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Casus Breves Decretalium Gregorii IX

The text appears to be closely related to Bernard of Parma's *Casus longi super quinque libro decretalium* (printed: Basel, Michael Wenssler, not after 1479) = GW 4093; the commentary paraphrases Bernard but is much abbreviated (see J. F. Schulte, *Die Geschichte der Quellen und Literatur des Canonischen Rechts*, vol. 2: *Von Gratian bis auf Papst Gregor* [Graz, 1877], 114-7 and 492-94).

ff. 1-2 //enim effectum hoc idem ut [some words trimmed] tota decinent arregando.

Nota. quod ex libro sunt superflua resecanda sed decretales quae non tenent sunt superflue ...Nota. quod postulatio soli gratie nitit etiamsi a toto .c. fuerit celebrata//

Unidentified epitome of the Decretales of Gregory IX, Prologue and Book I.1.1 - I.3.18 (fol. 1), I.3.20 - I.5.3 (fol. 2); E. Friedberg, ed., *Corpus iuris canonici*, vol. 2: *Collectiones decretalium* (Leipzig, 1922), coll. 5-24. The upper margin has been trimmed with loss of text.

ff. 3-4 //ut infra sequitur. Nota. quod sus cui datur eligendi potestas eligat ...

Significauit. Nota. eum puniri qui ut caste uiuere ualeat sibi facit uirilia amputari.
Nota. eum re//

Epitome of Decretales I.3.20 - I.5.3 (fol. 3); I.9.11 - I.14.4 (fol. 4). The upper margin has been trimmed with loss of text.

f. 5 //ut lite pendente. Nota. quod sint pendente non est aliquis priuandus iure suo ...

Nota. quod si quis probauerit aliquos esse fratres et ego possum probare
contrarium et adtestacionibus publicatis debet exaudire et//

Epitome of Decretales II.16.1 - II.20.26. The lower margin has been trimmed
with loss of text.

f. 6 //Ad uires. Nota. quod una ecclesia potest in alterius parrochia ... contra alios
quam eos contra quos conspirauerant (con add. man. alt.) ad testimonium
admittuntur quod est bene notandum. Nota. quod dominus//

Epitome of Decretales II.26.6 - II.27.22. The lower margin has been trimmed
with loss of text.

Parchment. 6 folios (Fols. 1 and 4, fols. 2 and 3 and fols. 5 and 6 form bifolia). Fol. 1 measures
203 x 119 mm; fol. 2, 251 x 170 mm; fol. 3, 225 x 173 mm; fol. 4, 203 x 173 mm; fol. 5, 189 x
104 mm; and fol. 6, 188 x 163 mm (written space originally ca. 215 x 135 mm). 2 columns. 46-
9 lines remaining (portions of 55 lines on fol. 2). Ruled in lead.

Written in a small, highly abbreviated gothic script (*littera textualis*). There are guide
letters and spaces for rubrics and initials, but none have been added. A fourteenth-century hand
has added some rubrics in brown in a cursive gothic script. Punctuation consists of the punctus.

The bifolium 5/6 was used in the binding of Lambach Cml LXIV, now Beinecke MS 699
(see figs. 6-7 in Babcock, *Reconstructing a Medieval Library*); the shelf number "64" is marked
on fol. 6v. Fragments of other leaves are still in the binding of MS 699. The bifolium 1/4 may
have been taken from the binding of Lambach Cml LVII, which has the same measurements as
the fragment (290 x 205 mm). The bifolium 2/3 was used as a flyleaf in a volume measuring ca.
345 x 225 mm. Another leaf from this manuscript, containing commentary on I.36.9 - I.40.1, is
now a flyleaf in Vienna, Oesterreichische Nationalbibliothek, s.n. 3610 (formerly Lambach Cml

CXIII).

A modern hand has written in pencil in the lower right corners the number " 82" on fol. 1r, "80" on fol. 2r, "79" on fol. 3r, "81" on fol. 4r, "84" on fol. 5r and "86" on fol. 6r.

Fols. 1/4 were formerly Beinecke MS 482.90B, Zinniker 36; fols. 2/3 were Zinniker 273; fols. 5/6 were Beinecke 482.90A, Zinniker 30.

Bibliography:

Babcock, *Reconstructing a Medieval Library*, 114 and figs. 6-7.