

## MS. 54

### Collection relating to canon law, in Latin and English England; s. xv ex. (after 1481)

#### Text

This description of contents draws heavily on Logan, 1995.

[Items 1–10 occupy quires 1–48]

1. (fols. 8r–11v) Register of the archdeaconry of Colchester: ‘*Hic incipit Registrum de Iuribus Redditibus et pertinentijs ad Archidiaconatum spectantibus*. Infrascripte sunt Iura Iurisdictiones Redditus & pertinentiae Archidiaconatus Colcestrie ...’ [\[Image\]](#); ‘*Decanatus de lexden*’ ... *Decanatus de Newport* ... *de Sampford* [\[Image\]](#) ... *de Tenderyng* ... *Colcestr*’ ... *de Wytham*’.
2. (fols. 11v–31v) Formulary concerning various sorts of ecclesiastical elections, including references to that of the Bishop of London in 1339 (fol. 15r–16r), and the Abbot of Westminster in 1344 (fol. 17r): ‘*Forma electionis Defuncto episcopo & eius corpore tradito sepulture* ...’; ‘*Forma eleccionis Episcopi* [‘London’ added below] Uenerabili in xpo & domino Reuerendo domino Io. dei gratia Cant. Archiepiscopo ...’ [\[Image\]](#); etc.
3. (fols. 32r–35v) Treatise on procedure in the court of Canterbury (i.e. the Court of the Arches): ‘*Iste est modus prosequendi causas in Curia Cantuariensis vtrum causa sit per viam appellacionis directus ibidem introducendus aut per viam querele. Primo pars appellans & actrix* ...’ (cf. Donahue, 1994, p. 87); ‘*Deuolucio per viam querele sequitur. Sed si in primo termino pars appellans* ...’.
4. (fols. 35v–73r) Formulary, with material relating to the court of the archdeacon of Ely, e.g.: ‘*Reverendo in christo patri et domino Willelmo dei gratia Eliensis episcopo Thomas permissione divina episcopus London. ...*’ dated Lambeth, 12 March 1463 (fols. 36v–41r); and including a Bull of Pope Gregory [XII?], ‘*Bulla transmissa pro denariis sancti petri colligendis* ... Qualiter denarij beati petri qui debentur camere nostre, colligantur in Anglia ... Sicut in registro sedis apostolice continentur: De Cantuariensis diocesis: vij li. xvij s. ...’, listing fourteen dioceses, dated (fols. 41v–42r), with amounts for each of fifteen dioceses totalling £199 16s 8d; a copy of a letter in English, witnessed and sealed by the abbot John Pomeray of Our Lady of the Meadows, Leicester, dated 7 March 1456, by which Moses Gerveys, late of London, allows Arnold Doxy to go free from Newgate debtors’ prison (fol. 68v) [\[Image\]](#); another in English, in which ‘Humfray B.’ requests alms for Isabelle Forster, who has been rendered destitute by a fire, dated Tattershall, 20 December 1469 (fol. 69v) [\[Image\]](#); a Bull of Pope Paul II, dated Rome, 1 April 1467 (fols. 69v–71r); and a letter: ‘*Epistola Salapis machumeti Regis turchorum pape magno sacerdoti christianorum Salapis Machumetus deo gratias et Machumeto rex turchorum Imperator omnium christianorum ... Greciam et dalmatiam visitare. Datus Machumeti in introitu mensis Celani*’ (fol. 71r–v). [\[Image\]](#)

5. (fols. 73v–80r) Treatise and formulary on charters by Simon Oxenford (*fl.* 1400), probably the Oxford teacher who also wrote a treatise on *Dictamen* (on whom see Sharpe, *Handlist*, no. 1643: ‘Simon O.’): ‘Primo intellige quid sit Carta. Carta est feodus Constancie [[Image](#)] ... *Expliciunt carte secundum Simonem Exenford.*’ (sic); within the treatise are numerous sample charters, many of which begin ‘Sciant presentes et futuri quod ego Simon O. ...’, one continues ‘... & Alicia uxor mea ...’ (fol. 75v), others mention ‘... Iuliane filie mee ...’ (fol. 79r–v), ‘... Isabelle filie mee ...’ (fols. 79v–80r), and ‘... Agneti sorori dicte I. ...’ (fol. 80r); several mention Oxford (‘... situatum in Oxon’ ...’, ‘... in parochia sancte Marie Oxon’ ...’ (fol. 80r), etc.); three copies of a closely related work by the same author are in BL, Harley MS. 4971, Add. MS. 25238, and Add. MS. 62132. In the last of these the text has a ten-line introduction: ‘[N]on nulli siquidem et quam plures cartarum et scriptorum nescii presumptores ... Idcirco Ego Symon Oxenford ... in huius opuscula primordio astulta quid est carta.’ before continuing as in the present MS.
6. (fols. 80r–93v) Miscellaneous forms, including obligations, proxies, quittances.
7. (fols. 93v–114v) Addresses and sermons of the canon law faculty of Cambridge, and other material of *ars dictaminis* (twenty-one items are listed and described in detail by Logan, 1995); between his nos. 20 and 21 is an encomium: ‘O facultas canonica ...’ (fol. 112r) (also printed by him: F. Donald Logan, ‘The Cambridge canon law faculty: a late medieval encomium’, *Bulletin of medieval canon law*, new series, 15 (1985), pp. 117–18).
8. (fols. 114v–293v) Formulary pertaining to the ecclesiastical courts, with much material relating to the commissary court of the bishop of London, including one dated 1480.
9. (fols. 294r–300r) Alphabetical index to English synods, from ‘Abbas’, ‘Acta’, ‘Altare’, etc., to ‘Vigilie’: ‘*Abbas* Abbates et priores debent singulis annis mutare suos capellanos Oxon. ...’; in two columns. [[Image](#)]
10. (fols. 300v–386v) Formulary pertaining to the ecclesiastical courts, particularly the audience court of Thomas Bourghier, archbishop of Canterbury (1454–86), ending imperfect (on which see F. Donald Logan, ‘Archbishop Thomas Bourghier revisited’, in Caroline M. Barron and Christopher Harper-Bill, eds., *The Church in pre-Reformation society: essays in honour of F. R. H. du Boulay* (Woodbridge, 1985), pp. 170–88); including (fols. 341v–342v) the Constitution of the Canterbury province establishing the feasts of the Visitation of the Blessed Virgin, St. Osmund, St. Frideswide, and St. Etheldreda, dated 13 July 1481 (fol. 341r–v), and the Mandate from Archbishop Bourghier to the clergy of the Canterbury province concerning the English books of Reginald Pecock, bishop of Chichester, and books of the Bible translated from Latin into English, undated but *c.* March 1458 (both printed from this manuscript by Logan, *op. cit.*, pp. 185–8; cf. Donahue, 1997, pp. 88–9, and Wendy Scase, ‘Reginald Pecock’, in *English writers of the Late Middle Ages*, nos. 7–11, *Authors of the Middle Ages*, 3 (Aldershot, 1996), pp. 69–146, at p. 143).

[Item 11 occupies quires 49–51]

11. (fols. 387r–410v) Statutes, customs, and other material relating to the Court of the Arches (fols. 388r–392v and 393v–404r are noticed by Donahue, 1997, p. 86), including:
- (i) (fols. 387r–392v) ‘Robertus [of Winchelsea] permissione divina Cantuariensis Archiepiscopus ... Ad viam nostri regiminis ...’ (printed by David Wilkins, *Concilia Magnae Britanniae et Hiberniae* ... (4 vols, London, 1737), II, pp. 204–12);
  - (ii) (fols. 392v–393r) ‘*Consuetudines non scripte in arcubus london*. In primis, si pars appellans habeat litteram certificarioriam suggestionis ... & deinde procedetur ordinata distancia inter partes.’ (cf. Leonard Boyle, ‘The ‘Summa summarum’ and some other English works of canon law’, in Stephan Kuttner and J. Joseph Ryan, eds., *Proceedings of the second international congress on medieval canon law, Boston College, 12–16 August 1963*, Monumenta Iuris Canonici, Series C: Subsidia, I (Vatican City, 1965), pp. 415–56, at p. 424 n. 35, mistakenly referring to this as MS. 53);
  - (iii) (fols. 393v–403v) Constitutions of John Stratford, archbishop of Canterbury, at the court of Canterbury, Lambeth 1342: ‘Iohannes ... Cum ad curie nostre ... Anno dni millesimo CCC<sup>mo</sup> nonogesimo secundo [the scribe perhaps misread ‘xlii’ in his exemplar as ‘xcii’]’ (Wilkins, *op. cit.*, II, pp. 681–95);
  - (iv) (fols. 406v–408r) ‘*Constitutiones siue statuta edita per venerabilem patrem dominum Simonem* [de Mepham, archbishop of Canterbury, written at London in 1329] ... Zelari oportet pro domino deo suo ecclesiarum prelatos ... ipsius arbitrio moderandum’ (*ibid.*, II, pp. 552–4); ‘*Expliciunt constitutiones London’ edite*’
  - (v) (fols. 409r–410v) Articles for the clergy of Edward II, dated York, 24 November 10 Edw. II: ‘Edwardus dei gracia rex Anglie ... Sciatis quod cum dudum temporibus progenitorum nostrorum quondam Regum Anglie in diuersis parliamentis suis ...’ (printed in *Statutes of the realm*, I (London, 1810), pp. 171–4). [\[Image\]](#)

[Items 12–13 occupy quires 52–53]

12. (fols. 411r–426r) Summary of Boniface VIII’s *Liber sextus* (1298) as far as Bk. 5, tit. 11, c. 24 (‘Alma mater’): ‘*Bonifacius*. In hoc prohemio dominus bonifacius doctores et scolares morantes in bononia salutatur et benedicit. Secundo exordiando ...’, ending mid-sentence at ‘Ita tamen’ with the remaining twelve lines of the column left blank.
13. (fol. 426v) Two charters of Adam [de Campes], abbot of St. John’s, Colchester [c.1195–1238], to Roger, bishop of London, and G[eoffrey], deacon; and one of R[oger], bishop of London; the first and third dated 1237; granting the Essex and Hertfordshire churches of Takeley, Brightlingsea, Boxted, Ardleigh, etc., to St. Paul’s, London [\[Image\]](#); followed by a note: ‘Omnia hec & multa alia concernentia ecclesiam de Ardeleye predictam in archiuo diui Pauli london’ sub sigillis. in scrinio U v<sup>to</sup> reperiri & videri poterunt’ [\[Image\]](#); ‘U. v<sup>to</sup> +’ is written again at the top and bottom of the page.

[Items 14–17 occupy quires 54–55]

14. (fols. 427r–440r) Alphabetical index of fols. 35–387, with folio references: from ‘Absolutio’ to ‘Transumptum’.
15. (fol. 441v) Charter of John, bishop of Lincoln, to the church of Haydor, dated xv. kal. Jan. 1319.

16. (fol. 442r–v) Two charters: of Geoffrey, deacon of St. Paul’s, dated 1237 (cf. fol. 426v); and of John, bishop of London, to Thomas [Barton] abbot of St. John’s, Colchester [1523–33], 1531, concerning the church of Ardleigh; the top and bottom of the page is marked ‘Uv<sup>10</sup> +’ (as on fol. 426v).
17. (fol. 443r) Judgment in Latin and English, dated 13 August 1540, against Julian Nerinus of Florence, merchant, that he should pay Petrus Ceretanus £815.9s.1d.

### Physical description

Parchment, of above average quality; c.310 x c.235 mm.

ff. 331 + viii (paper), foliated in 17th(?)–century ink, in the top fore-edge corner of fols. [8]–386, and in 18th(?)–century ink in the bottom fore-edge corner of fols. 384–443, with a few clarifications in modern pencil (e.g. adding ‘a’s and ‘b’s): 8–51, 52a, 53a, 52b, 53b, 54–82, 83a–b, 84–125, 126a–b, 127–142, 143a–b, 144–164, 166–272, 274–311, 312a–b, 313–440, 442–443 (i.e. 1–7, 165, 273, and 441 are omitted; 52–53, 83, 126, 143, and 312 are repeated).

Quires almost all of 8 leaves each: 1–47<sup>8</sup> (fols. 8–379), 48<sup>8-1</sup> (8th leaf cancelled) (fols. 380–386); 49–51<sup>8</sup> (fols. 387–410); 52–53<sup>8</sup> (fols. 411–426); 54<sup>8</sup> (fols. 427–434), 55<sup>8-1+1?</sup> (1st leaf missing, 8th leaf inserted) (fols. 435–443); catchwords survive throughout except at the end of textual units (i.e. not in quires 48, 51, 55) and quire 54.

Frame-ruled in leadpoint, sometimes leaving a brown ‘crayon’ trace; the ruled space typically c.215–25 x c.150–60 mm.; fols. 411r–426r in two columns, prickings survive in some sections.

Written with typically c.40 lines per page in secretary script of varying quality, perhaps by several scribes; enlarged calligraphic initials at the start of many sections. [\[Image\]](#)  
[\[Image\]](#)

Secundo folio: ‘de aydd(?)’.

### Binding

Sewn on six thongs and bound in early 18th-century speckled brown leather over pasteboards, each cover with a blind-tooled panel; flyleaves with the watermark ‘Bregeyre’(?) in capitals; a hole through fols. 427–443 was perhaps caused by the pin of a previous strap-and-pin binding; and holes in the fore-edge of fols. 8–13, towards the top, were presumably caused by a chain staple; the top of the spine with a paper label printed ‘3’.

### Provenance

1. Written in England after 1481; a form on fols. 356v–357r is datable to 1482 x 1489: the document mentions ‘Frater noster T dei gratia L. episcopus.’, presumably referring to Thomas Kempe (bishop of London 1448–89), and ‘I G Archidiaconus London’, presumably referring to John de Gigliis (archdeacon 1482–90), on both of whom see Joyce M. Horn, *John le Neve: Fasti ecclesiae Anglicanae 1300–1541*, V: *St. Paul’s, London* (London, 1963), pp. 3 and 9; cf. Logan, 1995, p. 152 n. 3); probably made by and/or for someone with links to London, Cambridge, and Colchester; Logan (1995, p. 153) observes that a Thomas Barlowe is referred to,

c.1465 (fol. 64r–v), and that a Cambridge canon law graduate named Thomas Barowe became archdeacon of Colchester from 1483 until his death in 1499. Ker & Watson, *MLGB*, p. 53, reject a Colchester institutional provenance. A section is cut out of fol. 420, chirograph-style. [\[Image\]](#)

2. Belles(?), 15/16th century: inscribed ‘maister docter | Belles sum’ (fol. 443v). [\[Image\]](#) The same page inscribed with a two-line quotation from the *Regimen sanitatis Salernitanum*: ‘Si bona vina cupis hec quinque probantur in illis fortia, formosa, ffragantia, frigida, frigida, frigida’. [\[Image\]](#)
3. Inscribed ‘Thomas Rodin’, 16th century (fol. 415v). [\[Image\]](#)
4. Probably at St. Paul’s, London, to judge by the additions on fols. 426v and 442r–v (items 13 and 16 above).
5. Sir Robert Cotton (1571–1631) (on whom see *DNB*, etc.): signed by him ‘Ro: Cotton Bruceus’ (fol. 8r) [\[Image\]](#); apparently loaned by him to John Lambe and Henry Hickman probably between 1615 and 1621, perhaps the manner in which it left his collection (see Colin G. C. Tite, ‘“Lost or stolen or strayed”: a survey of manuscripts formerly in the Cotton library’, *British Library Journal*, 18 no.2 (1992), pp. 107–47, at pp. 123–4; reprinted in C. J. Wright, ed., *Sir Robert Cotton as collector: essays on an early Stuart courtier and his legacy* (London, 1997), pp. 262–306, at pp. 278–9).
6. Two added 17th-century entries relate to Lincoln (fols. 427r, 430v; i.e. added to item 14 above).
7. Queen’s College, presumably acquired in the later 18th or early 19th century; not included in Langbaine’s mid 17th-century catalogue; inscribed ‘A Collection of Ecclesiastical Precedents writt A. 1344 | pretium 100<sup>l</sup>’ (front pastedown [\[Image\]](#)); the price repeated below this, and again on fol. 444r [\[Image\]](#)); the manuscript is described under ‘P’ as ‘*Precedents*, a Collection of Ecclesiastical, upon vellum’ in the handlist in MS. 557, not in the original hand; inscribed with College shelfmarks: the front pastedown inscribed ‘E. 3.’ (crossed through; cf. spine label), and in pencil ‘54’.

## Bibliography

Coxe, *Catalogus*, pp. 8–9.

Charles Donahue, ed., *The records of the medieval ecclesiastical courts: reports of the Working Group on Church Court records* (2 vols., Berlin, 1989–94), II, pp. 86–9.

F. Donald Logan, ‘The Cambridge canon law faculty: sermons and addresses’, in M. J. Franklin and Christopher Harper-Bill, eds., *Medieval ecclesiastical studies in honour of Dorothy M. Owen*, *Studies in the history of medieval religion*, 7 (Woodbridge, 1995), pp. 151–64.

Status: Draft