

367. Oxford, Bodleian Library, Bodley 865 (SC 2737)
Richard FitzRalph, Writings; “Colloquium hespericum”;
Theodulf of Orleans, “Capitula”
[Ker 318, Gneuss/Lapidge 608, 608.1]

HISTORY: The present composite manuscript comprises three manuscripts of the 11c through the 15c (Sauer 1978: 38). Hans Sauer (1978: 38–45) dates Part 3, a bilingual version of the *Capitula* of Theodulf of Orleans (d. 821), to the first half of the 11c and suggests a provenance at an unidentified center in the southwest (see also Scragg 2012: items 873–75). Stokes, noting the manuscript’s later provenance in Exeter, suggests a possible connection of Part 3 to Crediton (2014: 142). Ker, who dates Part 2 to the first half of the 11c, speculates that Part 3, ff. 89–112, “may be the ‘Regula clericorum que sit incipit Obsecro uos’ in the Exeter catalogue of 1327” (*Cat.* 381). Part 3 was bound in the 15c with Part 1, a 15c collection of writings by Richard FitzRalph (d. 1360), archbishop of Armagh (1347–1360), which once belonged to Richard Brounst, a 15c vicar choral at Exeter (*Cat.* 380–1). For a list of FitzRalph’s writings see Greaney 1905: 242–43; see also Dunne 2013. Exeter was “a diocese with which FitzRalph had had strong personal links” (Walsh 1975: 226). Richard Brounst gave what is now Part 1 of the manuscript to Exeter Cathedral “exactly as [SC] no. 2015” (*Summary Catalogue* 2.1: 522 [= Bodley 162]). The notice for Bodley 162 identifies Brounst as vicar choral at Exeter in 1417 (*Summary Catalogue* 2.1: 164). The late 15c notice of the donation at the bottom of f. 1r matches that printed in the *Summary Catalogue* entry for Bodley 162. The present manuscript was presented to the Bodleian Library by the dean and chapter of Exeter Cathedral in 1602.

CODICOLOGICAL DESCRIPTION: Foliated i, ii, 1–112, 113–15 (113–15 are numbered parchment flyleaves). The bound volume measures 190 × 270 mm., and the parchment measures 180 × 265 mm. The late medieval binding is tawed leather over 15c wood boards. The leather is badly worn and somewhat later than the boards. Flyleaf ‘ii’ bears on its recto an old

shelf mark: 'MS sup(er) M. 4 Art. n 134.' On its verso, there is a contents list in a post-medieval hand. The sheets are generally arranged HHHH in Part 1 (ff. 1–88): the dimensions of the pages are 175 × 265 mm., ruled for long lines in pencil on both sides. The writing space is 114–117 × 175–180 mm. The number of lines per page varies between 22 and 33. There are catchwords. The ink is black, and the script is an early 15c secretary. Part 2 (ff. 89–96): This single quire is dated by Ker (*Cat.*) to xi¹. The dimensions of pages are 174 × 265 mm.; the written space is ruled in dry point on the hair side 135 × 220 mm. There are 22 lines per page, and the sheets are arranged HFHF in quire XIII but HHFF in quire XIV. The ink is brown. The script is Anglo-Caroline minuscule. Gwara (1996: 21) describes the text as "lightly glossed." Part 3 (ff. 97–112): the dimensions of pages are 170 × 265 mm. The written area (within the inner bounding lines) is 120 × 208 mm, ruled in dry point on the hair side for 22 lines per page. The ink is dark brown. Sauer (1978: 39–41) identifies four hands at work on ff. 97–112 using Caroline minuscule for the Latin and Anglo-Saxon minuscule for the Old English. Stokes (2014: 142) calls attention to the rounded features of the Vernacular minuscule script of ff. 97–112. The initials are in dark brown or red. Headings are in red rustic capitals.

COLLATION: ii parchment flyleaves (ff. i-ii are a bifolium); Part 1 (ff. 1–88): I⁸ (ff. 1–8), II⁸ (3 and 7 are singletons; ff. 9–16), III–V⁸ (ff. 17–40), VI⁸ (1 and 3 are singletons; ff. 41–48), VII⁸ (ff. 49–56), VIII⁸ (1 and 7 are singletons; ff. 57–64), IX⁸ (1 and 6 are singletons; ff. 65–72), X⁸ (ff. 73–80), XI⁸ (1, 3, 6, and 8 are singletons; ff. 81–88); Part 2 (ff. 89–96): XII⁸; Part 3 (ff. 97–112): XII⁸ (ff. 97–104); XIV⁸ (2 and 7 are singletons; ff. 105–112); iii parchment flyleaves (ff. 113–15).

CONTENTS:

- f. i recto-verso blank parchment flyleaf
- f. ii recto parchment fly with older shelfmark
- f. ii verso contents list added to blank page

Part 1: Writings of Richard FitzRalph

1. ff. 1r/1–24v/3 Sermon "Nemo vos seducat": R(icardi) Armac(hani) Sermones cont(ra) Mendicantes Facti London(ii) | Sermo Ricardi Archiep(iscop)i Ardmachani p(ri)matris hib(ern)ii apud | cruce(m) eccl(es)ie s(an)c(t)i pauli london(ii) t(er)cia d(o)m(ini)ca quadrage|sime Anno d(omi)ni m(illesimo) ccc^{mo} q(ui)nquage|simosexto Et Consecrac(ionis) | eiusdem Archiep(iscop)i anno decimo. | 'Nemo vos seducat inanib(us) u(er)bis ad ephes(ios) .v. c(apitulo). et in |

ep(isto)la hui(us) diei hoc loco hodie in q(ui)ndeci(m) dies no(n) solu(m) orac(i)ones'; ends: 'erit ergo quisque secu||rus q(uo)d sua felicitas p(er)petua p(er)manebit qua(m) vobis p(rae)s|tare dignetur auctor illius deus t(ri)us 7 unus bene|dict(us) in sec(u)la seculor(um) ame(n)'. (Sudoris 1512: CLXI^a–CLXXVII^b; see Wenzel 2005: 492, item 68; Schneyer 1973: item 25; Gwynn 1937: item 68).

2. ff. 24v/4–26v/3 “Modus procedendi”: ‘Istu(m) modu(m) procedendi tene(n)t in negoc(i)o q(uo)d ha(be)nt | p(re)lati franc(ie) cont(ra) p(rae)dicatores 7 minores his | diebus delib(er)ato co[n]silio cu(m) mag(ist)r(i)s in theologia in |decretis 7 aliis iure p(er)itis quos h(ab)ere pot(er)unt’; ends: ‘quia v(er)itas | que no(n) defensat(ur) opp(ri)mit(a) (et) error cui no(n) resistita approbat(ur)’ (unprinted).
3. ff. 26v/4–55r/21 *Propositio in papal consistory, 1357, “Defensorium curatorum”*: [at head of page] *Coram p(a)p(a) Innoce(n)cio .vi^o. 7 carid(i)nalibus* [sic] cont(ra) fr(atr)es me(n)dicantes | [line 4] *In no(m)i(n)e patris (et) filii 7 sp(iri)t(us) s(an)c(t)i 7 virginis ma|tris dei ame(n) p(ro)posic(i)o Ric(ard)i arc(hie)p(iscop)i ardmachani p(ri)ma|tis hib(er)nie facta in co(n)sistorio caram* [sic] d(omi)no p(a)p(a) 7 cardinali|bus ac prelati ad vtilitatem cleri ac p(o)p(u)li (christ)iani sup(er) | mat(er)ia mendicitatis ac p(ri)uilegior(um) co(n)tra fr(atr)es de or|dinibus me(n)dicanciu(m) quibuscu(n)q(ue) apud auinion(em) die octauo me(n)sis noue(m)bris Anno d(omi)ni Mill(esim)o Trecentesimo | .lvii^o Nolite iudicate [sic] s(e)c(un)d(u)m faciem s(ed) iustu(m) iudiciu(m) iu|dicare ioh(annis) uii ca(pitulo) | ‘Pater sanctissime in p(ri)ncipio mei sermonis p(ro)testor q(uod) | no(n) intendo aliq(uid) asserere aut tem(er)e affirmare’; ends: ‘p(er) me tacta iux(ta) petic(i)one(m) qua(m) feci | Nolite iudicare s(e)c(un)d(u)m faciem s(ed) iustu(m) iudiciu(m) iudica|te.’ (pr. FitzRalph 1485/90: [n.p.]; Goldast 1614: 2.1392–1410; Brown 1690: 2.466–86; see Wenzel 2005: p. 494, item 91; Schneyer 1973: item 60; Gwynn 1937: item 91).
4. ff. 55r/22–79v/7 “De audientia confessionum”: ‘Ante om(n)ia p(er) p(ar)te(m) armachan(i) petit(ur) decla(ratio) illi(us) | const(itu)to(n)is iohannine seque(n)t(i)s extrauagantis’; ends: ‘Suppleat h(aec) promissa v(est)re reu(er)endissime p(ate)rnat(i)s p(ro)fundu(m) | discrec(i)o.’ (unprinted).
5. ff. 79v/7–86v/12 “Libellus Coram uobis”: *Libellus Ardmachani cont(ra) fr(atr)es conc(ion)ante(s)*. | ‘Coram vobis reu(er)endissimis in (Christ)o p(at)rib(us)’; ends: ‘Sup(er) p(ro)missis v(est)r(u)m etia(m) reu(er)endum officiu(m) implorando saluo iure corrigendi et cet(era)’. (FitzRalph 1633: 148–67; see Szittyá 1986: 129–31).

6. ff. 86v/13–87v/12 *Copia com(m)is(sioni)s corr(ec)ta* | ‘In no(m)i(n)e d(omi)ni ame(n)’; ends: ‘copia(m) cu(m) de|creta esset trad(er)em(us)’ (FitzRalph 1633: 140–42).
7. ff. 87v/12–88v/31 “Appellacio” (Petition of Richard FitzRalph to be cleared of the friars’ charge against him): *Tenor v(er)o d(i)c(t)e cedule talis est* | ‘Sig(nifi)cat s(anctitati) v(estre) devot(us) eiusd(e)m Richardus’; ends: ‘cum ca(us)e hui(usmo)di de | maioribus debeant reputari’ (FitzRalph 1633: 143–47; see Szittyá 1986: 129 n. 23).

Part 2:

8. ff. 89r/1–96v/22 “Colloquium hespericum”: ‘QVO DE LOCO HODIE FRATER. UENI|re uideris’; ends: ‘uos quoq(ue) | iam pignus mecum deponite tale.’ (ed. Stevenson 1929: 12–20; notes to this edition Winterbottom 1968; ed. Gwara 1996: 100–10).

Part 3:

9. ff. 97r/1–112v/2 Theodulf of Orleans, “Capitula” in Latin and OE (fragment: chs. xxv–xlvi); beg. imperf.: ‘. . . lic ð`e` næfre gystas on husærne onfoð. buton sellen|dllices gysthuses med ær apinsod sy’; ends: ‘nis þæslic þæt hy to opennessse utgan. ac hy | sceolon on mynstres clusum beon behæfde.’ (ed. Sauer 1978: 339–403; ed. Napier 1916: 102–118; Pl. Napier 1916: facing p. 112 (f. 107r; Ker, Cat. Pl. III; Sauer 1978: 517–19 (ff. 105r, 102v, 103r). Remainder of page blank.
- ff. 113r–115v blank parchment flyleaves

PHOTO NOTES: Ff. 55v and 56r, ff. 83v and 84r photographed twice.

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