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Italy, s. XIV

Dynus de Mugello, Super Infortiato et Digesto Novo

The first part of the text of this fragment follows fairly closely the printed text of the commentary by Dynus de Mugello (d. 1298), a teacher of law at Bologna, although in many minor instances it agrees more closely with the quotations attributed to Dynus by Albericus de Rosate (d. 1360) in his commentary. The extensive commentary on Si is qui ducenta (Digest 34.5.13), which takes up half of column 2 on the recto and all of the verso, is not found in the printed edition of Dynus, but it does appear in the edition of Albericus's commentary, where it is attributed to Dynus.

f. 1r //uel ante moram uel uerius dic quod ibi nihil erat faciendum per legatarium ... praeterea non fuit legata species eius generis du(bii). De rebus dubiis. In .i. fundum seianum in glossa alternatiue ibi ponitur condicionaliter ... dicas quod ibi fuit copulatiua hic disiunctiua.

Dynus de Mugello, Super infortiato et digesto nouo (Lyon, Jacob Myt, 1513; rpt. Bologna, Forni Editore [Opera iuridica rariora, 17], 1971), fols. [l 8] verso - m[1] verso. The commentary is on Justinian, Digesta, 34.4.3-5.12; ed. T. Mommsen and P. Krueger, Corpus iuris civilis, (Berlin, 1928), 1:531-5.

f. 1r-v Si is qui ducenta. ¶utrum pro euidentia dicendorum primo notandum est ... et scilicet de condi. insci. vel si heredi. plures. respondeo ue//[rum]

Dynus de Mugello in Albericus de Rosate, Commentarii in secundam infortiati

partem (Venice, 1586; rpt. Bologna, Forni Editore [Opera iuridica rariora, 24], 1978), fols. 105v-6r. The commentary is on Justinian, Digesta, 34.5.13; edd. Mommsen and Krueger, 1:535.

Parchment. 1 folio. 400 x 262 mm (written space 305 x 189 mm). 2 columns. 81-84 lines. Ruling (lead?) not visible.

Written in a cramped and inelegant gothic script (*scriptura notularis*). Two 2-line initials alternating red and blue, decorated with red penwork and not set apart from the text. Rubrics are written in red gothic cursive. The lemmata are marked with alternating red and blue paragraph marks, and some of them are underlined in brown. Another hand has added a running series of letters from "i" to "z" and then "a" to "l" in the margin next to each lemma. Punctuation consists of the punctus. Hyphenation is in the same ink as the text.

The fragment was folded in half and used as the wrapper of a volume measuring ca. 263 x 200 mm. There are several sixteenth-century inscriptions on the recto, including "Westhall, supervisio manorii(?)," which may refer to Westhall in Suffolk, England, and seems to be the title for the volume bound by the fragment. The names "Robert," "Thomas," and Alsoppe" also appear on the recto. On the verso a sixteenth-century hand has written abstracts of accounts.

Gift of Henrietta C. Bartlett in 1954.

Bibliography:

De Ricci, 1:174, no. 20.