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[Manual of Confessors]. BAPTISTA DE SALIS or BATTISTA TROVAMALA, *Summa Baptistiana* or *Summa Rosella*, excerpts; with IOHANNES DE DEO, *Decretum abbreviatum*; HUGO RIPELIN ARGENTINENSIS, *Compendium theologiae ueritatis*, excerpts, etc.
In Latin, manuscript on parchment and paper
Northern Italy, Pavia? Milan? c. 1480-1500

131 folios, preceded and followed by a paper flyleaf, boards covered with paper pastedowns likely once part of the original manuscript, apparently complete although rebound with possible loss of certain folios (collation i-x¹², xi¹¹ (12-1, likely cancelled)), mixed quires composed of parchment and paper (with watermark of the type of Briquet, no. 6567, "Fleur à sept pétales": Ferrare, 1502; Milan, 1512; see also Piccard for a better match such as Pavia, 1493 [Piccard database, no. 126637] or Como, 1502 [Piccard database, no. 126641]), parchment and paper ruled in ink, written in slightly sloping cursive hands by a handful of different scribes, in light to darker brown ink, on up to 43 lines (justification 140 x 55 mm), headings in bright red ink, rubrics and running titles in red ink, paragraph marks in red, some capitals stroked in red ink. Bound in a contemporary or near-contemporary half binding of calf over wooden boards in most unusual oblong or wallet-size format, back originally sewn on 3 thongs, traces of original leather catch and brass clasp, modern fitted box (Upper board detached, leather catch missing, leather of spine missing, the whole nonetheless in its original untouched condition. Some worming to boards and flyleaves, never affecting core of text). Dimensions 196 x 77 mm.

Unusual in its format, presentation, and content, the core of this largely intact manuscript includes excerpts from the popular manual of confessors by the Franciscan Battista Trovamala or Battista de Salis, of which no other manuscript copy is traced. The many supplementary texts, historical privileges and bulls, etc., warrant further study and identification. Its wallet-size format suggests that the manuscript was meant to circulate with the confessors who made use of it.

PROVENANCE

1. Script and watermarks in paper all suggest a Northern Italian origin for this manuscript (Pavia? Milan?). The manuscript was likely copied in a Franciscan milieu granted the blessing in the upper margin of f. 6 invoking "Ihesus. Maria. Franciscus," the numerous excerpts from papal bulls and letters granting liberties and privileges to the Order of Brothers Minor and the choice of Battista Trovamala, himself a Franciscan. There are a few dates interspersed throughout the manuscript, but these dates are all included in bulls or letters or historical documents copied in this compendium insofar as the documents testify to the rights and privileges of the Order of the Brothers Minor. They cannot be used to determine a date of execution for the entire or even a portion of the manuscript, but the presence of these dates provides us at least with a *terminus a quo*

for the codex. The later dates quoted are 1475 (f. 120v), 1487 (f. 120v, by an added hand) and 1489, in another added note, copied by a closely contemporary hand (bottom of the lower pastedown).

2. Private Collection.

TEXT

ff. 1-1v, Papal privileges granted to the Order of Brothers Minor, incipit, "Dominus papa Sixtus quartus omnibus confessoribus ordinis minorum tam presentibus quam futuris concessit [...] Item quod fratres sacerdotes familie possint benedicere paramenta altaris et missalia indumenta exceptis...";

ff. 2-5v, [Battista Trovamala], excerpts from his *Summa casuum conscientiae*, rubric, *De absolutione*; incipit, "Ab omni excommunicatione sive maiori sive minori lata a iure..."; explicit, "[...] et tam non est de necessitate sacramenti" [see continuation below, ff. 12v et sq.] [compare Digitized text, Gallica, BnF, Battista Trovamala, *Rosella casuum*, Venice, 1499, sig. aa2 verso: "Absolutio proprio communiter. De absolutione ab axcommunicatio sciendum quod ab omni excommunicatione sive maiori sive minori lata a iure..."];

ff. 6-12, Iohannes de Deo, *Decretum abbreviatum*, heading, *Yhesus / Maria / Franciscus*; rubric, *Incipit abbreviatio decreti qua [sic: in quo] sub planis et brevibus verbis continentur tota ius et intention decretorum, ibique omnes distinctiones, omnes causae et cuiuslibet causae questiones necnon cuiuslibet questionis solutiones regulariter [...] prout magister Gratianus ipsam determinat in decretis liber ergo decretorum distinctus est in 3^{es} partes quarum prima vocatur distinctiones, secunda vocatur causae, tertia de consecratione [...]*;

These summaries known as the "Decretum abbreviatum" attributed to Iohannes Deo are published at the beginning of all major editions of Gratian's *Decretum*. We have consulted the Rome, 1584 edition: "Decretum abbreviatum sigillatim cuncta attingens..." In the *Initia operum iuris canonici* database Giovanna Murano signals only two manuscripts: Erfurt, WbS, CA 2. 214, ff. 247-248; Reims, BM, MS 744, f. 54v, but there are no doubt more copies still to be located.

ff. 12v-36v, [Battista Trovamala], excerpts from the *Summa casuum conscientiae*, rubric, *De excommunicationibus extractis*; incipit, "Duplex est excommunicatio una maiore alia minor..."; explicit, "[...] de sacramento in generale et alibi";

ff. 37-41, [Battista Trovamala], excerpts from the *Summa casuum conscientiae*, rubric, *De irregularitate*; incipit, "De irregularitate homicidarum comittens homicidi..."; explicit, "[...] sed quod fiat";

f. 41, blank;

ff. 42-45, [Battista Trovamala], excerpts from the *Summa casuum conscientiae*, rubric, *De interdicto*; incipit, "Interdictum aliud est generale aliud particulare..."; explicit, "[...] sed non nisi per papam";

ff. 45v-46, [Battista Trovamala], excerpts from the *Summa casuum conscientiae*, rubric, *De suspensione*; incipit, "Qui suspensione est a pontificalibus..."; explicit, "[...] nec officiare posset nec cum aliis audiendi";

ff. 47-93, [Battista Trovamala], excerpts from the *Summa casuum conscientiae*, rubric, *Extractus de septem sacramentis a supplemento non verbum ex verbo [...]*; incipit, "Sacramentum secundum magistrum Sententiarum est sacre rei signum..."; headings, *De baptismo* (ff. 49-53v); *De sacramento confirmationis* (ff. 54-54v); *De contritione* (ff. 54v-56v); *De confessione* (ff. 57-65); [De eucharistia] (ff. 66-71v); *De sponsalibus* (ff. 73-74v); *De matrimonio* (ff. 75-90v); *De divortio* (ff. 91-91v); *De extrema unctione* (ff. 92-92v); *De catecesimo* (ff. 92v-93);

The greater part of this Franciscan compendium is composed of scattered excerpts (ff. 2-5v; 12v-93) of a work by Battista Trovamala or Baptista de Salis, a Franciscan friar (born c. 1435-c. 1495). Battista Trovamala was born in Piemonte and a member of the Observantist province of Genoa. He was a provincial vicar for some years. On Battista Trovamala, see P. Michaud-Quantin, 1962, pp. 98-99; E. Bellone, "Appunti su Battista Trovamala di Sale O.F.M. e la sua "Summa Casuum" in *Studi Francescani* 74 (1977) pp. 375-402; L. Babbini, "Tre 'summa casuum' composte da tre francescani piemontesi della provincia di Genova," *Studi Francescani* 78 (1981) pp. 163-165; see also Schulte, II, pp. 448-450; O. Langholm, 2003, "The Franciscan Tradition: Battista Trovamala," pp. 175-190; A. Teetaert, *Dict. de droit canonique*, II, col. 201-203.

In 1483, Battista Trovamala completed in the convent of Levanto his *Summa casuum conscientiae* or *Summa Baptistiniana*, a manual for confessors, printed for the first time in Novi Ligure, Nicolaus Girardengus, 1484; Nürnberg, Anthonius Koberger, 1488 (see *Gesamtkatalog der Wiegendrucke* III, col. 359-363). In 1489 he supplied an expanded and revised version, the *Rosella Casuum* (also known as the *Summa Rosella*), printed in Pavia, Franciscus Girardengus and Johannes Antonius Birretta, 1489; Venice: Georgius Arrivabene, 1489, 1495, and 1499. There were numerous successive editions, and the work was most popular (there are as many as 250 surviving copies in public collections of the fifteenth-century copies [see Babbini, 1981, p. 163]). However, we have not traced a single manuscript copy of this text, and it appears the author consigned his text directly to printers for publication, ensuring the widest circulation for his work. It seems likely this manuscript was compiled from one of the first editions, freshly printed (it is interesting the watermarks in the present manuscript point to Pavia, which is the region of origin of the author and the place of publication of the *Rosella Casuum* in 1489, thus closely contemporary with the present hand-copied selection. Close comparison of the present excerpts and the extant incunabula could indicate which edition the scribe was referring to and how the work was used and abridged by confessors.

The term *Summae confessorum* is generally applied to a class of manuals for confessors that appeared about 1200 and continued until about 1520. These manuals are held to have replaced the old type of books of penance or "Penitentials." With the development of *Pastoralia* as set by the Fourth Lateran council, a great number of manuals of confession appeared, directed towards the intellectual preparation of priests for a prudent and informed exercise of the office of confessor. They are characterized by a discussion of the principles of moral theology and detailed examples of canon law in relation to human patterns of behavior and often include "casus," which in the words of John of Freiburg are "useful questions which bear on the counseling of souls." (see Boyle, 1982, pp. 227-237).

The *Summa Baptistiniana* and its revised version the *Summa Rosella* adopted the “modern” alphabetical order as initiated by Bartholomeus de San Concordio, author of a similar *Summa casuum conscientiae*. Battista Trovamala’s work owes much to such authors of other manuals of confessors such as Nicholas of Ausimo, and most commentators underscore that the *Summa* of Battista Trovamala presents a considerably expanded legal content.

f. 93v, blank;

ff. 94-103, Hugo Ripelin Argentinensis, excerpts from his *Compendium theologiae ueritatis*, Book III, On Corruption and the First Sin, rubric, *De peccato ex quodam compendio theologiae*; incipit, “Malum triplex est uidelicet culpe pene et damni...”; explicit, “[...] libidinem et alios motus importunos”;

Hugo Ripelin of Strasbourg or Argentinensis (born c. 1200-1210; died, c. 1268) was one of the earliest Alsatian Dominicans. He entered a Dominican convent in Strasbourg and became prior there in 1232, before moving to Zurich where he served as subprior of the Dominican house. By 1261, he had moved back to Strasbourg, again as prior of the Dominican convent where he lived until his death. His *Compendium theologiae ueritatis* dates from c. 1260 toward the end of his life.

For a long time, the *Compendium* was erroneously attributed to Albertus Magnus (and occasionally to Bonaventura or to Thomas Aquinas). Attribution to Hugo Ripelin is confirmed by a Dominican Chronicle (the Annals of Colmar). It was printed fourteen times before 1500 under the name of Albertus Magnus, the first edition in Nuremberg by Johann Sensenschmidt, c. 1470-72 (Goff A-229). There is a critical edition by Peltier (1866) and a modern study on the book's reception and importance especially in Germany by Steer (see below). It exercised an enormous influence on preaching and on ascetic manuals (see Bloomfield, Morton et al., *Incipits of Latin works on the virtues and vices...*, 1979 for a listing of the numerous manuscripts).

f. 103v, Formulae (?), listed alphabetically;

ff. 104-104v, blank;

ff. 105-108, Notes on the prerogatives of the Pope, as found in the *Summa casuum conscientiae* of Raymundus of Penafortis and the canonist Hostiensis, rubric, *Casus reservati papae*; incipit, “Nota multos casus pertinentes solum ad papam reollectos ex summis Ray[mundis] et Host[iensis]...”;

There were various decretals that reserved for the Pope the sole power of absolution and dispensation in the case of a large number of violations of ecclesiastical law, which drew a large number of penitents to Rome.

ff. 108-112, Treatise on penance, rubric, *De penis*; incipit, “Quia de penis quibusdam...” [treatise found in another manuscript, Napoli, BN, VI. G. 41 (see C. Cenci, *Manoscritti francescani della Biblioteca Nazionale di Napoli*, Florence, 1971)].

ff. 112-113, Alexander de Nevo (?), excerpts from an unidentified work, incipit, "Est casus talis. Quidam invenis iocose contraxit matrimonio..."; explicit, "Laus deo. Dominus Alexander del Nevo juris utriusque doctor, lector in civitate Patavina";

Alexander de Nevo (ca. 1419-1485), *doctor utriusque*, was a reader in the city of Padua. He was originally from Vicenza, and studied and taught in Padua until 1484. He was the author of and editor of canonistic works, including Gratian's *Decretum* in 1474 (see R. Naz, *Dictionnaire de droit canonique*, VI, 1957, 999; Schulte, II, 330-331).

ff. 113-121, Excerpts of letters, privileges, bulls and formulae concerning the Order of the Brothers Minor, including heading f. 120, *Eugenius papa quartus*; incipit, "Dilecte filii salutem et apostolicam benedictionem fide digna relatione percipimus in civitate Licii non parvam..."; explicit, "[...] Datum Romae apud sanctum Petrum sub annulo nostro secreto die octavo julii 1440 pontificatum nostri anno 10... Dillecto filio fratri Iacobo de Primadiciis de Bononia ordinis minorum de observantia regulari" [published in Hüntemann (ed.), *Bullarium Franciscanum*..., no. 476, p. 227: "Committit promulgationem declarationis circa praeceptum annuae confessionis et communionis paschalis"];

f. 121v, Recommendation of a Soul departing, rubric, *Ordo commendationis animae primo fiant letanie breves in hunc mudum* [sic]; "Kyrieleyson...";

f. 122-123, Additional prayers for the Recommendation of the Soul, "Proficiscere, anima christiana, de hoc mundo..."; "Deus misericors, Deus Clemens..."; "Commendo te omnipotenti deo..." etc.;

ff. 123v-125, List of the titles and chapters of the *Corpus iurs canonici* including the Decretals, Liber Sextus, Clementines, rubrics in red, *Rubrice libri primi decretalium; Libri sexti, In clementinis*;

ff. 125v-129v, List of readings from Epistles and Gospels for the entire liturgical year, rubric, *Epistolarum et evangeliorum*;

ff. 129v-130v, Alphabetical table of Psalms, with page references where they are invoked in the manuscript;

ff. 131-131v, Iohannes Müntzinger? Innocent III?, heading underlined, *Extra de penitentiis et remissionibus* [Canon of the Fourth Lateran Council]; incipit, "Omnis utriusque sexus fidelis...".

This manuscript is unusual in its format, presentation, and content. It presents a compilation of moral theology and canon law forming a sort of individualized manual of confessors designed to help a Franciscan friar to prepare himself for his office of confessor, thus providing the reader with precise references to notions of moral theology and canon law. The compilation includes selected excerpts from a very popular manual of confessors or penitential handbook by the Franciscan Battista Trovamala or Baptista de Salis. Likely compiled by a Franciscan friar for his own use, the text of the manuscript was probably directly copied from the near-contemporary editions of the *Summa Baptistiana* (1484) or *Summa Rosella* (1489). There is no trace of a manuscript tradition for Battista Trovamala's works. In addition to the excerpts of Trovamala, comprising the body of the

manuscript, it also contains a plethora of texts, historical privileges and bulls that warrant further study and identification. Its unusual wallet-size pocket format suggests the compilation was made to circulate with the confessors who made use of it.

LITERATURE

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Dietterle, J. "Die *Summae confessorum (sive de casibus conscientiae)* von ihren Anfängen an bis Silvester Prierias," *Zeitschrift für Kirckgeschichte* 27 (1906), pp. 166-70.

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Steer, Georg. *Hugo Ripelin von Strassburg: zur Rezeptions- und Wirkungsgeschichte des Compendium theologiae veritatis im deutschen Spätmittelalter*, Tübingen, M. Niemeyer, 1981.

ONLINE RESOURCES

On Battista Trovamala (or Baptista de Salis)

http://users.bart.nl/~roestb/franciscan/franautb.htm#_Toc427589402

Gallica (BnF). Digitized version of Battista Trovamala, *Rosella casuum*, Venice, 1499

<http://catalogue.bnf.fr/ark:/12148/bpt6k59614h.notice>

Full Latin Text of the *Decretum Gratiani*

http://mdz.bib-bvb.de/digbib/gratian/text/@Generic__BookView;cs=default;ts=default