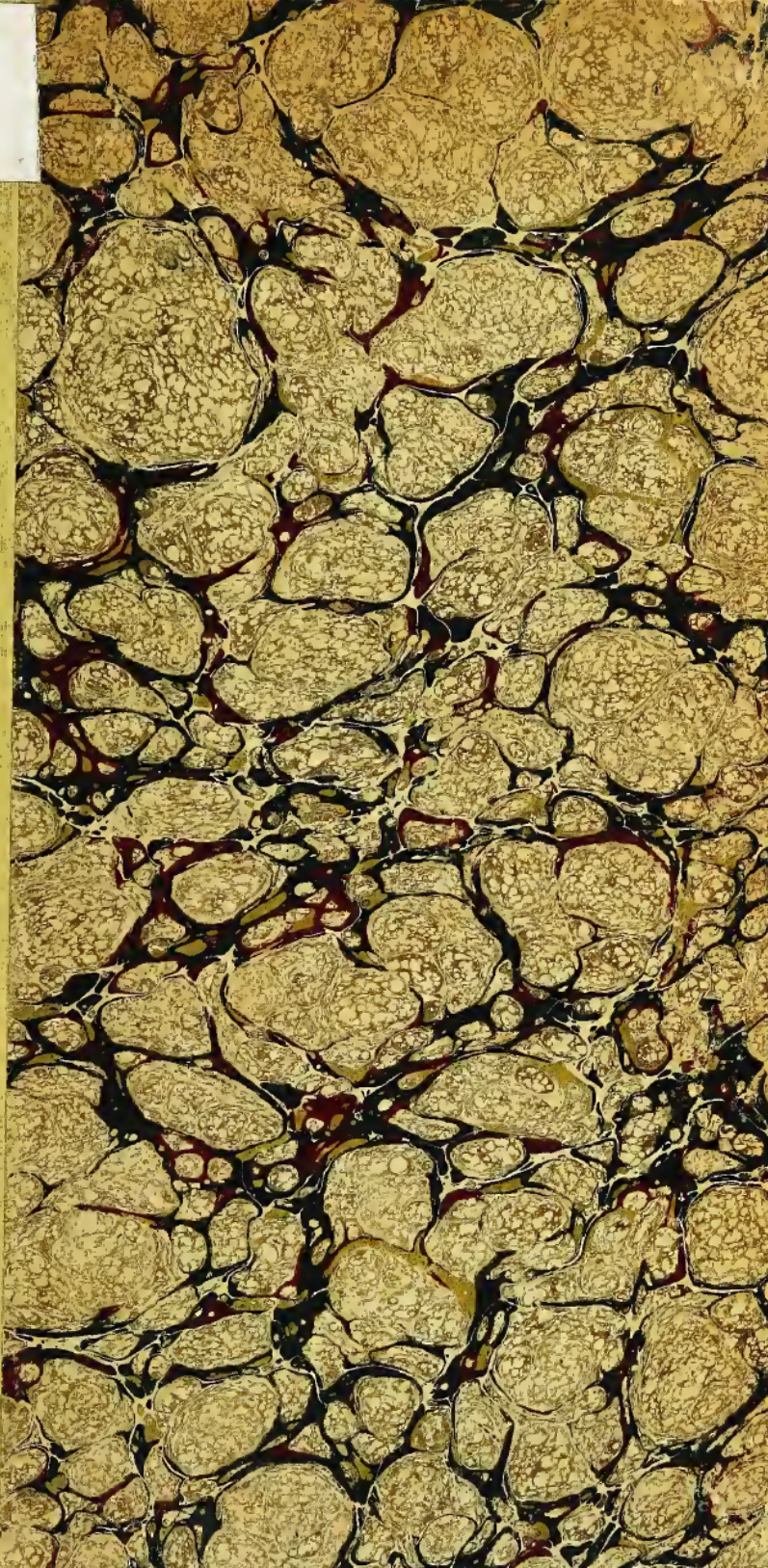
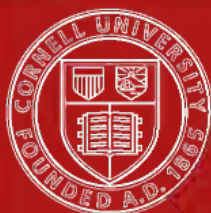


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THE EARLY  
COLLECTION OF CANONS  
KNOWN AS THE  
HIBERNENSIS:

TWO UNFINISHED PAPERS

BY THE LATE

HENRY BRADSHAW

FELLOW OF KING'S COLLEGE, CAMBRIDGE  
AND UNIVERSITY LIBRARIAN.

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**Leipzig:** F. A. BROCKHAUS.

**New York:** MACMILLAN AND CO.

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CAMBRIDGE,  
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1893

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TO THE MEMORY OF DR HORT THESE PAGES  
WHICH HE WAS THE FIRST TO SEE IN PRINT  
ARE DEDICATED.

CAMBRIDGE: PRINTED BY G. J. CLAY, M.A., AND SONS,  
AT THE UNIVERSITY PRESS.

## PREFACE.

**I**N a note prefixed to the Appendix which concluded the volume of Henry Bradshaw's *Collected Papers*, published in 1889, I mentioned the existence of a fragment of his more detailed work on the *Hibernensis*. Although I was familiar with it, having had it read to me by the author himself, I had not been able to find it among his papers; or it would have been included in that collection. As there seems little chance of making up another volume, and as several persons have expressed a desire to see his latest work on the subject in print, unfinished as it unfortunately remains, the Syndics of the Press have consented to publish it in the present form.

It is to be regretted, in view of the remarks contained in the footnote on pp. 54, 55, that Bradshaw's own copy of the mis-named *Rituale Ecclesiae Dunelmensis*, with MS. notes by him, passed, at the sale of his books, into the hands of a bookseller in the north of England; and I do not know in whose possession it now is<sup>1</sup>.

In the *Academy* for 1888 and 1889 will be found several letters relating more or less directly to the *Hibernensis* and to Mr Bradshaw's work. In particular Dr B. F. MacCarthy

<sup>1</sup> His copy of Maassen's *Bibliotheca Latina juris canonici manuscripta* has also disappeared. I should be very grateful to anyone who could inform me what has become of it.



takes exception to the suggested identification of the compiler of the *Hibernensis* with Cummeanus, the author of the Penitential (see pp. 37, 38 of the present pamphlet). It would be presumptuous in me to do more than ask students of the subject to consider his objections very carefully before they accept them. They do not appear to me to be conclusive.

It may be well to explain that the first paper was written in the form of a letter to Dr Wasserschleben: and I have not thought it desirable to make any change.

Bradshaw's collations and notes are preserved in the University Library: and it may be that someone who possesses the necessary knowledge and the necessary patience and insight will one day make some use of them.

I hope that the 'Synopsis of Contents' will serve in the place of an alphabetical index: and that the comparative 'list of *tituli*' at the end will help to call attention to the wide difference that exists between the two recensions of the work.

F. J.

CAMBRIDGE, November 24, 1892.

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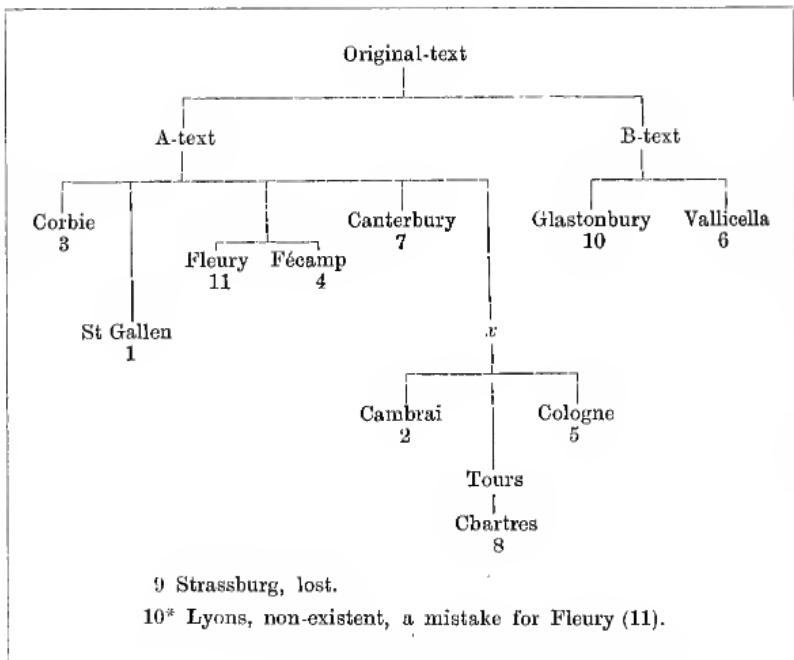
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*Tentative Scheme of Manuscripts.*



## I.

UNIVERSITY LIBRARY, CAMBRIDGE.

April 28, 1885.

DEAR SIR,

I gladly avail myself of the opportunity you offer me of putting down on paper for your consideration a brief statement of some of the conclusions to which I have been led concerning the history of the compilation known as the *Collectio Canonum Hibernensis*. The work, which first came to my notice when Haddan and Stubbs were preparing their edition of the *Councils*, came afterwards to be a subject of more special study when I was engaged in searching for any volumes I could find which might with certainty be looked upon as written (that is, transcribed) within the limits of Wales, Cornwall, and Brittany before the close of the eleventh century (A.D. 1100). Whatever I found in the nature of contributions to the vernacular dialects, either new glosses, or corrections of old ones, or scraps of verse, etc., I sent to Mr Whitley Stokes, who printed them from time to time with a commentary of his own. But the Latin books themselves, which contained these glosses, were of course of no interest to the Celtic philologist, while my own primary object was to see what books these early people read and used, and transcribed for their own use, and what habits of writing they displayed. Even where they were specimens of foreign or classical literature, they nevertheless presented features of interest peculiar to themselves; but where they had the appearance of being native productions, their interest for me was naturally increased tenfold. Eight copies of the *Hibernensis* are among the volumes which I thus examined in the course of my explorations, five of them undoubtedly written

in Brittany, and three elsewhere; and here, as might be expected, your edition of that work, and your *Bussordnungen der abendländischen Kirche*, with both of which I became acquainted early in 1876, were of material service to me. The absolutely perfect methods adopted by yourself in editing these two books, and by Professor Maassen in his *History*<sup>1</sup>, made me all the more eager to pursue my investigations into the subject, when provided with such aids, the very using of which gave a double pleasure to the work. Had I been wise, I should have communicated my results to you five or six years ago, while the greater part of my very scanty leisure was still being devoted to this search; or, at any rate, when from the necessity of turning my attention to a very different subject it became clear that I must lay aside this investigation, though, as I fondly hoped, only for a time. It has now come suddenly and unexpectedly to my knowledge that you have been preparing a new edition of the *Hibernensis*, which is on the eve of publication. In order, therefore, to bring various points to your notice in the most practicable manner, I have gathered my notes together and arranged what I have to say in the form of remarks upon your Introduction, taking it paragraph by paragraph, as it stands in your edition of 1874. I have no possible leisure for fresh investigations at this moment; so that my notes must be looked upon as an imperfect collection of memoranda, the results of a good deal of minute work in past years, which I cannot put into proper shape in my present circumstances, although they may perhaps contain suggestions which will be productive of good results in the hands of others.

So much for personal explanations. The rest you will read with greater interest.

For the benefit of anyone who may read these notes without having your book before him, I give the title of the work here, and then the actual text of such parts of the Introduction as I comment upon, subjoining my notes to each extract.

<sup>1</sup> Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgange des

Mittelalters. Bd. I. Gratz, 1870-71, Lxx, 984 pp. 8vo.



TITLE: Die irische Kanonensammlung. Herausgegeben von Dr H. Wasserschleben, Geh. Justizrath und Professor der Rechte. Giessen. J. Ricker'sche Buchhandlung, 1874. xxiv, 276 pp. 8vo.

Extracts from the Introduction, with remarks.

“In der irischen und angelsächsischen Kirche haben bereits im 6. und 7. Jahrhunderte, abgesehen von den Bussordnungen, Kanonensammlungen existirt. Usher sagt in seinen *Antiquitates Britann.* p. 557, dass er in der *Bibliotheca Cottoniana* einen *liber canonum Gildae* gesehen habe, in der *Vita S. Fridiani* c. 4 (Colgan. *Acta SS. Hibern.* T. I. p. 638) steht die Notiz, dass Papst Pelagius (555–559) demselben eine Kanonensammlung zum Geschenk gemacht habe, auf der Synode zu Herudford v. J. 673 wurde vom Erzbischof Theodor aus einem *liber canonum* eine Anzahl von Stellen hervorgehoben<sup>1</sup>, und das sogenannte *Poenitentiale Theodori*, welches in meinem Bussordnungen S. 182 u. ff. abgedruckt worden ist, kann füglich auch als ein die gesammte kirchliche Disziplin umfassender *liber canonum* angesehen werden.” Introduction, pp. v, vi.

There can be little doubt that collections of canons did exist in the Irish and Anglo-Saxon Churches in early times, though it may be difficult to find satisfying documentary evidence of the fact earlier than the latter part of the seventh century.

When Baeda, writing in 731, represents Theodore, Archbishop of Canterbury, as bringing with him to the synod of Hertford (Herutford) in 673 a *liber canonum*, from which he extracted ten particular decisions which he propounded for the acceptance of the synod, we can have no doubt of the existence of such a volume. At the same time, the whole narrative points to the fact that such books were not familiar to those who were present. Smith, editing Baeda in 1722, is very likely right in thinking that the book in question was not a compilation of Theodore's own, but a copy of the Dionysian collection. It might even be possible to ascertain to which

<sup>1</sup> Ich habe in meinen Bussordnungen (S. 24) darauf hingewiesen, dass dieser *liber canonum* wahrschein-

lich die Dionysische Sammlung gewesen sei.

recension of that collection Theodore's text belonged. When, however, we go back to the cited instances of Fridianus and Gildas, that is, to the middle of the sixth century, the evidence which you adduce appears to me to be inconclusive and the statements themselves seem to be based upon a mistake.

The passage from the life of St Fridianus, Bp of Lucca, printed by Colgan is as follows: "Accepta itaque, vt moris est, à summo Pontifice benedictione ad terram suam remeare curauit, portans secum reliquias et decreta, quae pro munere Apostolicus ei donauit, quae adhuc dicuntur canones S. Fridiani." His gospels and bell are then mentioned as being endued [with] miraculous powers. It must be borne in mind that this Life speaks of St Fridianus as an Augustinian Canon, and it appears, from its form, to be a set of Mattins lessons from a Breviary. Both of these facts point to a late date for the compilation of the life. Whether Fridianus be really the Irish St Finnian of Moville in the sixth century or not, matters little for our present purpose. The last words of the extract show that there probably was in existence, at the time when this *legenda* was compiled for use in church, a manuscript, associated with the relics of St Fridianus, and known as the "Canones Sancti Fridiani." But until we have more evidence to the contrary, it seems to me more consonant to experience to believe that this book was in earlier days known as the *Canon Fridiani*, and meant a volume of the canonical scriptures, which was believed to have belonged to him, just as the Book of Armagh, containing the New Testament, was known in Ireland as the Canon of Patrick, a phrase nevertheless often misinterpreted to mean a volume of canons. See Reeves's Adamnan (Dublin, 1857, 4<sup>o</sup>), page 359 *note*. It would thus seem to be an instance of a legend originating to account for the modern existence of the volume, rather than, as in the case of Theodore and Baeda, a statement of a fact made by a man who was alive at the time when the event took place. The association of St Finnian of Moville with the introduction into Ireland of the Law (whether of the Old or the New Testament, is uncertain) is the subject of a very old Irish tradition; and the familiar legend of his quarrel with St Columba about the

transcript of a book, points to the prevalence of a belief in later times that, in spite of the frequency of schools, books, even containing the scriptures, were of rare occurrence and highly prized in Ireland in the sixth century. See Whitley Stokes, *On the Calendar of Oengus*, pp. cxxxvii, cxliv.

The "*Liber canonum Gildae*" is, I fear, a mistake of still more recent date. Ussher's words are (after speaking of the *De excidio Britannicæ*): "Aliarum Gildae lucubrationum ad nos pervenit nihil, præter fragmenta quædam quæ, veteri libro Canonum titulorum LXVI. inserta, in Cottonianâ Bibliothecâ vidimus." What Ussher saw in Sir Robert Cotton's library was not a *Liber canonum Gildae*, which would indeed have been a pearl of great price, but a *Liber Canonum titulorum LXVI*, in which were to be found certain citations from Gildas; in other words, what Ussher saw was the actual XIth century copy of the *Hibernensis* itself, which may still be seen in the Cotton collection in the British Museum, under the mark Otho E. XIII, as described under no. 7 in the list of manuscripts in your Introduction, pages xx—xxi. And yet, that a *Liber canonum Gildae* did nevertheless actually exist in the sixth century, will, I hope, be satisfactorily proved before I finish this letter, though Ussher was never fortunate enough to see it.

"Einen ganz andern Charakter hat die vorliegende Sammlung: dieselbe hat zwar zur Voraussetzung den nach langen Sträuben erfolgten Anschluss der irischen Kirche an Rom, sie scheint aber ganz besonders durch das Bestreben hervorgerufen zu sein, neben den canones und Dekreten der römischen Kirche das nationale Kirchenrecht möglichst zu konserviren, und das Interesse an demselben in den nationalen Kreisen lebendig zu erhalten. Diese Gegenüberstellung der Rechte und Gewohnheiten der irischen und der römischen Kirche erklärt auch die in der Sammlung sehr häufig gebrauchten Bezeichnungen von *Synodus Romana*, *Romani*, *Institutio Romana* für solche Bestimmungen welche der römischen Kirche zunächst angehört hatten." Introduction, p. vi (running on from the passage last quoted).

With the first statement here made there can be no reason

to disagree. The *Hibernensis* is certainly not a particular book of Canons like the *Liber canonum Gildae*, which Ussher is supposed to have seen; it is not a collection of *Decreta Pontificum* such as the legend tells us was given by Pope Pelagius to St Fridian; it is not a collection of ancient canons of the Church ('*ea quae a patribus canonice sunt antiquitus decreta*', '*quaequae definierunt sanctorum canones patrum*') such as Theodore may be believed to have had in his possession. It is neither a series of decisions put together into a volume as these last would be, nor a compilation from various sources, grouped under the several subdivisions of a particular subject, such as Church Discipline, like the Penitential of Theodore printed in your *Bussordnungen*. It is rather an attempt, and there seems good ground for looking upon it as a first attempt, to form a digest of all available authorities, from Holy Scripture, from the decisions of Councils native and foreign, and from Church writers native and foreign, arranged methodically under sixty-five several titles; though the method has not been carried out so fully as to produce an arrangement of the titles themselves in any but the most accidental sequence. So far there is no room for disagreement with what you say; but when I read the remainder of the paragraph, presenting, as it does, a striking and suggestive picture of the circumstances in which the *Hibernensis* may be supposed to have originated, the point of view from which I have been led to look at the work is so wholly different from yours, that I feel quite unable to accept your conclusions. Apart from the fact that the phrases *Synodus Romana*, *Institutio Romana*, etc., by no means refer for the most part to Roman decisions, being in many cases documents believed to be either Welsh or native Irish in origin, this view of the relation of Rome to the outlying churches seems to me to involve a serious anachronism by suggesting a state of papal *imperium* which can hardly be said to have come into existence until some generations after the latest date which it is possible to assign to the compilation of the *Hibernensis*.

Let me try to state, as briefly as I can, the two views of the history of this compilation, and then to trace the considerations

which seem to justify the adoption of one or other of them. The two are these :

1. The view, to which people have gradually drifted, so that it may be called, since your book was issued in 1874, the received view, (1) that the *Hibernensis* originated in Ireland, very soon after the settlement of the paschal controversy in that country at the close of the seventh century, with the especial object of preserving to posterity the decisions of their national synods by the side of those of the Roman or dominant church, with which they had recently and after long struggles for independence become united; and (2) that it has been preserved to us partly through the Anglo-Saxon Church and, still more, through the spread of the Irish missions through what is now northern France and Belgium, Germany, Switzerland and northern Italy, in the course of the eighth and ninth centuries.

2. The view, which has been forced upon me by an examination of the manuscripts, (1) that the work originated, probably in Ireland, at the close of the seventh or the beginning of the eighth century, with the simple object, avowed in the preface, of forming a digest of decisions of councils and dicta of Holy Scripture and fathers of the Church which had by that time become far too voluminous to be consulted without grave difficulty, and (2) that it passed at once into Brittany with settlers there; that Brittany was its adopted home; that the second and somewhat enlarged recension of it was also produced in Brittany; and that it is almost exclusively from Brittany that it spread to the neighbouring districts, and thence elsewhere, in the course of the eighth and ninth centuries, only reaching the Anglo-Saxon Church quite late in this period.

It may perhaps appear to an indifferent reader that there is no divergence worth mentioning between the two views, especially in their latter parts; but I am sure that you are not one of this class. You who have toiled so long and so patiently at the sources of the work, will be the first to acknowledge the vital importance of obtaining a clear idea of the track by which such a work as this started from its home and became known to the world. It is only by striving to obtain this clear idea,



and by mastering every step in the process, that we can hope to make any progress in the task of unravelling the amazing difficulties which present themselves on almost every page of the *Hibernensis*, with regard to the authorities cited in it. The value of a word, the right interpretation of a phrase, must sometimes depend materially upon our knowledge of the locality, of the period, in which it is used.

In one point Ireland and Brittany resemble one another. From these countries themselves, by continuous tradition, we learn next to nothing. With the revived religious life which formed only one phase of the enormous revolution which the West of Europe witnessed in the twelfth century, the old Celtic monasteries in both these countries become silent to us; there is no continuity of information. There is, however, this difference. In Brittany they are obliterated altogether, and we may be said to enjoy complete ignorance on the subject; while the memories of the Irish monasteries of the same period are preserved to us through the numberless channels created by the missionaries from Ireland who spread themselves half over Europe. I do not of course ignore the masses of precious Irish literature still existing in the country, but it is well known that for our immediate purpose no aid whatever is to be obtained from what has been written and preserved in Ireland since the opening of the twelfth century; and it is equally true, though less well known, that no aid is obtained from England in the same sense, except through books which in early times (say the eleventh and twelfth centuries) found their way into England from the Continent.

As regards the considerations which lead up to the two views above mentioned respecting the origin and spread of the *Hibernensis* I will try to state them clearly. They may be summarily characterized as tracing the spread of the work:

(1) from Ireland, through England and Irish foreign missions, and thence elsewhere;

(2) from Ireland, through Brittany, and thence to France and elsewhere.

They have both grown, as facts were from time to time observed: they are neither of them the result of any preconceived hypo-

thesis to which the facts have been made to bend ; so that the offer of fresh materials is sure to meet with a ready consideration at the hands of every one who is anxious only to arrive at the truth.

The grounds for the first view will, I trust, be found stated with fairness in the following paragraphs.

Very important evidence is to be found in the manuscripts themselves which contain the *Hibernensis*. They have either been preserved from early times in the neighbouring country of England, or, if found on the Continent, they have been thought to bear unmistakeable evidence of Irish origin or connexion. This conclusion seems to be brought out by the very order in which you arrange them in your list. I shall have more to say concerning the manuscripts themselves before I have finished, but a few words about them are necessary here, to explain this view. They are enumerated by you as follows :

No. 1 is at St Gallen, in the Stiftsbibliothek, MS. 243, written in the IXth century by a scribe bearing the Anglo-Saxon name Eadberct, but in the monastery of St Gallen, which was unquestionably Irish in origin, and noted from all time for its Irish treasures.

No. 2 is at Cambrai, in the town-library, MS. 619, formerly in the Chapter Library, written in the VIIIth century at the request of Albericus, Bp of Cambrai and Arras (763—790), and remarkable for containing inserted in the title *De judicio a* section in the Irish language, not found in any other copy. The text of the *Hibernensis* ends in cap. 18 of the title *De doctoribus ecclesiae*.

No. 3 is at Paris, in the National Library, MS. Lat. 12021, formerly at St Germain, written (in the VIIIth century according to Knust, in the X—XIth according to Maassen) by one Arbedoc by permission of his abbat Haelhucar. Inter-linear Irish glosses are noted as occurring on two words in the text of the *Hibernensis*, and from the names in the subscription of the scribe and the contents of the book generally, it is assumed to bear undoubted marks of its Irish origin.

No. 4 is also at Paris, in the National Library, MS. Lat. 3182, formerly in the Bigot collection, and earlier still belonging

to the abbey of Fécamp in Normandy; written in the xi-xiii<sup>th</sup> cent. according to Knüst, in the x-xiii<sup>th</sup> according to Maassen. No interlinear Irish glosses are mentioned as being found in the book, but from its contents it is assumed to bear, beyond all question, marks of its Irish origin.

No. 5 is at Cologne, in the Cathedral Library, for some time at Darmstadt (MS. 2178), now assigned to the viii<sup>th</sup> but formerly to the ix<sup>th</sup> century. The text ends (as in no. 2 above) in cap. 18 of the title *De doctoribus ecclesiae*, but the *tituli* are here all discarded, and the chapters run on continuously. Doubts are expressed whether this recension was produced in Ireland, and no decision is arrived at, and no mention is made of the locality where the MS. must have been written. In favour of its Irish origin is the fact that certain of these additions are such as would naturally be found only in Ireland: against it are (1) the citations from certain documents (such as the *Hispana*) never otherwise used in the *Hibernensis*; and (2) the truncated form of text found only in MSS. preserved in France, no. 2 above, at Cambrai, and no. 8 below, at Chartres.

No. 6 is at Rome, in the Vallicella Library, MS. A. 18, written in the x<sup>th</sup> century. This manuscript contains a somewhat enlarged recension of the *Hibernensis*, a few *tituli* being added, others suppressed, others again re-arranged and increased. The additions are many of them from authorities otherwise looked upon as peculiarly Irish and likely to be found in Ireland alone; but the disguise to which native names have been subjected in the manuscript (as Paterius for Patricius, and Gelasius for Gildas) appears to have weighed strongly with you against concluding that this recension was made in Ireland, though no other locality is suggested. Nothing is said as to the early history of the manuscript, which might afford some aid towards deciding upon its origin.

No. 7 is in the British Museum, Cotton MS. Otho E. XIII, written in the x<sup>th</sup> or xiii<sup>th</sup> century. This manuscript contains the earliest recension of the *Hibernensis*, as printed in your edition, together with the Canons of (the Irish) St Adomnan and other pieces, and also supplementary matter from the

same enlarged recension that is found in the Vallicella MS. (no. 6 above). One interlinear gloss, described as Irish, is mentioned as occurring in the volume. From the contents it is assumed to be related to the two Paris MSS. (nos. 3 and 4 above), and must therefore be more or less Irish in origin.

No. 8 is at Chartres, in the town library, MS. 127, formerly in the Chapter Library, written in the xth century. It is mentioned by Schulte in his *Iter Gallicum* as containing the *Hibernensis* in the truncated form found in the Cambrai MS. (no. 2, above). This is the first manuscript in the list which presents no Irish features of its own. It shows connexion with the Cambrai MS. which bears marked Irish features, but it professes to have been transcribed by the desire of some local queen or princess. The list next contains (1) a note of a MS. mentioned by Knust as having existed at Strassburg, now presumably destroyed, and (2) a suggestion that two manuscripts, one at Lyons (Town Library MS. 203) and one at Orleans (Town Library MS. 193) may possibly be found to contain the *Hibernensis*, judging from the relation in which they seem to stand to the second Paris MS. (no. 4, above), and may thus bear traces, direct or indirect, of Irish origin or connexion.

The list closes with a note, received at the last moment, concerning a manuscript at Oxford, in the Bodleian library, written in the xth century. From the notice of it furnished by Professor Stubbs (now Bishop of Chester) the volume is described as containing the *Hibernensis* in 69 books, together with some extracts from the *Libri Romanorum et Francorum* and the Canons of Adomnan, thus affording evidence of some connexion with the two Paris Manuscripts (nos. 3 and 4 above), and in that way showing traces, direct or indirect, of Irish origin. After the Canons of Adomnan follow extracts of Roman law, the *Canones Apostolorum*, and extracts from the canons 'quos congregavit rex Karolus de excommunicatis.'

All the other manuscripts mentioned in your Introduction as connected with the *Hibernensis* are, with one single exception, clearly derived, as you say, from one or other of the texts noticed above, and so may here be passed over, as contributing nothing to our knowledge of the origin and spread of

the work in its complete form, nothing which can be looked upon as materials indigenous to Ireland.

This one exception remains to be mentioned, as it certainly contributes its share to the formation of an opinion on this subject. It is preserved at Cambridge, in Corpus Christi College, MS. 279, attributed in the printed catalogue to the vii<sup>th</sup> century, but by Haddan and Stubbs rather to the ix<sup>th</sup> or x<sup>th</sup>. These writers have printed extracts from it in their edition of the *Councils and Ecclesiastical Documents*, Vol. I.; and these extracts reveal the fact that passages from Gildas are here found, not only which do, but also which do not, occur in the *Hibernensis*, so that this manuscript must be looked upon as, in some measure, an independent authority. Further, some very imperfect notes of mine, communicated to you through Mr S. S. Lewis (the librarian of the College) enabled you to see that in the portion of the MS. which contains the passages from Gildas there are other passages also, which occur in the *Hibernensis*, though in a different order and connexion, and also a few interlinear Irish glosses. These last, besides being, as you suggest, of interest to the philologist, may be looked upon as tending to show the Irish source from which the manuscript must have come.

The impression derived from the preceding notices of the manuscripts is very much strengthened when the text of the *Hibernensis* is examined even in the most cursory manner. The abundance of citations from Irish synodical decisions, wholly unknown to us except as preserved either in this book or in documents which can be traced more or less directly to it as their source, may fairly be taken to prove that the work must have originated in some locality where these decisions were accessible; in other words, in Ireland. Again these two facts, that the latest authority cited is Archbishop Theodore, who died in 690, and that no trace is to be found of the voluminous writings of Baeda, who died half a century later,—render it impossible for us to assign the compilation of the work to any period but the close of the seventh century or the early part of the eighth. These considerations, then, narrow the limits of place and date within which we are allowed to



place the production of at least the earliest recension of the work, that printed in your edition; and we have already discovered from the manuscripts that this recension was in existence at Cambrai as early as the second half of the eighth century.

By whom, in what school, in what part of Ireland, the *Hibernensis* was compiled, no evidence has been forthcoming to show, and no conjecture is offered. Neither is any attempt made to explain, either vaguely or precisely, in what sense, or to what extent, the clearly marked Irish origin and connexion which have been observed in the manuscripts, are to be understood; so that I can only suppose that the existence of numerous Irish missions in various parts of the continent is looked upon as sufficient to account for these connexions, and for the spread of the work through the districts where these missions were in operation. On the other hand the actual origin of the book is attributed to the working of forces which we know from history to have been in action in Ireland at the time assigned to the compilation. It is here that I trace the only element of speculation which the view now under discussion can be said to display. From the frequent collocation of the phrases, *Romani dicunt* and *Dicunt Hibernenses*, or *Synodus Hibernensis* and *Synodus Romana*, and similar expressions occurring frequently in the work, coupled with the known fact of the adoption of the Catholic customs regarding Easter and the tonsure in Ireland at the close of the seventh century, it appears to be put forward as a legitimate deduction from these facts, that the *Hibernensis* originated in a desire on the part of its Irish compiler to preserve for posterity the decisions of their national synods by the side of those of their new Roman superiors, to whom they had recently yielded allegiance after a long and hopeless struggle for independence.

I hope I have succeeded in representing this view fairly. Of course I do not for a moment forget that the view here set forth exists only in the form of suggestion, derived from the materials at hand, that it does not in any way whatever take up a position against another view which has been previously held. Such a position would have led you to bring forward

more forcibly the very arguments which at present I most miss. But I can honestly say that my one desire has been to represent the view fairly, and to bring out all its strong points, as you would yourself wish to see them brought out.

I will now proceed to state the conclusions which I have been led to adopt myself, following much the same course that has been adopted in the preceding paragraphs.

The evidence afforded by the manuscripts which contain the *Hibernensis* is what has mainly led me to the conclusion that this work, though most probably compiled in its earliest form in Ireland, has been preserved mainly through its having at once found its way to Brittany. Brittany is allowed to have been in very close connexion with Ireland in early times; and indeed it is impossible to look through the lives or legends of the Breton saints without being convinced of this fact, however much we may hesitate to accept the details with which such legends are encumbered.

Your list of manuscripts contains in all twelve, of which eight are numbered as follows: 1. St Gallen; 2. Cambrai; 3. Paris, no. 1; 4. Paris, no. 2; 5. Cologne; 6. Vallicella Library at Rome; 7. British Museum; 8. Chartres. The remaining four are: one reported to have existed at Strassburg, one supposed to exist at Lyons, one believed to exist at Orleans, and, lastly, one certainly existing at Oxford.

The supposed Lyons MS. does not, and never did, exist. All recent information about it is derived from Klee's article in the *Serapeum*; and it is instructive to observe how Klee's mistake arose from an accidental misreading of a footnote by Libri in his article in the *Journal des Savants*, of which Klee was giving an abstract in the *Serapeum* for the benefit of his German readers. \* \* \* The Lyons MS. must therefore be struck out of the list. The Strassburg MS. may be presumed to have been destroyed within our memory. But as it may yet be possible to obtain information about it, which will throw light upon our subject, it may be allowed to stand as no. 9 in your list. The Orleans MS. will then be no. 10, and the Oxford MS. no. 11. To these I must add one existing at Tours as no. 12. There is also a volume at Cambrai (MS. 576), which I

have no doubt once contained the *Hibernensis*, though it no longer does so; yet, on account of its importance as a link in the investigation, I shall retain it as no. 13. The list may be closed with the Parker MS. 279 (at Corpus Christi College, Cambridge), because, though in part merely derived from the *Hibernensis*, it is yet to some extent an independent source of information. This may be called no. 14.

Of these fourteen manuscripts, I have examined myself, with more or less care, all except nos. 1, 5, 6, and 9. I must first say a few words of these four.

Of no. 9, the Strassburg MS., I have nothing to say, as it is presumably lost, but that I should be glad to learn that search has been made for early catalogues which might contain notices of its contents, and thus indirectly afford a clue to its relationship with other copies.

No. 6, in the Vallicella library at Rome, is a xth century MS., containing, as I gather from Maassen (*Geschichte*, pp. 806, 869, 877), three pieces in the following order:

1. The *Concordia Canonum* of Cresconius; 2. A collection called by Maassen from this MS. 'Die Sammlung der valli-cellianischen Handschrift'; 3. The *Hibernensis*. I gather nothing as to the locality where the MS. was written, but this much may be said of its component parts. The first belongs to the vith century and was too widely spread in later times to afford any evidence of connexion for our purpose. The second is shown by Maassen and yourself to be a production of the xth century derived (1) partly from a collection called by Maassen (p. 829) the *Herovalliana*, compiled in the viiith century in what is now France, and (2) chiefly from the work of Halitgar, Bishop of Cambrai (817-831). Part, again, of Halitgar's work is certainly based upon the British and Irish documents which form characteristic features of our second Paris MS. (no. 4 in your list). It is by no means strange, therefore, to find this collection in the same volume as the next piece. The third is the *Hibernensis*, in the enlarged recension which I shall hereafter distinguish as the B-text, containing 8 tituli. Your hesitation as to the origin of this recension, in consequence of the disguise of the names Patricius and Gildas,

here appearing as Paterius and Gelasius, must be removed by your learning that the Oxford MS. contains a copy of this recension which must have been written in Brittany; and here the names in question are written, as they should be, Patricius and Gildas. This Vallicella MS. therefore must be looked upon as a foreign copy, in which the unknown names are disguised in transcription; and, while continuing to afford great help for textual purposes, it ceases to have any material value for elucidating the origin of the work.

No. 1, at St Gallen, I know from photographic copies, in my possession, of two pages, one containing the citation from Vinnianus (as the name is written), and one containing the subscription of the scribe. It may, or may not, have been written at St Gallen. The words 'Ora pro nobis beate Galle vt digni efficiamur promissione (not "promissionibus") xpi,' &c. are written in the lower margin in a handwriting some centuries later than the text of the volume. But wherever the text was written, it was certainly produced in the scriptorium of some place where the scribe's accuracy and the corrector's diligence were habitual; and this may well point to St Gallen, where it was notoriously the rule to provide the library with careful copies of the best and most useful literature of the day. The writing presents in this respect a marked contrast to the Cologne MS., as described by yourself, and to the Cambrai, Paris, Oxford, and Orleans manuscripts, which I have examined. The text belongs to the earlier recension, which I shall hereafter designate the A-text, containing 65 tituli; except that this manuscript is singular in inserting a short additional title "De senibus," not found elsewhere, between Tit. XXI (your XXII) "De veritate" and Tit. XXII (your XXIV) "De dominatu et subjectione." There appear to be no additions or accretions to the simple text of the *Hibernensis*, except the Tit. "De senibus" just mentioned; so that no inferences from such a source are to be made with regard to its connexion with other manuscripts. And as by the IXth century, the date assigned to this MS., there is no doubt that the *Hibernensis* had already attained a wide circulation, we must be content to treat this MS., like the preceding, as affording great help for a

correct reading of the text, but as practically useless for the solution of the problem concerning the origin of the work.

No. 5, at Cologne, presents many peculiarities, which make me regret that I have never seen it. On the other hand I wish heartily that your occupations had allowed you to enjoy the same free use of the other manuscripts which you have had of this, and I am confident that by far the greater part of what I am now writing would have been anticipated by you. No transcript, however good, can possibly take the place of a personal and prolonged examination of one of these early manuscripts. The Cologne MS. contains the A-text of the *Hibernensis* in the truncated form of which the Cambrai MS. (no. 2) is the type, and it is now attributed to a date not later than the Cambrai MS. itself. Of this truncated form I shall have to speak when dealing with the Cambrai MS. But besides this great defect, the chapters belonging to the titles "De jejunio," "De elemosina," "De oratione," "De cura pro mortuis," "De testimonio," are either omitted or very scantily represented. The division into *tituli* is discarded, and the *capitula* follow on with a continuous numbering. I gather from looking through your edition that the supplementary matter takes the form of additional *testimonia*; there seems to be but a single instance (the Cap. "De decimis" inserted after Cap. 7 of the Tit. "De oblationibus") of an additional rubric. With respect to the additions derived from sources which are usually associated with an Irish connexion, I may say that all that you mention of this kind on page xi are with one exception (III. 4 Synodus Romanorum) to be found in the Oxford MS. of the B-text, and I do not doubt that this extract also will be discovered on further search. As some slight indication of origin, it would be interesting to know how the name of the author of the Penitential is written in this MS. in Cap. 8 of the title 'De furto,' whether in a latinized form of the British Uinniau, or in a latinized form of the Irish Vinnian. Though generally following the A-text, there are yet many cases where your 5. and 6. agree, showing that the scribe or editor must probably have had a copy of the B-text within his reach. You say nothing in your list of MSS. of the other contents of this volume; but

from an extremely interesting notice of what I presume to be the same MS. in your *Bussordnungen* (pp. 35–36), where it is assigned to the IXth century, I gather that it is followed by a notable collection of Canons, based for the most part upon the Penitential of Theodore with the subdivisions of the *Discipulus Umbrensius* expanded so as to contain Greek, African, Frankish and Roman decisions, the latest being the Roman Council of 721.

Considering these various points, and having as yet no definite information as to the early history of the MS. and the locality to which the handwriting may be assigned, I feel inclined to look upon it as perhaps the most ancient instance of a 'Canon de diversis causis,' as it calls itself, *derived* from an A-text of the *Hibernensis*, and as an extremely early and simple *foreign* re-arrangement of the work. It evidently possesses, from your description, very great value for all that concerns the correct citation of the authorities, though the *scriptorium* in which it was produced stood, as regards accuracy, very far below that of St Gallen. But, as in the case of the Vallicella and St Gallen manuscripts, it must be placed outside the range of the series of copies from which we are to look for independent testimony concerning the origin of the work, and these are at present the primary objects of my search. As I wish to restrict the word *recension*, and the terms A-text and B-text to the modifications made in the work by the people with whom it originated, I prefer to treat this MS. rather as a closely-related foreign working up of the *Hibernensis*.

No. 12, at Tours, in the Town library MS. 556, formerly at Marmoutier, escaped Schulte's notice. My attention was first attracted to it by the notice in the catalogue of M. Dorange. The MS. is there attributed to the IXth century, perhaps merely on account of the third piece in the volume; but I should myself be afraid to place it so early, or indeed earlier than the XIth, from my recollection of it in 1877. It contains the titles XI—XXXVI (your XII—XXII, XXIV—XXXVIII) followed, it is said, by the Proverbs of Salomon, and the first *Capitulare* of Theodulf, Bishop of Orleans (788—821), after which, at the end, comes Tit. 1, *De episcopo*, of the *Hibernensis*

omitting the last two citations, from the *Judicia Theodori*, which are given in your edition. It contains therefore the A-text in the truncated form of the Cambrai MS., and moreover omits titles II—X (your XI) inclusive. It is of course what I call a foreign MS. of the *Hibernensis*, and so has but little value except for helping to settle the text. I collated it for the rubrics throughout, and roughly for the testimonia of Celtic origin, such as Synodus Hiberniensis, Patricius, Gildas, and Vindianus, as the author of the Penitential is written. The spelling of this last name at once affords an indication of the foreign nature of the text, which is confirmed by the ordinary French character of the handwriting.

Of no. 8, at Chartres, I have very little to say. It will be seen from comparing Schulte's description of this MS. with my notes of the Tours MS. that this presents an A-text not only truncated like the Cambrai MS. and with further omissions like that at Tours, but even still more cut down than this last<sup>1</sup>. Three titles, *De jejuniis*<sup>1</sup>, *De juramento*, and *De principatu*, appear to be wholly omitted. I had no leisure to make any collation when I saw the book at Chartres in 1877, so I contented myself with noticing that it was a foreign MS., that the handwriting was of the ordinary French school, and that the name I was most interested to notice was written Vinnianus, as at St Gallen (no. 1 above), and not some form of Vinniaus, as in the copies connected with Brittany.

No. 13 is at Cambrai, in the Town library, MS. 576, formerly in the Chapter library, written perhaps in the xth century, and certainly belonging to the Chapter there in the xivth century. It is clearly what I call a foreign MS. and may have been written at Cambrai, or for use there; but I have no hesitation in describing it as having once been a complete transcript of the great *Corpus juris canonici* which forms our second Paris manuscript (no. 4 in your list). The volume in its present fragmentary state does not contain the *Hibernensis*. It consists of quires 19–28 of the whole book, and so has lost nos. 1, 2, 3, and 10, 11, of the eleven principal com-

<sup>1</sup> [This is a mistake. See below pp. 59, 60. J.]

ponent elements of the manuscript. But it is highly satisfactory to have found a second copy, even though only a transcript (early, however, if not almost contemporary) of a still existing original. It still contains no. 4, the Dionysio-Hadriana; no. 5, the answers of Gregory to St Augustine; no. 6, what I must take leave to call a *Liber canonum Gildae*; no. 7, the Penitential printed by you as the *Penitentiale Bigotianum* (*Bussordnungen*, p. 441); no. 8, the second *Capitulare* of Theodulf, Bishop of Orleans; and no. 9, the *Lex Salica*. The missing portions are, at the beginning, no. 1, the *Hibernensis* with its additional pieces at beginning and end; no. 2, the *Judicia Theodori* with annexed pieces; no. 3, the *Institutio ecclesiasticae auctoritatis*; and, at the end, no. 10, the first *Capitulare* of Theodulf, Bishop of Orleans; and no. 11, the Penitential of Egbert. The very fact of having two copies of such a complicated congeries of literature ought to be enough to stir any one to attempt to solve some of the problems which the combination of such documents must present. And this is especially the case when we find the book at Cambrai, where the existence already of a much earlier copy of the *Hibernensis*, which also shows points of connexion with Brittany copies, offers materials and an incentive for an investigation into the early history of the work, which it is hoped that the patient sagacity of scholars will some day carry through to a successful end.

This closes my list of the seven foreign manuscripts, by which I mean those which contain no evidence, either from the character of their handwriting or from their containing vernacular glosses or other entries, that they were transcribed in a country where any Irish or British dialect was spoken. Of the remaining seven, two contain remarkable traces of freshly transcribed Irish, though not themselves written by Irish scribes, while they exhibit no traces whatever of Breton ownership or writing. The other five, on the contrary, bear evident marks of having been transcribed in Brittany, while the Irish words preserved in them are found in what may be called a fossil state, that is, embedded in a Latin text copied by a scribe wholly ignorant of their meaning.

No. 2, at Cambrai, written for Albericus, Bishop of Cambrai



and Arras in the VIIIth century, is not an easy manuscript to assign to its true position with reference to this question. Nevertheless, a careful examination of the book in 1877 made certain points clear to me, which I should never have understood without seeing the book. Two things are now evident: it is not itself a mutilated book, and it is not written by an Irish scribe; but it must have been transcribed from a mutilated book, and from one which had been in Irish hands.

First let me take the question of mutilation. To persons who are accustomed to manuscripts written in the *scriptoria* of such places as St Gallen and other centres of scholarship in early times, the books written in the far west, in Brittany and Wales and Ireland, where Latin learning was not very far advanced, present an almost insuperable difficulty. It is well nigh impossible for such persons to believe that books teeming, as these generally do, with the grossest faults of writing and grammar, could ever have been of any practical use in the schools. And yet, if any one will make it his business, as I have done for many years, to hunt out manuscripts written in these districts, for the very purpose of seeing and learning what such books are like, he will find that these barbarisms are almost universal. He will then understand how these volumes, after the advancement of learning in the twelfth century, came to be classed in the old inventories as *libri vetusti et inutilis*. Interesting as they may now be for their antiquity, it is clear that for practical purposes of learning they became useless and were superseded by more carefully written copies, unless indeed, as sometimes happened, the whole class of literature itself became obsolete, and the only wonder then is that any of these old inaccurate copies should be still preserved. They must have been as useless to a student in the thirteenth century, as the carelessly edited classical texts of the XVth and XVIIth centuries are to one who is habituated to the requirements of modern scholarship: precious, perhaps, as curiosities, or as indirect helps to the study of a past age, but absolutely worthless for the ordinary needs of everyday life. The Cambrai MS. of the *Hibernensis* answers well to

this description. The copyist has to transcribe for the Bishop a manuscript of the A-text of this work. The book put into his hands is one which has lost a number of quires at the end. It breaks off in the middle of a citation from St Gregory in Tit. xxxvi (your xxxviii), *De doctoribus ecclesiae*, Cap. 18, *De eo quod considerandum est doctori, quid, cui, quando, qualiter loquatur*. It never occurs to the scribe when he has reached the end of *quid* and *quando*, that *cui* and *qualiter* are still wanting; and he closes his book with a highly ornamental *Explicit liber &c.*, leaving abundance of room for the continuation of the text, if he had but been aware of the fact that it was wanted. This, I feel confident, is the rational explanation of the break in this copy of the *Hibernensis*, and any search for motives for the curtailment of the text is out of place. The very early date which the scribe enables us to assign to the manuscript (763—790), makes it unlikely that the work had already become so widely circulated that other and more complete copies could easily be had for comparison. The story told by Mr Bensly of the missing portion of the fourth book of Esdras is far more remarkable and is an instance which I believe no one can gainsay. There the ixth century prototype remains and may still be seen in Paris with its leaf cut out, the mutilated progenitor of almost every Bible now known to exist, which contains the book<sup>1</sup>.

The Irish insertion in the Tit. *De iudicio*, cap. 24, is capable of a simple explanation in the same manner, and equally serves to illustrate the scribe's inattention to the substance of what he was copying. After the citation from Hieronymus which ends "...gratis accepistis, gratis date." (page 83), you add: "In 2 ist hier folgender Abschnitt eingeschoben: In nomine Dei summi. Si quis vult..." But as a matter of fact it is not quite so; and the inserted passage can hardly be called a section (Abschnitt) in any sense. In the MS. the passage runs thus (on leaf 37<sup>ab</sup>, lines 18—22), just beyond the middle of the fifth quire :

<sup>1</sup> See R. L. Bensly, *The missing fragment of the fourth book of Esdras* (Cambridge, 1871, 4o.).

Hier emittetur da  
nielem contēpnentēꝛ  
*In nomine dī sūmi.*

**S**i quis uult post  
me uenire abne

the rubric and initial S being written precisely as if they were the rubric and initial of a chapter of the *Hibernensis*, as no doubt the scribe thought they were. At the end of the inserted passage, where the text is taken up again, the MS. stands thus (leaf 38<sup>ab</sup> lines 8—14):

Manos comalna mar. Cas  
titas iniuentute/conti  
nentia inhabundantiaꝛ  
*De muneribus*  
*p'uertentibus recta*  
*iudicia non recipiendis*  
**D**ñs inlege nonaccipi

From the space occupied by the insertion, it seems to me certain that a single leaf containing this commencement of a sermon was actually lying, fastened or unfastened, between two leaves of the text of the *Hibernensis* which was being copied and that the words 'munera regis—gratis date,' at the end of the citation from Hieronymus were dropped, when the end of the insertion was reached by the scribe. The mark ꝛ after *contempnentem* and again after *inhabundantia* is not the common Irish abbreviation for *et*, as has usually been supposed, but the ordinary mark of final punctuation used in the Cambrai MS. It is equally clear that the Cambrai copyist was ignorant of Irish. It is inconceivable that an Irishman should write the words at the foot of leaf 37<sup>ab</sup> and the head of leaf 37<sup>ba</sup> thus:

be analchi ood · ocu  
[sap&thuꝛ  
ocus aratinola · soalchi

where there was not the least want of room to cause the separation of the *s* from *ocu* in the word *ocus* (and). Zeuss has made several necessary conjectural emendations in the text, but when

it is understood that the scribe did not comprehend what he was copying, conjecture becomes legitimate, and the difficulties of explanation are diminished. With reference to the character of the writing generally, my impression at the time, when I examined the book in 1877, was that it must have been transcribed from a copy in the possession of a house which had, or had had, Irish inmates. The very first initial is a clumsy imitation of an Irish D, with the usual red dots round it; but it was evidently too much trouble for the Cambrai scribe to go on imitating the hand of his original, and he soon gave up the attempt. The book begins with the rubric "DE episcopo capitula XXII7," and above this is written, in uncial letters, the word "EM MA NUEL." It is worth mentioning that the word "Emanuel" occurs in this position preceding the first rubric, both in the Orleans copy (no. 10), and in the second Paris copy (no. 4 in your list), the two which are most closely connected together. I cannot think that it is over-fanciful to see in this circumstance a possible indication that all three manuscripts were copied from a prototype existing in Brittany, which was itself written at a time when a greater number of Irish students were to be found in the monasteries of St Gildas at Ruys and of St Winwaloë at Landevennech, than was likely to be the case in the eleventh and early twelfth centuries. I will close this already lengthy notice by observing that our Penitential-writer is here written Vinniaus, as in the earliest of the Brittany copies.

No. 14, at Cambridge, MS. 279 in the collection given by Archbishop Parker to Corpus Christi College, is another MS. of which it is very difficult to give in a few words a thoroughly satisfactory account. It contains four principal pieces, of which the third and fourth belong together, all transcribed by a very inaccurate copyist of the Xth or IX—Xth century. The first (leaves 1<sup>a</sup>—6<sup>a</sup>) is the *Synodus Episcoporum id est Patrici Auxilii et Issernini*, a set of canons printed by Spelman (and from him by others) from this copy. Indeed they have not been preserved at all except here and in the citations from them which occur in the *Hibernensis*. The second (leaves

6<sup>a</sup>—55<sup>a</sup>) is a collection of *testimonia* arranged roughly under certain subjects, some having rubrics and some not, but without any apparent method or sequence. It begins with some *dicta* of St Augustine *de conjugum ratione*. The authorities are such as are cited in the *Hibernensis*, and in many cases the passages are identical. They include Patricius and Gildas, and the latest author cited is Isidorus. But the collection is certainly not derived from the *Hibernensis*, being rather a compilation drawn independently from the same sources; and as under some heads passages are cited from Gildas which do not occur in the *Hibernensis*, it follows that the compilation must have been made in some district where his writings were accessible; and we thus obtain some sort of clue to the locality in which it originated. The third and fourth pieces are (3) the *Liber ex Lege Moysi* (55<sup>b</sup>—80<sup>a</sup>) and (4) a series of extracts, in order, from the A-text of the *Hibernensis* (81<sup>a</sup>—94<sup>a</sup>), with some independent paragraphs, many of Irish origin, interposed (80<sup>a</sup>—81<sup>b</sup>) between the two, and others of a different kind at the end (94<sup>a</sup>—96<sup>b</sup>), the last breaking off abruptly (96<sup>b</sup>) in consequence of the loss of two leaves (97, 98) at the end of the last quire.

The *Liber ex lege Moysi* is a collection of extracts, in order, from Exodus, Leviticus, Numbers, and Deuteronomy, which, so far as I can ascertain, is only known to exist in the position in which we here find it. It will be seen below that in three of the Brittany manuscripts in our list (nos. 4, 7, 10), it occurs prefixed to the A-text of the *Hibernensis*. In one of these (no. 4) it follows immediately upon the general rubric or title of the *Hibernensis*, while in another (no. 7) it follows immediately upon the introductory paragraphs *De synodis* and the *Index titulorum* at the beginning of the *Hibernensis*; facts which clearly point to some connexion between the two works, at least so far as their origin is concerned. The series of extracts from the *Hibernensis* begins (after a passage from Tit. 8, *De recapitulatione septem graduum*, Cap. 2, which serves as an introduction) with Tit. 1, *De episcopo*, Cap. 3, and goes on to Tit. 48 (your 50), *De reliquiis in deserto humatis*, Cap. 1. Of the paragraphs at the end of the volume I have nothing to say in connexion with our subject; but those which imme-

diately follow the *Liber ex lege Moysi* are of particular interest to us, as it is to them that we shall have to look for our best clue to the history of the MS. Only let me first draw attention to two points, of which the bearing will be more clearly seen when I come to speak of the Brittany MSS.

Of the four principal pieces in the present volume nos. 1, 2, and 4 are quite free from any interlinear or marginal gloss; while in no. 3 (the *Liber ex lege Moysi*) and in the paragraphs of Irish origin appended to it, glosses are more or less thickly strewn, for the most part Latin, but in about a dozen cases Irish. These Irish glosses have been printed by Mr Whitley Stokes from the copies which I sent him; and from his commentary it is clear that, judging from the confusion of *s* and *f* and other mistakes, they cannot have been written by a scribe who knew anything of the Irish language. The character is certainly not that which would be used by an Irish scribe, even on the continent, in writing words in his own language. We are therefore brought to the conclusion that the copyist of this MS. must have had before him a manuscript already containing these Irish glosses, and must have been employed in a locality where such books were preserved<sup>1</sup>.

This existence, side by side in the same volume, of works both with and without transcribed glosses, leads me on to the second point that I wish to mention. In noticing the Cambrai MS. 576 (no. 13 in our list) I have spoken of the second Paris MS. (no. 4 in our list, and the one from which I believe the Cambrai MS. 576 to have been copied) as a sort of *Corpus iuris canonici* of the time. No one can look through the detailed

<sup>1</sup> All my experience goes to show that a copyist, in days when dictionaries were scarce, would gladly transcribe both text and glosses, which might be of use, even though he did not understand them. In some instances, moreover, I have found *Glossae collectae* at the end of a volume; that is to say, a scribe, having perhaps no room to insert them in his own copy, would write out from another

copy, in their order, all the glossed words with their glosses over them or subjoined to them, thus making a collection which would be unintelligible by itself, but most useful to any one who had a copy of the text before him. It is from such collections, the words being sorted more or less roughly in alphabetical order, that some of our earliest glossaries appear to have been compiled.

list of its contents given by Maassen in his *Bibliotheca Latina juris canonici manuscripta* (pp. 223—227), without seeing that it consists of a certain number of known books or collections of greater or less bulk, with a number of little paragraphs lying in groups interspersed between their larger neighbours. This seems to me to point unmistakeably to the fact that a large volume like this was transcribed from a number of smaller volumes, each containing one or more of these works, and each perhaps having more or fewer of these accretions at the end of it. "Hoc invenies scriptum in quodam textu parvo et veteri pauperis pretii" is the note written, in the margin of the great XIIIth century register at Salisbury, against the copy of St Osmund's foundation charter of the Chapter in 1091. How gladly should we now welcome the recovery of the "little old text" which appeared so worthless after four generations! One especial value of these great compilations (apart from the interest attaching to the matter they contain) lies in the fact that they enable us to reconstruct in our imagination, almost to see with our very eyes, these "little old texts," the "libelli Scottorum," or other books, from which the great books were copied. Each little single quire (quaternum) or packet of quires (fasciculus quaternorum) would contain a transcript of some precious work; and on the vacant pages at the end would be written various entries, perhaps of kindred material, perhaps wholly different in nature, for which the vacant page afforded an opportunity for entering something which much needed to be recorded at the time by the owner of the little quire, for whom spare parchment was not always to be procured at a moment's notice. When the book came to be copied again, the main text and all its accretions of miscellaneous entries would be copied out together; and the repetition of this process would thus sometimes bring pieces together in a volume, even written by one scribe, which originally could never have been intended to be placed together. This seems to me to be the simplest, if not the only possible, explanation of such collocations as we sometimes find. It will be seen below that, judging from these accretions, the Orleans MS. (no. 10 in our list) must have been a copy made from one of the very volumes which

were transcribed into the great Paris MS. (no. 4 in our list). To any one who has devoted much time to investigating the pedigree even of ordinary manuscripts, and still more of Registers of corporate bodies, I feel sure that this explanation will readily commend itself.

From the consideration of these two points, I am inclined to think that the present volume may have been copied from three several manuscripts containing respectively, (1) the *Synodus Patricii*, (2) the *Augustini Dicta de conjugum ratione*, &c. and (3) the *Liber ex lege Moysi* and Hibernensis-extracts; and that this third manuscript may have been copied from two others, one containing the *Liber ex lege Moysi* with paragraphs at the end, all more or less noted with Latin and Irish glosses, and the other containing a set of *excerpta* from the *Hibernensis*. I do not wish to lay any great stress on the necessity of its having originated in this particular way; but it is as well to show how the present result may have been produced.

Now that we have reached this point, it becomes clear that, in order to ascertain anything definitely concerning the origin of this manuscript, we must look (1) internally, to the *Synodus Patricii* which forms no. 1, the citations from Patricius and Gildas in no. 2, and the *Liber ex lege Moysi* with its appended paragraphs and Irish glosses in no. 3; and (2) externally, to what we can learn of its later history.

This latter point, concerning its external history, is easily disposed of. The book came to Cambridge on Archbishop Parker's death in 1575, and belonged to him for some time previous to that date. It bears at present no mark at all to indicate any earlier ownership, but a little patience has fortunately brought this to light. In printing the canons of the *Synodus Patricii* (Councils, Vol. 2, page 330, note a) Mr Haddan says: "There is another (very imperfect) copy of them (xvth century) in MS. C.C.C.C. 298, no. 22." But, on examining this MS. 298 in 1879, I found that the latter part of the volume was not a xvth century MS., but a mass of *collectanea* made by Parker, and by others for him, from various manuscripts; and that the incomplete copy of our canons mentioned by Haddan



is a transcript, from the very MS. 279 which is now under discussion, in the familiar handwriting of Parker himself, who has written at the top the following heading: "Ex libro quodam vetusto ecclesiae wigornensis." From this it follows that the original, at the time this was written, had been lent to Archbishop Parker from the library of Worcester cathedral, and that it afterwards passed, like many more of the most precious possessions of our cathedral and monastic libraries, into the private library of the Archbishop. Once traced to Worcester, it is not difficult to see how the book may have come to England (for it was certainly not written in either England or Ireland) with one of the Norman or Lotharingian bishops introduced in the eleventh century by Edward the Confessor or William the Conqueror. If Leofric could supply his newly built church of Exeter with books which he had brought from Arras or Cambrai, where he was educated, it is but natural to assume that his contemporaries may have done the same. It need therefore present no difficulty to us, that we find the present volume at Worcester during the period preceding the sixteenth century; and we have seen above that literature such as the present was to be found at Cambrai both when this MS. was written, and at an earlier date. Whether the original came direct from Ireland, or, as there seems ground for believing in the case of the other manuscripts, may be traced to Brittany, remains a problem which has to be solved, and no doubt will be solved, when the history of the schools of learning of Brittany and Lotharingia, and their mutual relations and intercourse, has been fairly studied with this object in view. Meantime, let us leave the external history of the volume, and turn to the evidence afforded by its contents.

The *Synodus Patricii Auxilii et Issernini* has only survived to modern times through the preservation of this volume. It is otherwise known only, I believe, from the citations from it to be found in the *Hibernensis*; so that wherever this work was compiled the *Synodus* was in existence.

The extracts from Patricius and Gildas also existed where the *Hibernensis* was compiled, since extracts from the same books appear also in that work, and so far as our present

knowledge goes, in that work only. In fact the same materials seem to have been at the disposal of both compilers.

The *Liber ex lege Moysi*, which here stands in front of the *Hibernensis*-extracts, is, so far as I at present know, found only in this MS. and in three copies of the *Hibernensis* undoubtedly written in Brittany (nos. 4, 7, 10, in our list). We are therefore led to associate it, so far, with the *Hibernensis* in general, and with the Brittany copies of that work in particular.

The paragraphs, partly of Irish origin, which are appended to the *Liber ex lege Moysi* are very short; and, as much turns upon their character, I shall here transcribe them in full:

1. DE BAPTISMO. Qui baptizati sunt ignorantés bis. non indigent pro eo penitentia nisi quod secundum canones non possunt ordinarí [80<sup>b</sup>] nisi pro magna inusitate [necessitate ?].

2. Qui autem non ignorantés iterum baptizati sunt. quasi iterum Christum crucifixerunt. peniteant .VII. annis .IIII. feria. et .III. [.VI. ?] feria et in .III. XL. si provocatio [pro vitio ?] aliquo. si autem pro munditia licitum putauerint .in. [.III. ?] annis.

3. Sanguis episcopi uel excelsi principis. uel scribæ qui effuderit (gl. a. ad terram) si colirio (gl. *anre*) indigerit; eum. qui effuderit sapientes crucifigi dixerunt. uel .VII. ancillas redat. uel .VII. annis peniteat.

4. Si uero sanguis episcopi ad terram non peruenit. nec colirio indiget manus percutientis interficiatur. aut demedium .VII. ancillarum redat uel demedium .VII. annorum peniteat.

5. Qui uero episcopum sine effusione sanguinis percusserit uel eum mota- [81<sup>a</sup>] uerit demedium .VII. ancillarum partem reddat. uel .III. annos et dimedium peniteat.

6. Si quis occiderit episcopum. et mortuus fuerit. si accipiat ab eo pretium sanguinis eius reddet .L. ancillas. id .VII. ancillas unuscuiusque gradus. uel .L. an' peniteat.

7. Qui occiderit hominem mortuum presente episcopo .VII. an' peniteat. uel .VII. ancillas reddat.

These seven paragraphs fall into two groups, nos. 1-2 relating to repeated baptism, and nos. 3-7 relating to injuries done to a bishop. I will deal with them separately as (1) *De baptismo* and (2) *De episcopo*.

(1) *De baptismo*. These two paragraphs appear standing together in the following four documents printed in your *Buss-ordnungen*: 1. The *Capitula Dacheriana* (Cap. 11. p. 146); 2. The *Poenitentiale Theodori* as put together by the *Discipulus*

*Umbrensiūm* (Lib. I. x. 1, 2, p. 195); 3. The *Poenitentiale Martenianum* (Cap. LIX. 1, 2, p. 295); and 4. The *Poenitentiale Cummeani* (Cap. XII. 1, 2, p. 488). Of these four you have shown (*Bussordn.* pp. 48—49) that the *Martenianum*, which is taken from a Fleury MS., is necessarily subsequent to the year 757. It is so largely indebted to the *Hibernensis*, that it can afford little independent evidence for our purpose. The *Theodorus*, as edited by the *Discipulus Umbrensiūm*, became so widely known soon after its author's death, and forms such a large element in all subsequent penitential literature, that no aid can be expected from it for our present object. The *Cummeanus*, on the other hand, though much indebted to Theodore, is yet so closely related to your *Poenitentiale Bigotianum* (*Bussordn.* p. 441), which exists only in the great Paris MS. (no. 4 in our list), and is so largely derived from the combined British and Irish documents, which are also known only from that same MS., that we cannot well help associating its origin with the home of the Paris MS., which was undoubtedly written in Brittany. I may mention, further, that I have examined what seems to be a slightly dislocated copy of the *Cummeanus*, in a volume at Oxford (MS. Bodl. 572) where it has been bound up from early times with several other pieces, some of which must have been transcribed in Cornwall and some in Brittany. Finally, the *Capitula Ducheriana*, which are looked upon as *Judicia Theodori* in an early and utterly disarranged state, are only preserved to us, in that form, in the two Paris MSS. numbered 3 and 4 in our list, which were both of them unquestionably written in Brittany.

(2) *De episcopo*. These paragraphs (except the last, which I have not found elsewhere) are almost identical with some which you have printed in your *Bussordnungen* (pp. 140—142) from the Paris MS. (no. 4 in our list). They occur there among a number of miscellaneous paragraphs subjoined to the second *Capitulare* of Theodulf, Bishop of Orleans, which forms the eighth portion of the MS. according to my division of its contents. Paragraphs 3, 4, 5, correspond to what you print as Capp. 1, 4, 5, under the rubric 'Synodus Hibernensis decrevit' (pp. 140—141), and paragraph 6 corresponds to your Cap. 2

under the rubric 'De jectone' (pp. 141-142). Paragraph 7 goes with 6, and no doubt comes from the same document. The text in the Cambridge MS. is very corrupt, as will be seen; but it presents one peculiarity which illustrates what you have said on pp. 7-8 of your *Bussordnungen*. In every one of these paragraphs the alternative is given of a year's penance for the price of an *ancilla*, which occurs in only one case in the printed text. It may be noted that a similar commutation of penance is alluded to in the Theodore of the *Discipulus Umbrensi* (Lib. I. vii. 5, *Bussordn.* p. 191) in connexion with a "libellus Scottorum" used by Theodore.

We are bound to acknowledge that these little paragraphs can only have been entered upon the vacant pages of a copy of the *Liber ex lege Moysi* (the prototype of our copy) in some locality where both this compilation and the decrees of Irish synods were accessible. It is of course impossible to say positively where else they may possibly have existed at the time; but Brittany is the only locality which answers to this description, so far as our present knowledge goes. To my mind it is wiser to leave things standing where we have ample evidence that documents of the kind actually existed, than to speculate on localities where such books may possibly have been produced, while we are destitute of any satisfactory evidence in favour of such speculations. If we place them in Brittany because we have certain knowledge that literature of the kind did exist there in abundance at the time, we shall be all the more ready to acknowledge that these materials existed in other places, when the proofs of such existence are brought before us. Accordingly, until fresh evidence is forthcoming, I shall believe that the present manuscript, whether it was itself transcribed in the Cambrai and Arras district or elsewhere, owes its origin to manuscripts then preserved in Brittany.

Five manuscripts now remain to be considered, all of them of particular importance for our purpose, especially as they all contain numerous incidental pieces which afford good materials on which to form a judgment respecting their origin, and so, more or less directly, respecting the origin and early history of the *Hibernensis*. I shall take them in the following order:

no. 3, Paris (Lat. 12021); no. 10, Orleans; no. 4, Paris (Lat. 3182); no. 7, British Museum; no. 11, Oxford. It will probably tend to clearness, if I say what has to be said respecting the modern history and also respecting the common features of these five manuscripts before going through the contents of each one separately.

No. 3, now in the *Bibliothèque Nationale*, Paris, came from the monastery of St Germain des Prés, where it had been long deposited with many others, though belonging of right to the monastery of Corbie, in Picardy; no. 10, now in the *Bibliothèque Communale* at Orleans, came after the Revolution, from the monastery of Fleury on the Loire. No. 4, now in the *Bibliothèque Nationale*, Paris, came to the Library on the sale of the collection of the Chancellor Bigot, of Rouen, at the beginning of the eighteenth century. This volume came into the possession of Bigot among a number of manuscripts which formerly belonged to the abbey of the Holy Trinity at Fécamp in Normandy, to which it was given, apparently soon after its foundation early in the twelfth century, by one *Godofredus sacerdos*, whose gift is mentioned in the book. No. 7, in the British Museum, forms part of the collection formed by Sir Robert Cotton (1571—1631), which was transferred to the British Museum when it was founded in 1753. Before the dissolution of the religious houses under Henry VIII., the book belonged to St Augustine's monastery at Canterbury, the mark of which it bears in a handwriting of the thirteenth century. No. 11, at Oxford, in the Bodleian Library, among the Hatton manuscripts, given to the library about 1675, belonged before the Reformation to the abbey of Glastonbury. From an entry of "Wulfric cild" on one page, Professor Stubbs (now Bishop of Chester) told me that he thought it might have been at Glastonbury when Wulfric the younger brother of Dunstan, who was then abbot of Glastonbury, died, that is to say, in the middle of the tenth century. The volume is still called "Liber sancti Dunstani."

But although these manuscripts are found, in the interval between the XIIth and XVIIth centuries, scattered at Corbie, Fleury, Fécamp, Canterbury, and Glastonbury, they are nevertheless found to be possessed of certain features in common

which enable us to trace them back to a common home. The continental character of the handwriting, and the existence of vernacular Breton glosses in all the five, point with certainty to the fact of their having been all of them written in Brittany. The interlinear and marginal glosses, which, relying apparently upon your correspondents, you refer to an Irish source, are really in no single case Irish, but belong to some British dialect; and it has now come to be acknowledged on all hands that they are not Welsh, but Breton. I hope you will forgive me for putting on record the process by which this acknowledgement was effected, as it bears to some extent upon our present investigation. When first, about the year 1871, I drew attention to the continental character of the handwriting of the Oxford MS. of Eutex (or Eutyches or Euty chius) formerly at Glastonbury, and of the Luxemburg fragments of the *Hisperica Famina* formerly at St Wilbrord's monastery of Epternach, noticing also that some of the grammatical forms appearing in these two MSS. were, wherever distinguishable, rather Breton than Welsh, the Celtic philologists were unwilling to accept this suggestion. In point of fact, as no Breton literature was traceable back beyond the fifteenth century, and no scraps of the Breton dialect earlier than the XIIIth century were known to exist, except those which occurred in stray names or phrases in the two XIth century cartularies of Redon and Landevennech, the suggestion was treated as almost too good to be true, and was certainly not to be accepted without caution. When, however, in 1876, book after book came to light, as I went from place to place in search for such things: a *Hibernensis* at Oxford, an *Amalarius* at Cambridge, two more copies of the *Hibernensis* at Paris, and a fourth copy of the same in the British Museum, all first examined from this point of view in the course of a few weeks, and all containing, in their vernacular glosses, abundant evidence of Breton origin, the philologists began to be convinced. And when, a year later, I went to Orleans and found a fifth copy of the *Hibernensis*, with some 320 of these glosses, almost every page being sprinkled with them, all doubt was finally removed. It then became evident that Brittany had been overlooked; that its long-forgotten history ought to be re-examined with care,

and that a continuation of my search for scattered manuscripts bearing evidence of their having been written in that country could not fail to be productive of fruitful results. Just as the Gospel of Deer (which I discovered here many years ago) throws a welcome light, by means of its Gaelic marginal entries, upon the obscurity surrounding the history of the Celtic church in Scotland, and has enabled us to picture to ourselves the decayed or decaying Columban monasteries giving way in the twelfth century before the revived monasticism which was penetrating the kingdom in all directions; so these scattered books help us in some measure to bring before our eyes the lost schools of learning in Celtic Brittany, which, after a gradual decay, finally succumbed beneath the same spirit of new life which pervaded the whole of western Europe during this eventful century. As in France, since the Revolution of 1789, the libraries of the monasteries have been transferred to the national or nearest municipal repositories; and as in England, since our great ecclesiastical Revolution of the sixteenth century, the treasures of our monastic and of many of our Cathedral libraries have to be looked for in the British Museum or in the collections of our older Universities and Colleges: precisely so, it seems to me, in the XIIIth century, such books as were considered worth preserving, found their way, on the decay of the Celtic monasteries in Brittany, to the great houses which represented the revived monasticism, such as Corbie or Fleury, or Fécamp, or across the channel, to Canterbury and Glastonbury; and it is in such libraries, or their present representatives, that we now have to look for the lost literature of Brittany. It will be understood that, before the *Decretum* of Gratian came to be widely known, and a century before the existence of the Decretals of Gregory IX., a good copy of the *Hibernensis* must have been a collection of Church law, such as any religious house might be glad enough to possess. The little incorrectly written quires, the *libri vetusti et inutiles*, would naturally be neglected and left to perish, while the choicer books, which could be turned to account, would be reserved for use. "Habent sua fata libelli" is a saying which never ceases to hold good. All cannot be kept; some must be

allowed to perish; and the law of "the survival of the fittest" is the natural law to which all things are destined sooner or later to submit.

Thus a patient search for books bearing evidence of having been written in the country has led to the discovery of several such books; and this discovery has led the philologists to reconsider the statements which have been current respecting the early forms of the language of which traces are found there. In the same way a study of the anatomy, and of the genesis, of these books, from the point of view of their contents, cannot fail, I feel sure, to lead to a reconsideration of the views held respecting the origin and early history of the literature which is embodied in them, as soon as students are aware of the relief which such reconsideration will afford in the most troublesome and perplexing questions. What has evidently been looked for, and looked for in vain, is some spot, some district, on Frankish soil, where these compilations can *naturally* be supposed to have come into existence. Towards arriving at this result, a glance at the principal authors concerned ought to afford some aid, and the following remarks are offered as a contribution to the subject.

The names which stand out prominently in connexion with the *Hibernensis* and its kindred penitential literature are Patricius, Winniau, Gildas, and Cummeanus. I am obliged to include this last writer because of his intimate connexion with some of the documents preserved in our MS. no. 4.

The *Libri Sancti Patricii* were in the hands of the compiler of both texts of the *Hibernensis*, and also of the scribe of our no. 7, who quotes a passage from them, which is otherwise unknown. Of the two so-called Synods of St Patrick, one was in the hands of the compiler of the *Hibernensis*, and the only complete copy stands in close connexion with it and kindred literature, as described in my notice of no. 14 above. The second synod, also quoted in the *Hibernensis*, was spread more widely and is preserved in manuscripts found at Chartres, Ghent, St Amand (in the diocese of Tournay) and elsewhere further off.

As regards Gildas, what I have called a *Liber Canonum*.



*Gildae* is used by Theodore in his Penitential, and is cited in the *Hibernensis*. It is also preserved in our MS. no. 4, in a form in which it must have existed in many copies, being largely used in the Penitential literature traceable to this district. Other fragments of his work are preserved only in the *Hibernensis* and in a collection derived from similar materials, described in my notice of the Cambridge MS. (no. 14 above). In your *Bussordnungen* (p. 6), you accept the view that Gildas was a British monk who, having lived and worked in Ireland and Britain, died at Bangor (in North Wales) in 583. I feel sure that if you had followed the (at least as well authenticated) legend of the monks of Ruys, that he was educated in Wales, that he worked in Leinster (the south-eastern province of Ireland) and that he spent the latter part of his life and died in Brittany in his own monastery of Ruys, you would have seized a clue which would have guided you to an easy explanation of the otherwise troublesome fact that the literature preserved in Brittany is our only source of information concerning those writings of his in which we are at present interested.

Of Uinniau we know but little. His Penitential was certainly in the hands of the compiler of the *Hibernensis*, who quotes him by name, and it was also in the hands of the compiler of the Penitential preserved in our MS. no. 4 (your *Bigotianum*), which can so far only be traced to Brittany. The text of Uinniau found its way early to St Gallen, and occurs in a MS. now at Vienna, which must however have come from some district very much further west.

Cummeanus, however, is the one of all these four names, which causes most trouble, as you justly say<sup>1</sup>. You have no doubt that his Penitential is derived from, and intimately connected with, the one preserved in our MS. no. 4 (the *Poenitentiale Bigotianum*); that he has access to the same documents as the compiler of that work; that he was an

<sup>1</sup> "Zu den bestrittensten und dunkelsten Fragen in der Geschichte der Bussordnungen gehört die über Alter und Ursprung des Pönitential's, welches

dem Kommean oder Kummean oder Kumian (Kumin, Komin) zugeschrieben wird." *Bussordnungen*, p. 61.

“*abbas in Scotia ortus*,” as described in one of the manuscripts, who must have compiled his work in some locality on Frankish soil where he would have the use of British and Irish documents as well as of those of Frankish origin, and finally, that, judging from the wide and early use made of his work, he must have flourished in quite the early part of the eighth century. After what I have now repeated over and over again, with respect to the literature preserved in our five manuscripts, Brittany is the most obvious locality to which this work of Cummeanus can be assigned, as it appears to me to meet every one of the requirements of the case. One thing only strikes me as singular, in reading your discussion on Cummeanus in the *Bussordnungen* and your introduction to the *Hibernensis*, namely that you should have omitted altogether to notice, or at least to comment upon the fact, that no citation from Cummeanus appears in the *Hibernensis*, and that no use is made by Cummeanus of documents known to us only through the *Hibernensis*<sup>1</sup>. This appears to me all the more singular, since, from what has been said above, the anonymous compiler of the *Hibernensis* and the *Cummeanus abbas in Scotia ortus* to whom the Penitential is assigned were evidently both living exactly at the same period, and had both of them access to the same authorities for their compilations, authorities which in many instances seem to have been accessible only within an extremely narrow area. Is it possible that the compiler of the *Hibernensis* and the author of the Penitential are one and the same person? The answer to this question must be left for the present.

\* \* \*

(p. 33, line 2—but cut out to come in later on and never reached) no. 3 is at Paris, in the *Bibliothèque Nationale*, MS. Lat. 12021, formerly at St Germain (MS. Lat. 121), having been deposited there with many others belonging of right to

<sup>1</sup> Cummeanus iv. 11 (*Bussordn.* p. 476) and *Hibernensis*, Tit. 57 (your 59), *De ducatu barbarorum*, capp. 2, 3, is the only possible case that I can find; and here the wording varies, and both

are perhaps quoting the same document. The *Hibernensis* cites Synodus (B-text) or *Synodus Hibernensis* (A-text), but not Cummeanus.

the monastery of Corbie. The volume contains two separate books bound together. I do not think either of them can be much later than the IXth century. At the end are bound four slips of much older writing (fragments of the *Codex Theodosianus*) taken, I presume, from the older binding. Part 1 consists of the first four quires of a book containing two sets (apparently) of sermons on the Gospels, judging from my notes; but there seems to be nothing of interest for our purpose. Part 2, in a different hand, is a copy of the *Hibernensis* and kindred matter, which has now to be described. This volume consists of twelve 4-sheet quires, followed by one 2-sheet quire, numbered from I to XIII in the centre of the lower margin of the last page of each (leaves 9—108). Prefixed is a single 4-sheet quire (leaves 1—8), of which the 8th leaf has been removed, probably as being blank and not wanted. This preliminary quire, which was evidently an addition to the book as first written, makes the number of quires fourteen; and traces of re-numbering are visible on the original III and XIII which, becoming in consequence of this addition 4 and 14, bear also the Greek numerals Δ and ΙΔ.

I may mention that the so-called Cartulary of Landeven-  
nech, now at Quimper, almost the only manuscript written in  
Brittany which has remained there since the XIth century,  
has the quires numbered in precisely the same way, in Greek  
numerals. The Landevennech *Amalarius* written in 952 (now  
at Cambridge) has the scribe's ΦΙΝΙΘ ΔΗΩ ΓΡΑΘΙΑC (Finit  
Deo gracias), but Greek rubrics of this kind are not so un-  
common.

1. The preliminary quire contains a complete table, headed  
'Incipiunt capitula sancti sinodi,' of the rubrics of all the *tituli*  
of the *Hibernensis* and all their *capitula*, written in double  
columns (leaves 1<sup>aa</sup>—7<sup>ab</sup>).

2. The Prologue: 'Senodicorum exemplariorum—reperiet,  
finit prologus'; (leaf 7<sup>b</sup>).

3. The introductory *titulus* 'De senodo,' consisting of two  
*capitula* 'De nomine senodi' and 'De principalibus senodis,'  
ending 'regule apud cartaginensem cum africe .CXXXVIII.  
finit, amen; (7<sup>b</sup>).

The body of the book I shall describe under three heads:

1. The *Hibernensis* (9<sup>a</sup>—96<sup>b</sup>); 2. the *Judicia Theodori* and annexed pieces, including the subscription of the scribe (96<sup>b</sup>—108<sup>a</sup>); 3. Miscellaneous paragraphs written on the last page of the book (108<sup>b</sup>).

1. The *Hibernensis* is the A-text, consisting of the normal 65 *tituli*; that is to say, whatever mistakes there may be in the table of *tituli* and *capitula*, the following facts must be taken into account. In the first place, the *cap.* 'De multimodis causis clericorum' is not in fact a *titulus* by itself, as in your edition, but *cap.* 3 of *Tit.* 9 'De acolito et psalmista et clericis.' Secondly, there is no *Tit.* 'De senibus' following the *Tit.* 'De veritate,' since that *titulus* is only found in the St Gallen MS. and thence in your edition. Thirdly, the *Tit.* 'De locis' and the *Tit.* 'De locis consecratis' are kept separate in fact, though there is a tendency to unite them in the tables of rubrics, as they are finally united under one head in the B.-text.

The text begins at once at the top of the first page of the first quire (leaf 9<sup>a</sup>), with the first rubric: 'DE EPISCOPO CAPITULA XXII,' without any further heading, and without the word 'Emmanuel' which is found in the Cambrai copy and two others. It ends, at the top of the last page of quire XI (leaf 96<sup>b</sup>) with the following two lines:

& aquas fideles legem dī uidilic& accepis se; (Tit. 65, cap. 7).

Hucvsq; nubēn & cv̄ cuimmæ & du rinis; ; ; ; ...

The *Judicia Theodori* described next, follow upon this, after an interval of a single blank line.

\* \* \*

## II. NOTES ON THE TWO MANUSCRIPTS AT CHARTRES AND TOURS CONTAINING THE *HIBERNENSIS*.

BEING in France in the middle of this last September [1885], I took the opportunity of calling at the libraries at Tours and Chartres, in order to take a few notes of the manuscripts there, which contain copies of the early collection of Canons commonly known as the *Hibernensis*, so called from the large number of decisions of Irish synods, otherwise unknown, which are preserved in it.

This compilation, dating from the beginning of the eighth century and widely circulated in the course of that century and the next, was first brought to light in modern times by Archbishop Ussher and Sir James Ware, who made frequent use of Sir Robert Cotton's manuscript of it, now in the British Museum (Otho E. XIII), in connexion with their Irish researches. More extended citations, from the two manuscripts now in Paris (Lat. 3182, Lat. 12021), were subsequently supplied by Martène and others; and further information from the Vallicella MS. (A. 18) at Rome was given by the brothers Ballerini. Prof. Maassen has dealt with the work, and gives a number of extracts from it, in his *History of the sources and literature of Canon Law* (Vol. I, Gratz, 1870-71, 8°); but the collection was only first rendered fully accessible to the student in the edition of Prof. Wasserschleben (Giessen, 1874, 8°), which, in consequence of the recent destruction of a large part of the impression by fire, the Editor has re-printed, with an enlarged introduction, during the last few months (Leipzig, 1885, 8°). For his first edition, which he bases principally on a transcript of the St Gallen MS. 243, he examined one manuscript himself (that at Cologne,

2178), and obtained transcripts and collations from several others; and for his second edition he has examined a second manuscript, now at Carlsruhe (Reichenau XVIII) which has hitherto remained unnoticed.

The Chartres MS. is known to those interested in the work only by means of Prof. Schulte's notice of it in his *Iter Gallicum* published by the Vienna Academy in 1868. Prof. Wasserschleben has made no use of the manuscript beyond including it in his list (no. 8 in his first edition, no. 10 in his second) and repeating one or two of the points respecting it mentioned by Prof. Schulte, drawing attention also to the fact that it belongs to the same family of manuscripts as the copy at Cambrai. I examined it myself for a few special points in the spring of 1877. On the present occasion, although the library was closed, M. de Mianville, the President of the *Conservateurs de la Bibliothèque*, generously allowed me access, and, in addition to other acts of kindness, enabled me to examine the manuscript freely, and so to obtain the particular information from it, which I was especially anxious to procure at this time.

The Tours MS. was not seen by Prof. Schulte in 1868. The excellent catalogue prepared by M. Dorange, at that time Librarian, was then passing through the press, and was not published until some years later (Tours, 1875, 4°), or the book could not have escaped Prof. Schulte. When I first looked through the catalogue, it happened that most of my leisure time was being devoted to the *Hibernensis*; so that I had no difficulty in recognising, under M. Dorange's description of MS. 556, two portions of that work, though not specially described as such. In the autumn of 1877, having gone into that part of France to finish my work upon the priceless copy of the *Hibernensis* (MS. 193) which had rewarded my pilgrimage to Orleans in the preceding spring, I went on to Tours; and there, thanks to the kindness of M. Dorange, I was able to work freely at the Library, and so to get a considerable amount of collation done. Prof. Wasserschleben was of course unaware in 1874 of the existence of this manuscript, as it had not been reported upon by Prof. Schulte. In his second edition he includes it informally (without a number) in his list, on the

authority of a letter from me on the subject. On the present occasion, being September, the library was closed; but through the kindness of the attendant in charge, I was able to see the book and to get certain facts about it, which I had omitted to take down in 1877.

It seems to me worth while to put on record such notes of these manuscripts as I was able to gather in the short hour or two which I could devote to them. Much that is to be found here will possess little or no interest for any but a very few. But it may be long before I have, if indeed I ever have, the necessary leisure to carry through my work upon this subject, and to lie buried in a note-book is an unfruitful end for any such researches. Here, they may at least serve to direct the attention of others to volumes which well deserve a closer examination. These notes, moreover, illustrate the method on which I have worked for many years, the method which alone brings me satisfaction, whether dealing with printed books or manuscripts. It is briefly this: to work out the history of the volume from the present to the past; to peel off, as it were, every accretion, piece by piece, entry by entry, making each contribute its share of evidence of the book's history backwards from generation to generation; to take note of every entry which shows either use, or ownership, or even the various changes of library arrangement, until we get back to the book itself, as it left the original *scriptorium* or the hands of the scribe; noting how the book is made up, whether in 4-sheet, 5-sheet, or 6-sheet quires, or otherwise; how the quires are numbered and marked for the binder; how the corrector has done his work, leaving his certificate on the quire, leaf, or page, or not, as the case may be; how the rubricator has performed his part; what kind of handwriting the scribe uses; and, finally, to what country or district all these pieces of evidence point. Then, if the volume contains one work only, to notice whether the work (as distinguished from the volume in which it is written) is complete, or shows signs of a dislocated or a mutilated text, so that a clue may be obtained as to the copy, or family of copies, from which the text must have been derived. If there are several works in the volume, the search becomes

still more interesting, because it is necessary to trace out any other manuscripts which contain these same works together, so that, with this guide, we may again scent out further details as to the previous history, and so eventually perhaps as to the original home, of the work or works in question. The very search is sure to bring its own ample reward. It is here that Prof. Maassen has done such masterly work in his History, in grouping his documents and collections of documents, and pointing to the locality or district where such and such collections were found in the middle ages, leading us to search for, and so ultimately to discern, the part of the country where they were to be found, where they must have been transcribed, and from which they were circulated and became known. When all this preliminary process has been gone through, there remains the primary task of examining thoroughly the text of the work itself. It is here that most editors are content to begin their labours, perhaps indeed not even at this point; being content to do all their work upon a mere transcript, or even a collation, of a manuscript which they have themselves never seen; incapable, for the most part, of perceiving that any good can possibly arise out of an attempt to study the history and, so to say, the setting or surroundings of the material books which enshrine the literature upon which they are engaged. But the quiet building up of facts, the habit of patiently watching a book and listening while it tells you its own story, must tend to produce a solid groundwork of knowledge, which alone leads to that sober confidence, before which both negative assumption and ungrounded speculation, however brilliant, must ultimately fall. It is to be hoped that our schools of history may year by year foster more such methods of research.

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#### I. THE CHARTRES MS. 127.

Before speaking of the contents, let me say a few words of the volume itself, and its external history. The modern stamp of 'Chartres Bibliothèque Publique' is on the fly-leaf and on



the first and last written pages of the body of the book, which consists of 76 leaves of parchment, besides a single parchment leaf at the beginning, which has been used for lining the board (as part of it still does), and a quire of four very thick parchment leaves at the end, once used for the same purpose, only that the end board is now wanting. The leaves have been numbered recently by the Librarian from '1' to '75<sup>e</sup> et dernier 18 Mai 1884,' the last leaf (76), left blank by the scribe, remaining still unnumbered. On the back is a label bearing the number 127, printed in red, which is the number under which the volume appears in the printed catalogue of the manuscripts (Chartres, 1840, 8<sup>o</sup>). Above this, on the back, is a label with  $\frac{I}{G}$ , printed in black, showing that the book stands in Press I, on shelf G (the seventh shelf from the bottom); and at the foot, also on the back, is a label with 124 printed in black, being the number of the volume in the library, the *numéro d'ordre*, according to the custom adopted in most French libraries. On the fly-leaf is written 'N<sup>o</sup> 123,' being (I presume) the provisional *numéro d'ordre* in the Public Library before the final arrangement and the printing of the labels. Inside the board is a label with the number 1000 stencilled upon it, a simple advice adopted in this library (or in the old Chapter library, I do not know which) for the purpose of indicating the century to which the manuscript may be assigned. On the first page of the text is written, at the head, 'Jus Canonicum' and 'Ex Bibliotheca Capituli Carnotensis,' and at the foot 'S. 4 Manuscripta Decimi Sæculi I vol. in 4<sup>o</sup>. 38,' all in a handwriting of the XVIIIth century; and S. 4. 38 occurs also, written on the outside of the binding, as the library-mark of the book while still in the Chapter library at Chartres before the Revolution. On the fly-leaf is an entry, not very much older than the preceding, 'Excerptum de Canonibus' with '7' above and 'M' below, the feet of the M joined by a line, with a second line immediately above, in the centre of the letter; indicating an older arrangement of the books in the Chapter library. There seems to be no earlier trace of ownership visible, except a far older entry, which occurs immediately

above the text on the first page, in a semi-uncial character of the XIth or XIIth century, 'EXCERTUM DE CANONIBUS.' It is impossible to infer anything positive from this entry by itself; but a comparison of it with the corresponding entries in the other volumes of the same age, which came from the old Chapter library, would probably bring out evidence to show either that it was, or that it was not, in possession of the Chartres Chapter from very early times<sup>1</sup>. An early inventory of the library, if in existence, would be of material assistance, as the entry would almost certainly be identical in terms with what is found written at the head of the volume. The binder's fly-leaf at the beginning contains nothing but various library-marks; the four fly-leaves at the end bear very distinct traces, in the lower margin, of the iron fastening to which the chain was attached, by means of which the book was secured to its place in the old library. At least, in an English library such marks could hardly bear any other interpretation. The only writing on these leaves is on the innermost two pages, where there is a good deal of scribbling or trying of the pen, by a scribe of the XIIth or XIIIth century, who has written, many times over, the verse 'non est in mundo diues qui dicit habundo.' The last page of the body of the book, leaf 76<sup>b</sup> (75<sup>b</sup> and 76 having been originally left blank), is occupied by a tabular statement of the eight (not seven) virtues and the corresponding eight deadly sins with their branches, which may be in a handwriting of the twelfth century. For the rest, both text and quire-marks, all is (I believe) in the handwriting of the original scribe.

The 76 leaves of which the original volume consists are arranged in nine 4-sheet quires followed by one of 2 sheets; and the collation may be stated as follows<sup>2</sup>:

a b c d e f g h i<sup>s</sup> k<sup>4</sup>; 76 leaves (1-76). Leaves 1<sup>a</sup>-2<sup>a</sup>, *Capitu-*

<sup>1</sup> e.g. Southampton Psalter.

<sup>2</sup> The method which I adopt in describing the collation of a book, is to give the signatures of the quires, if there are ordinary signatures, or else to use the letters of the alphabet for

the purpose; adding, in either case, a number above the line, to denote the number of leaves in each quire or series of quires. Thus, in the text above, the formula (a b c d e f g h i<sup>s</sup> k<sup>4</sup>) means that there are nine quires (a-i) of eight

*laris descriptio*, breaking off abruptly (although thought by the scribe to be perfect) in the middle of a sentence in Cap. 2; 2<sup>a</sup>-75<sup>a</sup>, the so-called *Collectio Canonum Hibernensis*, breaking off abruptly (although thought by the scribe to be perfect) in the middle of a citation in the Tit. *De doctoribus*, Cap. 18; 75<sup>b</sup>-76<sup>b</sup> originally left blank. The quires are numbered, in the centre of the lower margin of the last page of each, thus:

- a .I. leaves 1—8.
- b .II. (this number has been almost wholly obliterated)  
leaves 9—16.
- c .III. leaves 17—24.
- d .III. „ 25—32.
- e .V. „ 33—40.
- f .VI. „ 41—48.
- g .VII. „ 49—56.
- h .VIII. „ 57—64.
- i .VIII. „ 65—72.
- k (not numbered, the last page having been blank)  
leaves 73—76.

The handwriting of the text is assigned by Prof. Schulte to the xith century, and by the printed catalogue and the older authorities to the xth. I have not sufficient experience of this Caroline minuscule writing to say which date is more likely to be correct; but neither statement can be very far from the truth. The abbreviations are quite ordinary; the most prominent being the incessant use of & to represent the letters *e t*, not only in the conjunction *et*, but in whatever part of a word they occur. I must now say what I have to say about the pieces themselves, which are contained in the volume.

leaves each, followed by a tenth (k) of four leaves; thus making it perfectly easy to count up the whole number of the leaves, to verify every leaf in the volume (whether blank or occupied),

and to see at once if any leaf is wanting or any additional leaf or leaves inserted. This method applies equally to manuscripts and to printed books.

1. *Capitularis Descriptio.*

On reading this piece carefully through, and finding it to be a mere fragment of a work written in the form of what we should call a Book of Injunctions<sup>1</sup> (*capitularis descriptio, capitulatim scripta*), of which nothing but the prologue and cap. 1, and a few lines of cap. 2, are preserved, it seemed to me advisable to copy it out and print it, in the hope of ascertaining what the work really is, as I have been unable to find it in any of the ordinary printed collections. My own immediate object is to notice with what documents the *Hibernensis* is found in connexion in early times, and to gather up all scraps of information which may tend to illustrate the history of its circulation, in order to be able eventually to trace it back to the home in which it originated.

The injunctions are addressed to a lady, whose name is omitted (not erased) in the heading of this copy (*domna et nobilissima* ), and who appears to be a queen (in regno a deo vobis commisso). The writer is an ecclesiastic of high rank, who has been chosen by the queen to be her especial spiritual adviser (*secreta cordis vestri pandere et consilium salutis vestrae a me quaerere vultis*), although there are countless holy men to be found within the kingdom more worthy of the office. He has already given her counsel by word of mouth (*ex parte audistis*), but from the great distance between them he cannot do this frequently (*nimio terrarum obstante spatio frequentius ore proprio et praesentia corporali vos videre et*

<sup>1</sup> It is difficult to find a more readily intelligible translation of the word *capitula* than Injunctions. From the multitude of imperial and episcopal documents known by this name, the word had, in the ninth century, come to mean almost exactly what we are familiar with, in the ecclesiastical language of the sixteenth century, under the name of Royal or Episcopal Injunctions. Further, as the word *capitula* came thus to have a substan-

tive meaning of its own, beyond that of mere chapters of a work, so the term *descriptio* came also, in the same period, to bear an independent meaning; the word signifying not merely a description or enumeration of certain things, but also the actual book which contained these details set forth. A few minutes given to verifying the references in Henschel's *Du Cange* suffice to make this clear beyond dispute.

alloqui nequeo). His home is therefore, evidently, at a long distance from the court. The queen has a father and a mother, and a lord and husband, for whom she is enjoined to pray (pro domno genitore ac pia genitrice necnon et pro seniori vestro), and she is desirous of following the rules of a devout life. She has committed herself to the especial patronage of certain saints, whose tombs are to be found in the place where the writer lives, and of whom the writer has sent to her certain relics (non cessabo...ante sepulchra specialium patronorum vestrorum, quibus vos specialiter commissam habetis et quorum reliquias vobis direxi, veniam...omnibus diebus vitæ meæ inprecari). He cannot then have been any ordinary spiritual adviser; his status must have been such as to invest him with authority to transfer the relics of saints from one place to another. Further, the writer enjoins the queen, as soon as she has risen in the morning, and before she allows herself to be distracted by the ordinary cares of life, to begin the day with making the Confession which Alcuin of blessed memory gave to some one, whose name is omitted (not erased) in this copy (confessionem quam beatae memoriae Alcuinus dedit).

These indications, together with certain peculiarities of idiom, ought surely to narrow the area within which such a document is likely to have been produced, within the limits of the period extending from the death of Alcuin to the date of the manuscript from which the present one was transcribed. The *Confessio* last mentioned may, I think, be identified without much risk of error. In the *Officia per ferias* compiled by Alcuin for the use of Charles the Great there occurs, at the opening of the service for Monday (Feria secunda), a confession expressly attributed to Alcuin himself (*Confessio peccatorum pura Alcuini*), which occurs also in the prayer-book of Charles the Bald (now at Munich) under the title of 'Confessio quam Alcuinus composuit Carolo Imperatori' (see Frobenius' edition of the works of Alcuin, Tom. 2, Vol. 1, p. 63). I would not lay undue stress upon the phrase 'seniori vestro' quoted above, as the equivalent of the modern French *votre seigneur*; but the combination of the honorific plural in the verb and pronoun with the participle in the singular form ('me vocare dignata

*estis,* and '*quibus vos specialiter commissam habetis*') is distinctly worth notice; and students of the Latin used in what is now France will perhaps be ready to point out the limits of time and place within which this remarkable idiom prevailed.

The piece is here printed as it stands in the manuscript. The contractions (which, as I have said, are quite ordinary) are expanded; but the mode of joining words, which is found in the manuscript, has been retained; and it is not, I trust, likely to cause difficulty in reading. The conjunctions *et* (generally) and *ac* (almost constantly) occur joined to the following word; so also *non*; so also the prepositions *a, ab, ad, de, ex, in, inter, per, pro*; so also *cum* sometimes; but not so *ante, apud, coram, post*. Where a word has seemed to me corruptly written, I have left it in the text, marking it with a dagger (†), and I have placed what seems to be the word intended, immediately following, within a parenthesis. The sentences are printed as paragraphs, in order to render them more easy to read or glance through rapidly. I have so often found the great convenience of this method of transcription, that I have no scruple in adopting it in print for the benefit of others. Such other remarks as I have to make are thrown into the form of notes appended to the text.

[Leaf 1<sup>a</sup>] INNOMINE DEI SUMMI INCIPIT CAPITULARIS †DISCRIPITO  
(descriptio) QUAM DOMNA ETNOBILISSIMA DEORDINE  
ETMODO ABSTINENTIAE SUAE LITTERIS CONPREHENDERE  
IUSSIT.

CUM MULTOS ATQUE innumerabiles domina in regno adeo  
uobis commisso sanctos et omni sapientia ac religione  
praeditos habeatis uiros qui sanctitate sui et merito uitae  
angelicae interris diutius ducte omnipotenti deo coniunctissimi  
et familiarissimi esse uideantur et tanto prouobis apud deum  
fiducialius intercedere possunt quanto ardentius et propinquius  
ei adherere cernuntur. Mirandum satis uidetur quod his di-  
missis mihi peccatori omnium criminum labe polluto secreta  
cordis uestri pandere et consilium salutis uestrae amare quaerere

uultis etdetam longinquo terrarum †spatio (spatio) me uocare dignata estis qui sapientia et religione · utilitate acbonitate omnibus his sum ultimus.

Sed quia hoc ita factum est ut uestrae placuit serenitati · et adhuc nobis placere uidetur · †uade (ualde) uobis est necessarium ut eo amplius uestram salutem operemini etseruorum dei orationibus adiuuemini quo inferiorem indei seruitio et deteriorem interuos etdeum mediatorem uos elegisse scitis.

Ego tamen licet indignus et peccator noncessabo prouobis · tam perme · quamque etperalios domini misericordiam diebus [1<sup>b</sup>] simul acnoctibus indesinenter exorare · etante sepulchra †speciaculum patronum (specialium patronorum) uestrorum quibus uos specialiter commissam habetis · et quorum reliquias uobis direxi · ueniam etindulgentiam propeccatis uestris omnibus diebus uitae meae inprecari.

Attamen quia deuote et dei ducta amore consilium salutis uestrae aparuitate sensus mei ex parte audistis etadhuc audire uultis · etenimio terrarum obstante spatio frequentius ore proprio etpraesentia corporali · uos uidere et alloqui nequeo statui licet praesumptiosus et temerarius abaliis iudicari uidear · modum paenitentiae uestrae his litterulis inserere quatenus cotidie inmanibus habere etlegere potuissetis · quae uobis adsalutem animae uestrae etadredemptionem peccatorum uestrorum necnon agenda uideantur.

Etredu inillius pietate etmisericordia qui cordis uestri inspexit desiderium · etuobis uoluntatem acdeuotionem †confidenti (confitendi) et penitendi inspirauit · quique etiam omnem animam confitentem et penitentem magis uult emendare quam perdere quod si inhis quae inferius descripta inueneritis · una cum dei adiutorio operam impendere et praeterita peccata nonrepetere · acdefuturis cautelam adhibere studueritis · meritis et precibus sanctorum dei intercedentibus ueniam etindulgentiam peccatorum accipere · etaduitam eternam domino miserante poteritis peruenire

Cuius descriptionis seriem ideo capitulatim comprehendere [2<sup>a</sup>] melius iudicauit · ut facilius eam memoriae commendare · et leuius intellegere · †acorde (ac corde?) retinere potuissetis ;

Quapropter primo<sup>1</sup> necesse est ut cotidie uos dei †miseri-  
cordia (misericordiae) confitendo etorando commendetis;

Et post peractum nocturnale officium quod secundum pro-  
positum uestrum omni nocte uos agere †cum uenit (conuenit).  
mane cum surrexeritis antequam aliis curis animum occupetis<sup>2</sup>  
confessionem quam beatae memoriae alcuinus dedit  
in exemplo illius secrete etsi esse potest coram altari et coram  
deo et angelis eius faciatis.

Et postea septem paenitentiae psalmos intente et deuote  
cum letania et suis capitulis atque orationibus domino decan-  
tetis.

Insuper etiam cursum sanctorum tam diurnum quam noc-  
turnum et officium mortuorum cotidiano usu coelebretis.  
Addito et cursu quod persingulas horas canonicas religio  
uestra deo persoluere debet.

Quibus peractis ecclesiam admissam audiendam adire et  
cotidie prouobis et pro domno genitore ac pia genetrice nec-  
non et pro seniore uestro manibus propriis oblationem deo offerre  
studete.

II. In ecclesia etiam adiuuinum et officium et audiendum et  
stantes non uos otiosis fabulis et aut puellaribus et iocis et uel quae-  
relis occupari permitatis.

Sed cum tremore et reuerentia sicut ante conspectum.

#### NOTE ON THE RUBRIC AND PROLOGUE.

From mistaking the ancient library-mark "EXCERTUM DE  
CANONIBUS" for part of the original scribe's work, and so for  
the opening words of the first rubric, Prof. Schulte was natu-  
rally led to look upon what immediately follows the rubric as a

<sup>1</sup> primo] What precedes is evi-  
dently the prologue, and this the  
beginning of Cap. 1, although there is  
no number in the margin.

<sup>2</sup> occupetis] The MS. has *ocuretis*,  
with *p* written over the *r*, the scribe  
being apparently uncertain whether  
the word intended was *occurratis* or  
*occupetis*. This points to the fact that

in the handwriting of the copy from  
which this text was transcribed the  
letters *p* and *r* were much alike. In  
certain early forms of handwriting the  
point at the lower end of the round  
part of the *p* is continued downwards  
to the right, so as to form a sort of  
tag, which makes the letter bear a  
strong resemblance to *r*.



prologue written to introduce the particular *Excerptu* from the *Hibernensis* which he found in this manuscript. If the *Hibernensis* had been published in full when he saw the manuscript or if he had read through this piece with more time at his disposal, he could hardly have arrived at such a conclusion. It must be borne in mind that we owe to Prof. Schulte the first notice of the manuscript, and that my investigations have been made for the purpose of clearing up certain difficulties which only his *Iter Gallicum* made it possible to study. It has been stated above, that the entry "EXCERTUM DE CANONIBUS" is no part of the scribe's work, but a library-entry referring evidently, not to the fragment which occupies the first three pages, but to the so-called *Collectio Canonum Hibernensis* which takes up the remaining 146 out of the 149 written pages of the volume. What we find in the fragment, is a prologue, followed by cap. 1 and part of cap. 2, of a work called *Capitularis Descriptio*, which I have not as yet been able to trace as existing elsewhere. After the words "domna et nobilissima" is a blank space, without an erasure, for a name not inserted. I have noticed above that a similar blank space, also without any erasure, exists in cap. 1, between the words *Alcuinus* and *dedit*, where there seems good reason for believing that the words *Karolo imperatori* should have been inserted. It has struck me as possible that the work may have been addressed to some such personage as Hermentrude, the wife of Charles the Bald and daughter of Eudo, Count of Orleans, by some bishop living at a distance from the court; or perhaps to Hermengarde, the wife of Lothaire, by Halitgar, Bishop of Cambrai, the friend of that Ebbo of Reims, who took so strongly the side of Lothaire in his troubles with his father and brothers. But it is idle for one who is unfamiliar with the details of the history of the 9th century, to go beyond his tether even to make suggestions such as these, and they are of course not intended to do more than point out the direction in which to look for light. I feel sure, however, that if those who have studied this period will read the piece, and weigh the indications to which I have drawn attention above, they will not have much difficulty in suggesting a reasonable identification both for the writer and for the

queen to whom the piece is addressed. I will only say that if it should be found to belong to Halitgar of Cambrai, it will be an interesting coincidence that the same volume contains a copy of the *Hibernensis* in precisely that truncated form, of which we find the oldest known copy still existing at Cambrai; a copy moreover which was written for and belonged to the church of Cambrai fifty years before Halitgar's death.

#### NOTE ON CAP. 1.

This chapter makes a brief but very clear mention both of the daily church service and of the forms of private devotion used in the writer's time. The queen, besides going daily to hear mass, and besides the full mattins service at midnight (nocturnale officium), attends all the day hours (these with mattins making up the whole of the church-service proper to the season, the *proprium de tempore*), and in addition to these, the mattins and day hours of the festivals of the saints (the *proprium sanctorum*), which are liable to supersede a considerable part of the daily service proper to the season. She also says (or hears) daily the office for the dead, which may be said either in public or in private. Further, for private use, in addition to the morning confession of Alcuin, she says the seven penitential psalms and the litany with its versicles and responds and collects (cum letania et suis capitulis<sup>1</sup> atque orationibus). Of these private devotions a special word must be said.

<sup>1</sup> capitulis] This word is probably the plural form of *capitula -lae*, not of *capitulum -li*. The word *capitulum* is the term used in the church service for the short lesson from scripture, which follows the psalms at all the hours except mattins, where its place is taken by the longer lessons called *lectiones*. As the essential nucleus of all western catholic hour-service consists of psalm sung followed by lesson read, all the hours have normally their psalms and lessons. The Litany, however, is not constructed on this model,

and contains neither psalms nor *lectio* or *capitulum*. It consists, as is well known, of a series of petitions, followed by certain versicles and responds (later known as *preces*); and these again are followed up by collects (*collectae*, *collectiones*, or *orationes*). From the order of the words used in the text (cum letania et suis capitulis atque orationibus), it is clear that the word *capitulis* can only refer to the *preces*, or versicles and responds. I shall be grateful to any one who will refer me to any other instances of this use of

It is known that the layman's prayer-book (the *primarium* or *primer*, as it was called in England) consists, in its earliest form, of the Psalter and Litany, to which the Vigils of the dead are commonly added. By the end of the XIIIth century we find it consisting not of the whole Psalter but of the seven penitential psalms only, with the Litany and the Vigils of the dead, and having prefixed to it what are known as the Hours of the Blessed Virgin (*Horae Beatae Mariae Virginis*). These Hours seem to me to have originated in a special commemorative service to be used during Advent in connexion with devotion to the Incarnation; just as still later we find the Hours of the Passion (*Horae de sancta Cruce*) and the Hours of the Holy Ghost (*Horae de sancto Spiritu*) drawn up, apparently, as special commemorative services for use at Passiou-tide and Whitsuntide. As time went on, the constant public use of the full daily hour-service in church, at which all were expected to attend, fell off; while the clergy, being bound in any case to say their hours, were allowed to repeat them privately. The laity were relieved from the use of the full hour-service of the Breviary, and these shorter commemorative services were then made of general application, instead of being supplementary devotions to be used merely during the season of the year to which they were especially appropriate. They thus came to be more constantly found in the layman's prayer-book. With the growth of the devotion to the Mother of our Lord, the *Advent Hours* of the *Incarnation* took the form, or rather the name, of Hours of the *Blessed Virgin* used constantly *throughout the year*; and they thenceforward became the leading

the word, for which I have been on the look out for several years, to confirm its use in the north of England. At the end of the precious *Collectarius* written in the south of England in the tenth century and carried soon afterwards to Durham, where it has been preserved ever since (now MS. A. 4. 19), there are two separate quires in a north-country handwriting of the same date, or perhaps a little earlier. The first contains some exorcisms; the

second contains a collection of hymns (*ymni*), versicles and responds with collects (*capitulae* and *orationes*), and groups of psalms, all to be used at the several hour-services. The whole volume (in the dislocated condition in which it now stands) was edited in 1840 for the Surtees Society under the misleading title of '*Rituale Ecclesiae Dunelmensis*.' The word *capitulae* will be found in the rubrics at pages 166 and 172 of the edition.

or principal element in these layman's prayer-books, and eventually, in later times, gathered round them a mass of miscellaneous devotions, which varied to an almost unlimited extent in different localities. Such are the conclusions which a careful study of the books themselves has led me to adopt.

It is particularly interesting to notice that the present Book of Injunctions gives not the slightest hint of the existence or use of any of these special commemorative services; and my chief object in this note is to call attention to the great deficiency of accessible information, and to the necessity of definite research, on the subject of the gradual development of the service. Many really early service-books, as of the VIIIth, IXth, and Xth centuries, have been printed in full and are in every student's hands; and from the XIIIth and XIVth centuries onwards the service-books themselves are common and accessible enough in libraries. But the great development of these services can only be studied in the books of the XIth and XIIth centuries; and these are hard to find and have hitherto attracted very little serious attention.

How important, how telling, this research is, may be gathered from one little fact, the bearing of which seems to have escaped English liturgical writers. In the form of 'Bidding the bedes' used at Salisbury in the XVth century, the following words are used<sup>1</sup>: "We shalle pray, and beseche god of his mercy for alle trewe crystyn sowles. In especial for alle bysshopes sowles, whos bodyes resteth in this holy place: For ...the bysshopes sowle Richarde, which bygan this chirche here, and first ordainid oure lady masse: For..." This "Richarde the bysshop" is Richard Poer, who was Bishop from 1216 to 1228, and after translating the see from Old Sarum to Salisbury, founded the present cathedral church. As the institution of the *Missa de B. M. V.* at Salisbury is thus said to be due to him, we gain some clue as to the actual date of at least one important addition to the ordinary service, one of those numerous supplements which very soon obscured and obliterated a great part of the annual and weekly round of service, which we find laid

<sup>1</sup> Maskell, *Monumenta Ritualia Ecclesiæ Anglicanæ*, Vol. 3, pp. 342-346 (Lond. 1847, 8vo.).

down in the Ordinals of the several churches put together no very long time before this date.

This, however, is not the place in which to enter into details upon this subject. But I cannot throw away the opportunity afforded me of drawing attention to the value and interest of statements such as that in the present text, in the hope that some of these problems will soon be taken up and their solution worked out. It must be understood that there are three wholly distinct lines of research, each of which must be pursued independently, and then the results must be compared. Each investigator must follow the particular line for which he is best fitted. The first is the study of the service-books themselves, which have come down to us from early times. This is the subject to which my own calling in life has led me to give most attention. Secondly, there is the literature in which the form of service in use in the writer's time is incidentally set before us; as in the present text, and (to give one more instance out of many) in the *Speculum ecclesiae* attributed to Cardinal Hugo de Sancto Caro in the XIIIth century. In this last work the mystical explanations given of every successive detail in the missal service, whatever we may think of the explanations, have at all events the result of effectually informing the reader what those details were, in the part of France where the writer lived. Thirdly, there is what may be called the legislation on the subject, the numerous orders and injunctions relating to the service of the church, which lie scattered through printed volumes of Councils or buried in manuscripts hitherto unused for the purpose. A good harvest of historical research into the religious life of the people awaits any one who will take up intelligently any one of these subjects.

#### NOTE ON CAP. 2.

That cap. 2 of this *Capitularis Descriptio* breaks off incomplete with the words *sicut ante conspectum*, without the *dei* or *domini* which must have followed, and without the remainder of the sentence, can hardly need detailed proof to any one who reads what is written and considers how it is

written. In the Chartres MS. the last three lines on leaf 2<sup>a</sup> stand thus:

occupari permitatis. Sed cum tremore et reuerentia  
sicut ante conspectum. INNOMINE ; DEI  
SUMMI DEEPISCOPO CAPITVLA XXII.

and overleaf begins the text of cap. 1 of the first *Titulus* (De Episcopo) of the *Collectio Canonum Hibernensis*. Experience of many similar cases convinces me that, in the copy from which the present text was transcribed, the words *sicut ante conspectum* ended a leaf, after which a number of leaves were wanting, perhaps one quire or more, and that after this gap a copy of the *Hibernensis* followed, beginning on a fresh leaf, or perhaps on a fresh quire, with the rubric of the first *Titulus* of that work written in capital letters, as given above. The truncated text of the *Hibernensis*, which the present manuscript exhibits, affords such an excellent example of a similar mistake on the part of a scribe more careful to copy the words than to follow the sense of the text before him, that there is no need here to do more than refer to what has to be said below in reference to that point. My pains will not have been thrown away, if it turns out that other and more perfect copies of this Book of Injunctions are to be found in the French libraries. It will then be practicable to see with what other documents this piece is found connected, and room will be at once afforded for further investigation.

## 2. The *Collectio Canonum Hibernensis*.

The Chartres MS. contains, not a series of extracts from the *Hibernensis*, as the later heading "Excertum de Canonibus" and the list of contents given by Prof. Schulte might lead the reader to infer, but a straightforward copy of the text from the beginning of the work down to the middle of cap. 18 of the *Tit. De doctoribus*, where a certain number of the manuscripts are known regularly to break off.

It begins, at the beginning (leaf 2<sup>a</sup>):

IN NOMINE DEI SUMMI DE EPISCOPO CAPITULA XXII.  
(leaf 2<sup>b</sup>) EPISCOPUS NOMEN EST A greco...

and ends, in the middle of cap. 18 of the Tit. *De doctoribus* (leaf 75<sup>a</sup>):

...euge. EXPLICIT LIBER.

The rubrics are distinctly marked, being drawn through with red, so as to catch the eye. The *tituli* are mostly numbered, though inaccurately; a point in which this copy resembles every other that I have examined of this work. The writing is, I believe, the same as that of the *Capitularis Descriptio* which precedes.

My notes made during this rapid and unexpected visit to Chartres were very scanty, and of course I had no edition with me, to enable me to collate any passages; and, moreover, I was so anxious to ascertain the real state of the case with reference to the matter contained in the first three pages of the manuscript, that very few minutes were left for the examination of the *Hibernensis* itself.

The rubrics given by Prof. Schulte in his list of contents are as follows:

Tit. *De episcopo*, capp. 1, 3, 4, 5, 7:

Tit. *De jejuniis*;

Tit. *De oratione* to Tit. *De veritate* inclusive;

Tit. *De dominatu et subjectione* to Tit. *De fidejussoribus et ratis et stipulationibus* inclusive;

Tit. *De jubeleo*; and

Tit. *De doctoribus*, capp. 16, 17, 18.

With regard to the *tituli* omitted in this list, I do not feel quite certain as to the presence, in the manuscript, of the Tit. *De juramento* and the Tit. *De principatu* on either side of the Tit. *De jubeleo*; nor of the Tit. *De peccantibus sub gradu* before the Tit. *De jejuniis*. On the other hand, my notes show that the Tit. *De elemosina* is certainly there, after Tit. *De jejuniis*, though not bearing a number; as are also the several *tituli* which come between the Tit. *De episcopo* and the Tit. *De peccantibus sub gradu*.

From the silence of Prof. Schulte concerning these last *tituli*, coupled with the fact that the Tours MS. contains the portion from the Tit. *De jejuniis* to the Tit. *De doctoribus*

inclusive at the beginning of the volume, and the Tit. *De episcopo* by itself at the end, I was led hastily to infer that these two manuscripts might be found to give evidence of a still more truncated state of the text than that which runs from the beginning of the work down to the middle of the Tit. *De doctoribus*; and I was prepared on this account to find special points of resemblance in these two texts. All grounds, however, for this supposition were removed by my finding that the Chartres MS. exhibited no such defect of text before the Tit. *De jejuniis*; so that it must now take its place simply as a manuscript belonging to the family of which the Cambrai MS. presents the oldest type at present known.

There are a few points connected with the *Hibernensis* which it is very desirable to have clearly laid down, as they are certain to present themselves in the course of any description of a manuscript which I may hereafter have to make. As these points are all more or less illustrated by the evidence afforded by the Chartres MS., I propose to throw what I have to say into the form of notes on the following three subjects:

- On the recensions of the *Hibernensis*, and its main divisions;
- On the truncated text of the *Hibernensis*; and
- On the writer Winniau cited in the *Hibernensis*.

\* \* \* \*

[In the first draught the following paragraph followed the words "the oldest type at present known".]

In speaking of the several *tituli* under which the *Hibernensis* is arranged, I have hitherto been forced to avoid giving any numbers, at the risk of giving trouble to the reader, because there prevails at present a very confused notion of the actual number of *tituli* which the work contains. Unfortunately, in the manuscripts the *tituli* are, for the most part, inaccurately numbered, and Prof. Wassersleben, not having examined the manuscripts himself, has not thought it necessary...to unravel the inconsistencies, which are at worst only superficial, so as to present the matter to the student in a perfectly clear light.



There are two quite clearly marked recensions of the text, one which I call the A-text, arranged under 65 *tituli*, and a second, which I call the B-text, arranged under 68 *tituli*. I propose here to give in parallel columns the lists of *tituli* as they stand in the two texts respectively, adding a few words of explanation where any seeming irregularity occurs; after which I hope I may be allowed to quote briefly whatever I have to refer to hereafter from text, title, and chapter, in accordance with this scheme. The method in which the contents are normally arranged in the manuscripts is simply this. First comes the number and wording of the *titulus* followed by the number of *capitula* contained in it, as for instance: I. De episcopo. Capitula XXII.; or III. De diacono. Capitula X.; and so on. Then follow the *capitula* themselves, each headed by its own rubric, as for instance: I. De nomine diaconi. Under these follow the citations themselves (*Lex dicit*; *Isidorus*; *Synodus Hibernensis*; &c.), the name of the authority being often in the manuscripts made to stand out clearly to the eye by a red mark or some such method of distinction.

\* \* \* \*

[I have constructed a table showing to what extent the *tituli* in the A-text correspond to the *tituli* in the B-text. After each *titulus* of each recension is added in brackets the number of *capitula* contained in it in that recension; and this will be alone sufficient to show how difficult it is to treat the two texts together. But it is not merely in the addition of more *capitula* that the difference consists: there are many omissions and much rearrangement, which it is not possible to exhibit here. Professor *Wasserschleben's* edition may be taken to *represent* the A-text; but it is very desirable that the B-text should also be printed, which might be done from the transcript of the Hatton MS. made for Bradshaw by Mr Alfred Rogers (on which I have relied for the numbers of the *capitula* in that text). F. J.]

## LIST OF TITULI.

(The figures in brackets give the number of capitula in each titulus.)

A-TEXT.	Wasser- schleben's edition	B-TEXT.
1 De episcopo (22)	1	1 De episcopo (24)
2 De presbytero vel sacerdote (27)	2	2 De presbytero vel sacerdote (30)
3 De diacono (10)	3	3 De diacono (10)
4 De subdiacono (4)	4	4 De subdiacono (4)
5 De lectoribus (4)	5	5 De lectoribus (4)
6 De exorcista (2)	6	6 De exorcista (2)
7 De ostiario (3)	7	7 De ostiario (3)
8 De recapitulatione septem graduum (2)	8	8 De recapitulatione septem graduum (2)
9 De acolito et psalmista et clericis (3)	{ 9 10	9 De acolito et psalmista (2)
10 De peccantibus sub gradu (6)	11	10 De clerico (10)
11 De ieiunio (16)	12	11 De christiano (6)
12 De elemosina (8)	13	12 De peccantibus sub gradu (7)
13 De oratione (6)	14	13 De lege sapientium (10)
14 De cura pro mortuis (9)	15	14 De ieiunio (28)
15 De testimonio (15)	16	15 De elemosina (10)
16 De oblationibus (16)	17	16 De oratione (12)
17 De iure sepulturae (9)	18	17 De cura pro mortuis (9)
18 De ordine inquisitionis causarum (1)	19	18 De testimonio et testibus et testamento (20)
19 De provincia (6)	20	19 De oblationibus (20)
20 De iudicio (31)	21	20 De iure sepulturae (13)
21 De veritate (6)	22	21 De ordine inquisitionis causarum (1)
	*23	22 De provincia (6)
22 De dominatu et subiectione (4)	24	23 De iudicio (44)
23 De regno (19)	25	24 De veritate (11)
24 De sorte (5)	26	25 De dominatu et subiectione (5)
		26 De regno (30)
		27 De sorte (5)

\* This titulus (De senibus) occurs only in the St Gallen manuscript: the heading alone, according to Prof. Wasserschleben, is in the Carlsruhe manuscript.

A-TEXT.	Wasser- schloben's edition	B-TEXT.
25 De sceleribus et vindictis eorum (26)	27	28 De sceleribus et vindictis reorum (33)
26 De civitatibus refugii (14)	28	29 De civitate refugii (18)
27 De furto (9)	29	30 De furto (12)
28 De commendatis (6)	30	31 De commendatis (10)
29 De patribus et filiis (20)	31	32 De patribus et filiis (21)
30 De parentibus et eorum hereditibus (24)	32	33 De parentibus et eorum hereditibus (26)
31 De debitis et pignoribus et usuris (12)	33	34 De debitis et pignoribus et usuris (15)
32 De fideiussoribus ratis et stipulatoribus (8)	34	35 De fideiussoribus et ratis et stipulationibus (8)
33 De iuramento (14)	35	36 De iuramento (15)
34 De iubileo (11)	36	37 De iubileo (15)
35 De principatu (39)	37	38 De principatu (46)
36 De doctoribus ecclesiae (19)	38	39 De doctoribus (22)
37 De monachis (16)	39	40 De monachis (20)
38 De excommunicatione (16)	40	41 De excommunicatione (17)
39 De commutationibus mortuorum (10)	41	42 De commutationibus mortuorum (13)
40 De ecclesia et mundo (31)	42	43 De ecclesia et mundialibus (33)
41 De locis (8)	43	44 De tribu (10)
42 De locis consecratis (20)	44	45 De locis (32)
*43 De quaestionibus mulierum (20)	45	46 De quaestionibus mulierum (22)
*44 De ratione matrimonii (38)	46	47 De ratione matrimonii (48)
45 De paenitentia (20)	47	48 De paenitentia (33)
46 De regionibus census (5)	48	
47 De martyribus (15)	49	49 De martyribus (22)
48 De reliquiis in deserto humatis (8)	50	
49 De mortuis in somno visis (6)	51	50 De somniis (2)
50 De tonsura (7)	52	51 De tonsura (10)
51 De bestiis mitibus (9)	53	52 De bestiis (7)
52 De carnibus edendis (16)	54	53 De carnibus (18)
53 De vera innocentia (8)	55	54 De vera innocentia (5)
		55 De infantibus (8)
54 De hospitalitate (4)	56	56 De hospitalitate (4)
55 De hereticis (6)	57	57 De hereticis (6)
56 De substantiis hominum (5)	58	58 De substantiis hominum (5)
57 De ducatu barbarorum (5)	59	59 De ducatu barbarorum (8)
58 De conviviis (4)	60	60 De conviviis (6)

\* In the Fécamp MS. (Bibl. Nat. MS. Lat. 3182) tituli 43 and 44 are joined in one.

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