

[Notarial Register] Three transactions related to a property settlement recorded by the notary, Bandino De Brazzi

In Latin, manuscript on parchment

Italy (Padua), dated 1395 (March 3 to April 3)

14 folios on parchment, modern foliation in pencil in top right recto corner, complete (collation i² [bifolium used as flyleaves, foliated as 1 and 14] ii⁸ iii⁴), frame ruled in blind (justification 232 x 180 mm.), written in Gothic cursive script (cancelleresca) in brown ink on 27 long lines, 5-line notarial marks on ff. 4v, 5v, 12v, and 13v, some staining and a tear on the bottom of the manuscript, ink sometimes faded on hair side of parchment, crease on f. 3, a hole on the bottom of the back cover intruding into ff. 13 and 14, otherwise good condition. ORIGINAL PARCHMENT BINDING, limp vellum binding with leather ties, some wormholes, staining on the bottom, good condition. Dimensions 350 x 250 mm.

Beautifully written with clean wide margins and in its original binding, this legal brief contains a property settlement between two Paduan nobles in 1395, written in the expert hand of Bandino de Brazzi, the premier notary of the Carrarese chancery. The manuscript is a valuable witness to the legal procedures of the Paduan court and a unique source for the local history of Padua near the violent end of Carrara domination. Because the archives in Padua were nearly destroyed by a fire in 1420, this document emerges as an important and rare survival from an otherwise small archive.

PROVENANCE

1. Evidence within the text date and place the manuscript to 1395 in Padua when it was compiled by the notary, Bandino de Brazzi; his notarial subscriptions on ff. 12v and 13v (transcribed below; with shorter versions ff. 9 and 11v).
2. Maggs Bros., London (twentieth century); sold to Marvin Colker.
3. Belonged to Marvin Colker (1927-2020), Professor of Classics at the University of Virginia and renowned paleographer, who catalogued the manuscripts at Trinity College Library, Dublin, and who assembled an impressive collection of medieval material.

TEXT

f. 1, incipit, [description by previous owner, perhaps Colker], "Notarial Document / Padua 1395 / Written by Bandino de Brazzi's notary of Padua and with his subscription and signum"; [f. 1v blank];

ff. 2-11v, [First Transaction], incipit, "[I]n Christi nomine amen. Anno eiusdem natiuitate millesimo trecentesimo nonagesimo quinto, indictione tercia, die mercurii, tercio mensis Marcii ante tertiam. Padue in Cancellaria Magnifici Domini Instrumenti(?), Presentibus providis viris... et libra una candelarum cere, et libra una piperis integri, aut plus uel minus, prout in instrumento livelli expressius continetur";

f. 11v, [Subscriptions from the *vicarius* and Bandino de Brazzi], incipit, "Subscriptum dictum Breve, per dictum domini vicarium hoc instrumento, videlicet, Ego vicarius domini me subscripsi predictis millo. indict. et die"; incipit, "Ego Bandinus de Brazzis prefati magistri domini Padue scribe subscripsi";

f. 12rv, [Second Transaction], incipit, "In Christi nomine amen. Anno eiusdem nativitatís millesimo trecentesimo nonagesimo quinto indictione tertia, die sabati tercio mensis Aprilis, hora none. In campanca Padue...et una candelarum cere et libra una piperis integri, aut plus uel minus, prout in instrumento livelli expressius continetur."

f. 12v, [Notarial signature of Bandino de Brazzis], incipit, "Ego Bandinus filius quondam Angeli nomine de Bandino de Brazzis, civis et habitator civitatis Padue..."

f. 13rv, [Third Transaction], incipit, "In Christi nomine amen. Anno eiusdem nativitatís millesimo trecentesimo nonagesimo quinto, indictione tertia, die sabati tercio mensis Aprilis, post nonam et ante vespas. Padue in cancellaria...et libra una candelarum cere, et libra una piperis integri, aut plus uel minus prout in instrumento livelli expressius continetur";

f. 13v, [Notarial signature of Bandino de Brazzis], incipit, "Ego Bandinus filius quondam Angeli nomine de Bandino de Brazzis, civis et habitator civitatis Padue..."; [f. 14rv blank]

This manuscript records a land dispute and its resolution between two landowners in Padua in a series of three transactions. Bandino de Brazzi, "the major chancery notary for the final third of the fourteenth century" for the Carrara, acted as the notary for the dispute and recorded the names of the witnesses present, wrote abstracts of documents entered as evidence, and himself signed as an authoritative witness to the proceedings (Kohl, 1998, p. 150). The primary agents in the dispute seem to be Naymerius, a resident of Padua, his wife Aylisie, and their two sons Ludovicus and Richardus against Johannes Folle de Tauris. Both sides enter evidence, which Bandino records, while the decision of the case is reserved for the *vicarius* of Frederico Novello, named Benedictus de Seniis, who presides over the proceedings. The final two documents on ff. 12 and 13, were composed a month after (April 3, 1395) the first (March 3, 1395) and contain refinements to the initial agreement.

Other notaries in addition to Bandino de Brazzi authorize the legal proceedings in this manuscript. Notarial signatures and their accompanying *signa* can be found on f. 4v, "Ego Petrus filius quondam Ser Borgesii civis et habitator Padue..."; f. 5v, "Ego Richardus filius quondam Domini Johannis de Linguaciis, qui habito in Padue...". These notaries probably accompanied the litigants to authorize and guarantee the documents produced. Bandino himself provides subscriptions with his *signum* on ff. 12v and 13v, "Ego Bandinus filius quondam Angeli nomine Bandino de Brazzis, civis et habitator civitatis Padue...".

Bandino de Brazzi was one of the foremost notaries in the state of Padua under the Carrara, Francesco il Vecchio and Francesco Novello. The fullest collection of his notarial activity can be found in Padua, Archivio Notarile, nos. 33-38. The first documentary evidence we have of Bandino's activity comes from March 2, 1364. In 1380, Bandino was called upon to report on the peace negotiations between Padua and Venice in the War of Chioggia. A year later, on

August 20, 1381, Bandino drew up a formal peace treaty between Francesco il Vecchio and Venetian Ambassadors. Bandino was loyal to the Carrara regime throughout his life, despite his property being plundered by Carrara forces under Francesco Novello upon the recapture of Padua in 1390. In 1395, Bandino became the official chancellor of the Signoria and conducted business and politics on behalf of Francesco Novello. Francesco Novello also commissioned Bandino to contract some scholars to teach civil and canon law at the University of Padua (Simioni, 1968, p. 598). The last documentary evidence we have of Bandino is dated to April 4, 1399, after which he disappears from the historical record (Ghirardini, "Brazzi," Online Resources).

Thus, this manuscript comes from the period of the height of Bandino's influence and power in the court of Francesco Novello. It gives a minute account of legal practice during the month of litigation in 1395. At the time Padua had a highly advanced and indexed system of record keeping so that statutes and public records could be accessed easily and quickly, as evidenced by the frequent quotation of other public documents in this manuscript (Bonfiglio-Dosio, 2006, p. 95). The Paduan archives were nearly destroyed by a fire in 1420, which makes this manuscript a rare survival from an otherwise small archive. Besides its privileged glimpse into the Paduan legal praxis, this manuscript is also a valuable witness to the hand of Bandino de Brazzi and other notaries.

LITERATURE

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"Notarial Documents" by Dianne Tillotson
<https://medievalwritings.atillo.com.au/word/notary.htm>

"Authentication of legal and administrative documents" from University of Nottingham, Manuscripts and Special Collections
<https://www.nottingham.ac.uk/manuscriptsandspecialcollections/researchguidance/medievaldocuments/authentication.aspx>

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