

NICHOLAS OF OSIMO [NICCOLÒ DA OSIMO, NICOLAUS AUXIMANUS],
Supplementum Summae Pisanellae, with tables listing the contents of the *Supplementum* as well as the *Corpus Iuris Civilis* and *Corpus Iuris Canonici*
In Latin, decorated manuscript on parchment
Northern Italy, after 1444, c. 1445-1475(?)

250 folios on parchment, near contemporary foliation in pale brown ink in Arabic numerals, top outer recto, 1-249, with two successive leaves foliated as 230 (collation, i-xxv⁴⁰), vertical catchwords, inner lower verso, ruled in very faint brown ink with full-length vertical bounding lines (justification 170-171 x 119-120 mm.), written in a fine compressed Gothic Rotunda script showing some humanistic influence in two columns of forty-three to forty-six lines, guide letters visible for some initials, red paraphs, initials in the table highlighted in red, one-line initials A and B in red throughout the text mark the author's own updates to the *Summa de casibus conscientiae* (see below), one- to three-line plain initials alternating in red and blue mark the beginning of each lemma, with part or all of the opening word written in larger script and highlighted in yellow, two-line initials of blue or red mark divisions within the tables, four- to six-line initials of blue or red mark the opening of each alphabetical section of the *Supplementum* beginning with B (with the exception of K, on f. 118v, for which there is room only for a two-line initial) and the opening of the first table (f. 235) and of the *Decretum abbreviatum* (f. 246v), one seven-line blue initial with contrasting red pen decoration extending downward and outward into the margin and touched with gold (f. 1), some marginal additions in the scribe's hand, scattered marginal notation and pointing hands (ff. 19, 203v, 223v) added in different hands, there is staining on ff. 168v-169 but the text remains legible. CONTEMPORARY ITALIAN BINDING of brown leather blind-tooled with three concentric quadruple-fillet rectangular frames, with the innermost frame enclosing a largely vertical arrangement of lozenge-shaped stamps, with the same lozenge-shaped stamps in the next two frames and with the outermost frame enclosing repeated arabesque stamps over bevelled wooden boards on four bands, with traces on the upper board of two clasps, paper label on spine inscribed in dark ink, "Bartolomei / de S. Claudio / Summa Casus / Conscientie," with "Claudio" crossed out in pencil and "Concordio" written over it and with an additional inscription underneath in lighter brown ink, "auctem[?] et / MSS a Venet. Patre Ni/ colao ab Auximo / 1444," inscriptions in a seventeenth-century hand on the inside of the upper board and on the pastedown of the lower board, earlier sale description pasted on the inside of the upper board, a faint cursive inscription (now illegible) on the upper board, slight worming, slight losses to leather have left the top and bottom of the spine and the lower board exposed. Dimensions 238 x 164 mm.

Preserved in its handsome original binding, this elegantly written manuscript contains a manual of canon law that saw great popularity in the second half of the fifteenth century. Nicolas's *Supplementum* was an update of the earlier *Summa de casibus conscientiae* of Bartholomaeus de San Concordi. The new alphabetical organization augmented the *Supplementum*'s use as a practical tool for confessors. An appended passage addressed to future copyists adds to its interest. Copies of this text are relatively rare on the market, and there is no modern critical edition.

PROVENANCE

1. Evidence of script and decoration indicate a northern Italian provenance for this manuscript. Decoration and binding suggest that it may have been copied within decades of the composition of the *Supplementum*. The elegant, gold-touched decoration of the book's opening initial bears some resemblance to the pen decorations within London, British Library, Harley MS 3691, a northern Italian manuscript dated to 1457.

The binding bears some resemblance to Venetian bindings of the second half of the fifteenth century (see in particular de Marinis, 1960, vol. 2: no. 1542, Venice 1482).

2. Owned by Dominico Pierangelo of Montemilone (province of Potenza, Southern Italy) in the seventeenth-century; inscriptions on f. 249v and the inside of the upper and lower board: "Ad Vsum Dominici Pierangeli" (inside of the upper board), "Hic Liber est meus qui uocor Dominicus Pierangelus de Monte Milonis Die 13 Aprilis 1687" (f. 249v), and, following a summary of the manuscript's contents, "Ego Dominicus Pierangelus de Monte Milonis scripsi dio 12 Junij 1687" (inside of lower board). A coat of arms has been sketched and tinted with blue and red underneath the inscription on the lower board. Several inscriptions by Pierangelo at the top of f. 249v have been completely or partially effaced. Another inscription, of Isaiah 40:3 upside down on f. 249v, may also be in Pierangelo's hand.

TEXT

ff. 1-235, Nicholas of Osimo, *Supplementum Summae Pisanellae*, prologue, incipit, "Quoniam summa que magistrucia seu pisanella uulgariter nuncupatur propter eius compendiositatem apud confessores communius inoleuit ..."; f. 1, incipit, "Abbas in suo monasterio conferre potest suis subditis primam tonsuram et duos ordines minores ... [f. 235, "Çelvs ..."] ... Zelus domus tue comedit me. Et hic zelus me fratrem Nicholaum de ausimo ordinis minorum indignum pro aliquali simplicium subsidio ad huius supplementi compilationem quod fauente domino nostro Iesu Christo excepta tabula capitulorum et abreuiaturarum et rubricarum expletum est apud locum nostrum sancte marie de angelis uulgariter sancti angeli nuncupatum 1444 nouembris 28. die sabbati proximi ante aduentum hora quasi sexta. Et omnia qui in eo ac ceteris opusculis per me compilatis compilandisue incaute seu minus bene posita continentur peritorum et presertim et presertim sacrosancte ecclesie submitto correctioni. Honor uirtus et gloria indiuidue trinitati per seculorum secula. AMEN";

ff. 235-238v, Table of the lemmata within the *Supplementum*, incipit, "Abbas 1, Abbatissa 1 ... Ystrio. Require sub histrio in littera .h., Çelvs";

ff. 238v-239, Table of the abbreviations used within the *Supplementum*, incipit, "Ac. Accursius, Al. Albertus ... paragrafo seu paragrafus uel paragrafi seu paragrafis. Sunt et alie abreuiature rubricarum que ut discernantur hic subrogabuntur";

ff. 239-240v, 242r-v, 241r-v, 243-245, Table of rubrics from the *Corpus Iuris Civilis*; *Institutiones*, incipit, "De iustitia et iure, De iure naturali gentium et ciuili ..."; f. 239v, *Digesta*, incipit, "De iustitia et iure, De origine iuris ..."; f. 242v, *Codex*, incipit, "De summa trinitate et fide catholica, De sacrosanctis ecclesijs ... De sententiam passis et restitutis. Sunt et alie multe rubrice in x^o. xij^o et xij^o libro codicis ac etiam in usibus feudorum que hic perrarum allegantur ideo eas ponere non curo"; f. 244, *Novellae Constitutiones*, incipit, "De heredibus et falcidia, De non eligendo secundo nubentes ... De collatoribus et alijs capitulis, De sanctissimis episcopis";

As a result of the misordering of the second and third bifolium in this quire, ff. 241 and 242 are bound out of textual sequence.

ff. 245-246, Table of rubrics from the *Corpus Iuris Canonici*; preface, incipit, "Hic primo sciendum quod decretum non distinguitur per rubricas sed in tres principales partes ..."; f. 245, *Decretales*, incipit, "De summa trinitate et fide catholica, De constitutionibus ..."; f. 245v, *Liber Sextus*, incipit, "De summa trinitate et fide catholica, De constitutionibus ..."; f. 246, *Constitutiones* of

Clement V, incipit, "De summa trinitate, De rescriptis ... De sententia excommunicationis, De verborum significatione";

f. 246r-v, incipit, "Prudentes aduertant huius operis exemplatores ut fidele exemplar studeant ... Aduertant ergo prudentes et lectores et scriptores. *Explicit pisanella siue summa de casibus conscientie que uulgariter magistrutia nuncupatur. edita per fratrem bartholomeum de sancto concordio ordinis predicatorum tempore sanctissimi in christo patris domini Benedicti pape .xij. M^o. ccc^o. xxxviiij. Nec non et cum abdictionibus suppletis per Venerabilem uirum fratrem Nicolaum de Ausimo prouincie Marchie ordinis minorum ac utriusque Iuris doctorem egregium. Ideoque utrorumque uirorum prefatorum opus simul conscriptum ac indiuisse ut hic partem Supplementum congrue nuncupatur.*

A brief note to future copyists (*exemplatores*) of the *Supplementum* urging care, followed by an explicit addressing the textual relationship between the *Summa de casibus conscientiae* of Bartholomaeus de San Concordio and this text.

ff. 246v, 248r-v, 247r-v, *Decretum abbreviatum*, incipit, "Prima pars uocatur distinctiones eo quod distincta est ... Et sic terminatur liber de tribus capitulis de spiritu sancto amen";

As a result of the misordering of the second and third bifolium in this quire, ff. 247 and 248 are bound out of textual sequence.

f. 247v, *Infra ponuntur dicta notabilia libri quinti decretalium in fine*, incipit, "Iohannes crisostomus. Omnis res per quascumque causas nascitur per easdem dissoluitur ... Lucius iij. Indignus est et a romane ecclesie consuetudine alienum ut pro spiritualibus facere quis homagium compellatur";

ff. 247v, 249r-v, *Sequuntur regule iuris libri sexti decretalium*, incipit, "Bonifacius octavus. Beneficium ecclesiasticum non potest licite sine institutione canonica obtineri ... Certum est quod is committit in legem qui legis uerbum complectens contra legis nititur uoluntatem. Deo Laus."

As a result of the misordering of the second and third bifolium in this quire, ff. 247 and 248 are bound out of textual sequence.

Nicholas of Osimo completed his *Supplementum Summae Pisanellae* on 28 November 1444, as indicated at the conclusion of the text, at the Franciscan convent of Santa Maria degli Angeli, near Milan. There is no modern critical edition of the *Supplementum*. There is likewise no comprehensive list of the surviving manuscripts of the *Supplementum*, though Pierre Michaud-Quantin asserts the work's popularity in the fifteenth century in manuscript and print form (see 1962, p. 64). There are three copies of the *Supplementum* in North American repositories and eight copies have been on the market in the last century. The *Supplementum* was printed for the first time in Venice in 1473 (Hain 2151; *Gesamtkatalog der Wiegendrucke* M26246 and M26269) and was printed in numerous subsequent editions within the fifteenth century alone (Hain 2149-50, 2151-72; see twenty-seven listings between M26217 and M26280 in *Gesamtkatalog*). Like the incunabula, this manuscript contains a number of tables following the *Supplementum* including a table of lemmata and abbreviations pertaining specifically to the work as well as lists of rubrics from the *Corpus Iuris Civilis* and *Corpus Iuris Canonici* (see, for example, the digitized Venice, 1476 edition).

Nicholas was born in the 1370s in Osimo, in the Marches, and studied law at the University of Bologna. After taking the degree of doctor of law in 1393, he joined the Observant branch of the Franciscan Order, making his profession at the convent of San Paolo. Celebrated for his

learning, preaching, and writing on theology, the spiritual life, and the Franciscan Rule, Nicholas also held a number of administrative positions within the order of Observants including that of Vicar Provincial of the Marches and adjutant of the Vicar General, Bernardino of Siena. He died in Rome, most likely in 1453. In addition to the *Supplementum*, Nicholas is known as well for his *Quadrigo spirituale* (1442), written in Italian as a kind of popular manual on the fundamental elements of a Christian life.

Nicholas of Osimo's *Supplementum* was not an autonomous work, but was instead -- as the title suggests -- an expansion of, and update to, the earlier *Summa de casibus conscientiae* (also known as the *Summa Magistrutia* or *Pisanella*) of Bartholomaeus de San Concordio (c. 1260-1347). Completed in 1338, this popular manual of moral guidance and canon law adapted the earlier *Summa confessorum* of John of Freiburg (d. 1314) and arranged its contents in alphabetical order to make John of Freiburg's text more accessible, creating a popular and practical confessional manual. In the *Supplementum*, Nicholas maintains the alphabetical organization of Bartholomaeus's work and also includes an alphabetical table of the work's lemmata from *Abbas* to *Zelus* (also found in Bartholomaeus's work) to make his *Supplementum* easily searchable. Working a century later than Bartholomaeus, Nicholas updated the *Summa de casibus* (*Pisanella*) to reflect subsequent developments in canon law. In his *Supplementum* he carefully signals these updates and, as well as other expansions (see below) with the letter A indicating where each insertion begins and the letter B indicating where it concludes and Bartholomaeus's text resumes. These letters are rubricated in this volume and quite visible on the page.

Writing of his reasons for updating the *Summa* (*Pisanella*) in the preface of the *Supplementum*, Nicholas expresses concern that some of Bartholomaeus's conclusions lack adequate foundation. Many of the expansions he makes in the *Supplementum* appear to uphold his intent to remedy this perceived shortcoming, as they largely buttress the conclusions set down in Bartholomaeus's *Summa* (*Pisanella*) with additions from sources that Bartholomaeus had neglected to include for the sake of conciseness. Observing the decline in the *Summa* (*Pisanella*)'s popularity in the later fifteenth century and the surge in that of the *Supplementum*, Michaud-Quantin suggests that the brevity of the *Summa* (*Pisanella*) had less appeal for fifteenth-century readers and that Nicholas's *Supplementum* constituted, in part, a response to a growing desire for a manual more comprehensive in its incorporation of sources (see 1962, pp. 63-64). The tables included at the end of this volume -- and, as noted above, in at least some of the incunabula -- uphold and extend the volume's comprehensive character.

LITERATURE

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