *Le Grand Schisme* (as n. 35) I, *Pièces justificatives*, pp. 161–193.
53. See S. MALATESTA, *Statuti delle gabelle di Roma*, Rome 1885, especially pp. 35–38; G. TOMASSETTI, *Del sale e focatico del Comune di Roma nel Medio Evo*, in: *Archivio della R. Società Romana di Storia Patria* 20 (1897) pp. 313–368; G. PARDI, *La popolazione del distretto di Roma sui primordi del Quattrocento*, in: *ibid.* 49 (1926) pp. 331–354; J. COSTE, *Nota sull'uso delle liste del Sale e Focatico*, in: IDEM, *Scritti di Topografia medievale* (Istituto Storico Italiano per il Medio Evo. Nuovi

- Studi Storici 30), Rome 1996, pp. 133–136; S. PASSIGLI (ed.), *Le liste del 'sale e focatico' del distretto di Roma nel XV secolo. Studi inediti e appunti di Jean Coste*, in: *Rivista Storica del Lazio* 6 (1998) pp. 3–35.
54. PARDI, *La popolazione* (as n. 54) p. 353.
55. See A. REHBERG, *Familien aus Rom und die Colonna auf dem kurialen Pfründenmarkt (1278-1348/78)*, in: *QFIAB* 78 (1998) pp. 1–122, at pp. 95–96; IDEM, *Die Kanoniker von S. Giovanni in Laterano und S. Maria Maggiore im 14. Jahrhundert. Eine Prosopographie (BibDHIR 89)*, Tübingen 1999, pp. 365–366.
56. See A. REHBERG, *Kirche und Macht im römischen Trecento. Die Colonna und ihre Klientel auf dem kurialen Pfründenmarkt (1278–1378) (BibDHIR 88)*, Tübingen 1999, pp. 332–333.
57. See G. E. CERAFOGLI, *La Baronessa Santa Filippa Mareri*, Vatican City 1979, pp. 129–130; R. BRENTANO, *A new world in a small place. Church and religion in the diocese of Rieti, 1188–1378*, Berkeley, Los Angeles, and London 1994, especially pp. 36–39. For the family see C. DE LELLIS, *Discorsi delle famiglie nobili del Regno di Napoli, II*, Naples 1663, pp. 216–222; P. SELLA, *Gli statuti del Cicolano, Casalbordino 1932*; T. LEGGIO, *Profilo biografico di un funzionario di Federico II*, in: *Ravenna. Studi e Ricerche* 3 (1996) pp. 119–174; IDEM, *I conti di Cunio e la Sabina*, in: *Studi Romagnoli* 41 (1990) pp. 349–377, at p. 366 and n. 80; and A. CORTONESI, *Ruralia. Economie e paesaggi del medioevo italiano (Pagine della Memoria 2)*, Rome 1995, pp. 209–313; but none of these mention of Cola or Lippa Mareri.
58. See *ibid.*, especially p. 224. The author states (p. 224 n. 73): "Le vicende di Rocca Sinibalda restano in larga misura nell'ombra." By 1526 Muzio Mareri was in possession of half of the castle. He had married Sabina Savelli in 1524. See G. SILVESTRELLI, *Città, castelli e terre della regione Romana, II*, Rome 1970, p. 490. For the later history of Rocca Sinibalda see G. GIORNELLI, *Il castello di Rocca Sinibalda (Collana di Monografie dell'Istituto storico e di cultura dell'Arma del Genio 17)*, Rome 1967.
59. See, e. g., E. DUPRÉ THESEIDER, *Roma dal comune di popolo alla signoria pontificia (1252-1377) (Storia di Roma 11)*, Bologna 1952, p. 768 (index); A. ESCH, *Bonifaz IX. und der Kirchenstaat (BibDHIR 29)*, Tübingen 1969, pp. 351, 644; J. COSTE, *Les lettres collectives des papes d'Avignon à la noblesse romaine*, in: *Le fonctionnement administratif de la papauté d'Avignon (Collection de l'Ecole française de Rome 138)*, Rome 1990, pp. 151–170, at p. 162; REHBERG, *Kirche und Macht* (as n. 57) p. 633 (index).
60. The bishop of Liège at this time was Jean d'Arkel.
61. For Jean de Sivry, lord of Buat, Marie de Saint-Rémy and Jean de Saint-Rémy, see MAILLARD LUYPAERT, *Papauté, clercs et laïcs* (as n. 19) p. 556.
62. There is a cross above this word to indicate that it should be corrected to *baptismatis*.
63. For Rostain de Grans, archdeacon of Arles, see J.-H. ALBANÉS/U. CHEVALIER, *Gallia christiana novissima, Arles and Valence 1901*, col. 1144–1145, no. 2894; col. 1146–1147, no. 2901.
64. Richard Calf.
65. John de Cokayn or John Bolton: D. M. SMITH/V. C. M. LONDON, *The heads of religious houses England and Wales, II: 1216–1377*, Cambridge 2001, p. 282.
66. William Andrew, O. P.
67. John de Wascelyn: SMITH/LONDON, *Heads of religious houses* (as n. 66), II, p. 469.
68. Simon of Driffeld: *ibid.*, p. 378.
69. Above no. 7.
70. William Andrew, O. P.
71. Thomas Southam: SMITH/LONDON, *Heads of religious houses* (as n. 66), II, p. 26.
72. Ralph of Derby: *ibid.*, p. 452.
73. Above no. 7.
74. A village east of Eichstätt on the river Altmühl. The right of patronage of the church of St Mary belonged to the cathedral chapter of Eichstätt. Professor Karl Borchardt has kindly provided me with the following reference: J. G. SUTTNER, *Schematismus des Geistlichkeit des Bistums Eichstätt für das Jahr 1480*, in: *Programm des Lyceums Eichstätt, Eichstätt 1879*, p. 11 no. 13.
75. Rabno Schenk von Wildburgstetten, bishop of Eichstätt 1365–1383.
76. Archdeacon of Bezeauce ("Vesalmensis2) in the church of Agen. E. CERCHIARI, *Capellani Papae et Apostolicae Sedis Auditores Causarum Sacri Palatii Apostolici seu Sacra Rota Romana ab origine ad diem usque 20 Septembris 1870, II*, Rome 1921, p. 34, incorrectly calls him Dayroliis. He does not appear in the list of auditors in H. KOCHENDÖRFFER, *Päpstliche Kurialen während des grossen Schismas*, in: *Neues Archiv* 30 (1905) pp. 551–601, at pp. 592–595.
77. Apparently Pere de Busquet: J. VILLANUEVA, *Viage literario a las iglesias de España, 19*, Madrid 1851, 36.
78. "d" followed by another letter which is difficult to read: perhaps the word is redundant or perhaps it stands for "dumtaxat" or "demum".
79. The prior of Santa Eulàlia del Camp, Barcelona, was Pere Rosell: N. JASPERT, *Das Heiligengrab priorat von Santa Anna und das Regularkanonikerstift Santa Eulàlia del Camp im mittelalterlichen Barcelona (Berliner Historische Studien 24)*, Berlin 1996, p. 478.
80. Diego Gómez was treasurer of Lugo by 1369: M. RISCO, *España Sagrada, XLI*, Madrid 1798, p. 124.