

(At top of manuscript) Read aloud in the hearing of the correctors, B. de Segnis listening. Corrected Paul, Bishop, Servant of the Servants of God, greeting and apostolic blessing to our beloved son, the vicar general for religion of our venerable brother the bishop of Lodi.

Out of the duty of apostolic service laid on us from above we aim freely at procuring advantages and benefits especially for monasteries and places of those under other rules, and pursue them with suitable favors.

The letter “Not Long Ago” of Paul II, our predecessor of happy memory, spoke in the following tenor: “Paul, Bishop, Servant of the Servants of God, for the eternal remembrance of the matter.

“Since in all judgements righteousness of justice and purity of conscience should be observed, even more should this be observed in the grants of alienation of ecclesiastical property, which concerns the patrimony of Christ and the stewardship of the poor, matters must not be done and managed for any individual’s own profit. Wherefore it is fitting that in the examination of cases of this sort of alienation which are formally delegated by the Apostolic See, if they yield clear benefit to the burdened consciences of the judges of the church, no favor is to usurp, no fear is to extort, no expectation of reward is to subvert justice and conscience.

“Therefore we warn under the endlessness of divine judgement, and we strictly command all commissioners and delegates of this kind that they cautiously and diligently pay attention to cases laid out in petitions in apostolic letters and examine them carefully, cross-examine witnesses, and take evidence of the truthfulness of those giving testimony, and having God alone before their eyes, having put aside every fear or favor, let them be mindful of the liberties of the Churches, and not in any way whatsoever issue a decree to the their harm or loss.

“If however any commissioner or delegate wasteful of his conscience agrees to an alienation to the burden or loss of the church through favor or fear or baseness, or interposes a decree or authority, if he is lesser than a bishop he will incur the sentence of excommunication, or if he is a bishop or a superior, he shall know himself to be suspended from the performance of his office for a year to demonstrate the nature of the harm inflicted upon the church. If, although he knows he is condemned, he is to know that if while enduring a suspension of this kind, he damnably celebrates the sacraments, he thereby involves himself in a snare of corruption from which he can be freed only by the Supreme Pontiff.

“The man indeed who knowingly by deceit or fraud manages to make an alienation occur to the harm of the church or who basely extorts a sealed decree of alienation likewise incurs a sentence of excommunication from which he can not be absolved except by the Roman pontiff, on the restitution of the alienated property along with its produce from whenever he was condemned.

“We wish moreover that the aforementioned commissioners and delegates be specifically warned of the penalties of our constitution and that this statute of ours be included in any letters or commissions of this sort whatsoever. Let it be permitted therefore to no one of all mankind to infringe by instruction or will on this page of our warning or to go against it with rash daring. If anyone however presumes to attempt this, he will know that he will incur the anger of almighty God and his blessed apostles Peter and Paul.

“Issued at Rome at St. Peter’s in the year of the Incarnation of the Lord on the 11th day of May 1465, the first year of our Pontificate.”

Now recently there has been brought to our attention a petition on behalf of our beloved sons the abbot and monks of the monastery of Saint Benedict or some other Order, called Saint Peter of Lo, at Ospedaletto Lodigiano, which goes as following: that the abbot and community prudently considering the said monastery of theirs regarded a certain site or farm with some half-ruined buildings in a place called della Fraggia as belonging to that same monastery of theirs, and that our dear son Paris and his brothers de Negris, laymen of those parts, saw themselves as owning in common and by the whole a site or farm partly touching the lands of that same monastery, worth at least seven hundred lire in money of those parts, a sum consisting of a hundred gold cameral ducats, or thereabouts as far as can be easily determined. That same monastery is obliged to an annual and perpetual lease payment of the sum of thirty lire to our dear son Lauro Sereno, also a layman of those parts, from Cremona, for forty-five perches of land in the aforesaid place della Fraglia adjacent to his defined boundaries, worth in ownership the sum of three thousand seven hundred twenty-five lire or four hundred fifty ducats. The aforesaid monastery succeeded to the possession and lease of this property as a bequest of the late woman Catherine de Calco to the person of our dear son the priest Galentius, son of Catherine, a professed monk of the said monastery. It is expedient, however, that it is not profitable for said monastery to have goods of this sort, and that they be freed from the said lease as soon as possible.

Paris and his aforesaid brothers have shown themselves willing to take over the said forty five perches of this particular land into their possession along with the said lease if the abbot and said community are willing to hand over in perpetuity the specified part of the site or farm belonging to the monastery. They, having suggested additional reasons of salability, wishing to improve their and the said monastery's condition, have decreed that they wish to hand over in perpetuity the aforesaid part of the site or farm by dividing off to Paris and his aforesaid brothers direct ownership, free from any fault of title, the forty-five perches of land and the obligations of the lease which is owed for the said perches to the said Lauro, his heirs or successors, if license and power for this is granted to them with our permission and that of the Apostolic See. Wherefore, on the part of the aforesaid abbot and community who maintain that the aforesaid permission and division, if they happen, are going to produce the obvious utility to said monastery, it is humbly begged of us that we deign to grant this particular permission out of apostolic kindness.

We, however, having no certain knowledge of the aforementioned, and absolving said abbot and individual members of the community from any and all ecclesiastical sentences of excommunication, suspension and interdict, any censures or punishments imposed by law or by any person for any reason or cause in which they be in any way involved, for pursuing these present things alone, holding them absolved. Moved by these requests, we commend to your discretion by apostolic writing that you inform yourself on the matters at hand, to the extent from what you hear from those who shall have been summoned and from the things first specified before you about all the circumstances of the site or farm as well as of the forty-five perches of land in question, and if, from this information, you find that the relief and division of this kind is going to produce the evident benefit of this same monastery, you may grant them and impart on our authority the judgment and right to proceed, to the same abbot and community in the permitted manner and form, provided that all things leading to this are properly connected and the burden of the aforesaid lease had been legitimately imposed for a legitimate reason, regardless of any apostolic constitutions or regulations whatsoever.

Given in Rome at Saint Mary Major, in the year of the divine incarnation one thousand six hundred eighteenth, on the kalends of April, in the fourteenth year of our pontificate.

I de Ursinis

Translated by Peter G. Ahr, PhD

Translator's Note: The document, contrary to our expectations, is not signed. Instead, its authenticity is guaranteed, not by a papal signature, but by the affixing of the papal seal to the lead *bull*a that seals the document, and which is still attached to it. In some ways, this is the most interesting part of the document, since it is the original authentication of this papal decision. We speak of this document as a “bull” because it is sealed with this *bull*a.

The matter at hand concerns the alienation of Church property, by sale or gift. The holding on to ecclesiastical property was a matter of great importance to the medieval Church, since it was the economic foundation of the Church's activity. (It's still a big deal today; canons 1290-1298 of the current Code of Canon Law deal with this matter.) The general principle is that a property (building, farm, or other landholding) once given to the Church is in effect given to God, and no one can legitimately give it to anyone else. Of course, medieval history is replete with the cat-and-mouse games between the church officials and others interested in getting their hands on church property. Keep in mind also that bishops, monasteries and other Church institutions were also feudal lords, with all the financial implications of that position. Bishops would have had several vicars, one to supervise the religious activities of the diocese (that's the vicar general here addressed), and another to manage the feudal properties....a business manager, as we would say. This is all social-economic background to the issue covered in this document. It seems to be a relatively minor matter of trading a small and distant field belonging to a monastery; but note that the pope's permission is still required for such a transfer. It's minor enough that the case can be delegated to the vicar general of the diocese; and he is here authorized to give papal permission if he deems it right.

Note also that the document refers to the “abbey of St. Peter of Lo”; it was actually the abbey of Saint Peter of Ospidaletto, the residence of the general of the Hermits of Saint Jerome of Lombardy.

A “*pertica*” in the Latin text (translated here as “perch”) is roughly equivalent to the English “rod” as a measure of length. As a measure of surface, the 45 perches in question = 7.25 acres approximately.

The sums of money in the text are approximately these: 1 ducat = 6 lire (pounds) = 120 soldi (equivalent to the English shillings). The Venetian ducat, and the Florentine florin, contained some 3.5 grams of pure gold in a coin about .8 inch in diameter. Since the relative values of currencies varied by locality (note the reference to “money of those parts”), transactions in other currencies were converted to the accounting device of the “*cameral ducat*” for comparison to each other, since the ducat was a generally accepted standard of value.