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Durham Cathedral Muniments: catalogue of End Papers and Bindings

Date range of material: 12th - 16th century.

Durham University Library
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Contents

Preface	iv
Introduction	1
Catalogue of material:	
I. Fragments used as covers for 16th century Receiver's and Treasurer's Books.	
1	
Biblical Concordance.....	2
Gloss on Pauline Epistles. (II Cor. xii (6) - xiii 13 (end)).....	2
Rufinus. Historia Monachorum.....	2
Isidore of Seville. Etymologiorum.....	3
Sermons "de Tempore"	3
Smaragdus. Commentaria in Regulam Sancti Benedicti.....	3
Peter Lombard. Liber Sententiarum.....	3
Sermons ("de Tempore" ?).....	4
Treatise on Morals. W Peraldus, De vitiis.....	5
Decretum Gratiani.....	5
Decretales Gregorii IX.....	6
Decretales Gregorii IX, with gloss.....	6
Decretales Gregorii IX, with gloss.....	6
Goffredus de Trano, Treatise on Canon Law, following the plan of the Decretales Gregorii IX.....	7
Treatise on Canon Law, following the plan of the Decretales Gregorii IX.....	7
Decrees of the 2nd Council of Lyons (1274) with gloss, and some additions.....	8
Decrees of the 2nd Council of Lyons (1274) with gloss, and continuation.....	8
Decretals of Innocent IV and Gregory IX.....	8
Copies of letters in the same hand as 2.....	8
Part of folio listing the Tituli of the 5 Books of the Decretales Gregorii IX.....	8
Part of an Inspecimus of grants to the Prior and Convent of St. Bartholomew of Smithfield.....	9
II. Other Fragments used as Covers, or from Bindings.....	
Part of Kalendar from Durham Cathedral Priory (July-December), with Paschal Table....	
1	0
Missal.....	10
Missal.....	10
Missal.....	10
Missal.....	10
Missal.....	10
Breviary with musical notation.....	11
Office of the Dead, with musical notation.....	11
Troper.....	11
Sequences.....	12
Decretum Gratiani, with gloss.....	12
Decretales Gregorii IX, with gloss.....	12

Treatise on law.....	13
Fragment from Book IV of a Treatise on law, or collection of Decretals, with gloss.....	13
Treatise on civil law (?) concerning the functions of the "fideiussor", with gloss.....	13
Regulations for a monastery (?).....	14
Treatise on laws concerning inheritance (?), with gloss.....	14
Three documents.....	14
Indenture.....	15
Fragments of deeds from the binding of the Bursar's Summary Account 1535-1536, etc.....	15
[Registrum Parvum ?V], two folios.....	15
Missal.....	18
Digestum Vetus.....	19
Court Roll.....	19
Binding of a Sacrist's Rental 1329-1380.....	19
Theological treatise.....	19

Preface

Creation of catalogue

Typescript list by Elizabeth M. Fewster, February 1968, with no. 46 added by A. J. Piper November 1974. Wordprocessed by JP, and SGML by R.I. Higgins March 1998.

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Introduction

Collection title: Durham Cathedral Archive: End Papers and Bindings

Reference code: GB-0033-DCD-Endp.

Dates of creation: 12th - 16th century.

Extent: 37 pieces.

Repository: Durham University Library, Archives and Special Collections

Creator: fragments of medieval documents incorporated into bindings of other Durham Cathedral archives.

Language of material: Latin

Contents

The following is a list of end papers and bindings found among the Durham Cathedral archives. It is in two sections: the first being a list of fragments which were used as covers for Receiver's and Treasurer's Books of the 16th century, and the second being a list of fragments which were used as covers or found in the bindings during re-binding this century. The manuscripts which were broken up to make these covers and strengthen the bindings were written at various dates between the 12th and 15th centuries. Most of them were service books or books of Canon Law but copies of works by early Medieval writers such as Rufinus, Isidore of Seville and Smaragdus were also used, mainly for the Receiver's and Treasurer's Books. In some cases substantial parts of the original manuscript can be reconstituted. In addition to manuscript books there are a few deeds and notarial instruments. In the first section (Nos. 1-16) the fragments are arranged according to subject matter, different parts of the same manuscript being grouped under one heading. Scriptural works come first followed by early medieval authors, sermons and books of canon law, and finally an *Inspeximus*. A similar arrangement was originally planned for the second section (Nos. 17 onwards), beginning with fragments from liturgical works, and continued by works of canon law, treatises and legal documents. However, as further fragments have come to light since this section of the list was completed, they have been added at the end.

Accession details

Retrieved from volumes on re-binding etc.

Form of citation

The form of citation should be GB-0033-DCD-Endp., or the collection title Durham Cathedral Muniments: End Papers and Bindings, and the *reference number*.

To order items in the searchroom, use the collection reference code(s), derived by removing the repository code (GB-0033-), followed by the reference number. Citing the section of the finding aid is useful.

I. Fragments used as covers for 16th century Receiver's and Treasurer's Books

Biblical Concordance

1/1-6.

1/1.

Beatus ... / ... Bestia/[Bonus] ... / ... Calciamentum.

2 Bifolia (66 lines).

Location: Receiver's Book 20 (1594-1595).

1/2.

Egredietur ... / ... Electus/Esse ... / ... Evum.

2 Bifolia (66 lines).

Location: Receiver's Book 21 (1595-1596).

1/3.

Imperitia ... / ... / ... / ... Iudicium.

2 Bifolia (64 lines).

Location: Receiver's Book 24 (1598-1599).

1/4.

Lex ... Leones/Machinas ... Magnus.

1 Bifolium (64 lines).

Location: Treasurer's Book 5 (1594-1595).

1/5.

[Mors] (mortui ... morte)/Nequam ... Nichil.

1 Bifolium (64 lines).

Location: Treasurer's Book 6 (1597-1598).

1/6.

Opia ... / ... Orbis/Parvulus ... / ... Patiens.

2 Bifolia (64 lines).

Location: Receiver's Book 22 (1596-1597).

Gloss on Pauline Epistles. (II Cor. xii (6) - xiii 13 (end))

2.

/intellectuali nec cum per essentiam ... ET NE MAGNITUDO REVELATIONUM (II Cor. xii 7) ... / ... / ... / ... COMMUNICATIO SANCTI SPIRITUS SIT CUM OMNIBUS VOBIS. AMEN (II Cor. xiii 13) ... capituli homines misericordie inveni/.

2 Bifolia.

Location: Receiver's Book 16 (1585-1586).Rufinus. *Historia Monachorum*

3.

f.1. Part of chapter i (Migne, *P.L.* 21, cols. 402D-406A):

/ad vesperam ingressus requiret cibum ... ad viciniora loca accessit, et primo solus sub par/[vo].

ff.2 & 3. Part of chapters vi and vii (Migne, *P.L.* 21, cols. 409D-416A):

/Hic cum autem parvum tempus ... / ... et Appollonium prophetam domini predicabant.

Sed et hoc enarrari/.

1½ Bifolia.

Location: Treasurer's Book (1568-1569).

Isidore of Seville. *Etymologiorum*

4A.

Book XX, ch.ii, 12 - ch.vii 4 (Migne, *P.L.* 82, cols. 708A-718A):

/quasi meridie edere ... / ... Lenticula vasculum/.

1 Bifolium.

Location: Treasurer's Book (1571-1572).*Sermons "de Tempore"*

4B.

ff.1 & 2. (Sermon 30. Dominica in Sexagesima ?)

/specificat apostolus quia celum dixit ... corono quare non comovit [] certaverit.

Item alius sermo. (31): Libenter gloriabor in infirmitatis ... / ... Item multiplicata infirmitates coram etc.

Dominica in Quinquagesima (32): Si linguis hominum loquar ... tot faceret talia opera quot fac/

ff.3 & 4. (Sermon 37. Dominica i in Quadragesima ?)

/tuus scandalizet ... pudencia eius percussit superbum.

Item de eadem (38): Ecce nunc tempus acceptabile ... / ... facili poteris salvare animam tuam.

Dominica secunda in Quadragesima (40 sic.): Hec est voluntas dei ... ubi dicit hec est voluntas dei etc./

2 Bifolia.

Location: Enclosed in No. 4A:Smaragdus. *Commentaria in Regulam Sancti Benedicti*

5.

ff.1 & 2. Parts of chapter 7 (Migne, *P.L.* 102, cols. 811D-815A; 821C-824D):

/secreta atque occulta considerat ... delectationis mortem ponitam/

/dominum nostrum. Hinc Augustinus ait ... linguam suam prohibere/.

f.3. Chapters 9-13 (Migne, *P.L.* 102, cols. 831C-834D):

/aut legatur aut predicetur ... que oriri solent ut conventi/.

f.4. Parts of chapters 21 and 22 (Migne, *P.L.* 102, cols. 841D-845A):

/super quos delegatos habeant fratres ... Et ut parati sint/. (Part of folio missing).

2 Bifolia.

Location: Treasurer's Book (1569-1570).Peter Lombard. *Liber Sententiarum*

6/1-3

6/1

Bk. III, Dist. IX 2 - Dist. X 4; Dist. XV 3 - (7). (Migne, *P.L.* 192, cols. 776-777; 787-(798)):

f.1. /sed ut unitam deitati ... ut dicitur deus natura. Non/

ff.2 & 3. /peccatum. Quod ignorantia talis et difficultas non sit peccatum ... / ... (last folio almost illegible).

1½ Bifolia.

Location: Receiver's Book 13 (1581-1582).

6/2

Bk. III, Dist. XXXIX 3 - Dist. XL; Bk. IV, Dist. IV 6 - Dist. V 3. (Migne, *P.L.* 192, cols. 836-840; 849-852):

ff.1 & 2. /et delectatione iurandi ... / ... Explicit liber tercius./

ff.3 & 4. /ibi datur et iam habenti ... / ... qua servus dimittere posset peccata/.

2 Bifolia.

Location: Receiver's Book 12 (1579-1580).

6/3

Bk. IV, Dist. XXII 2 - Dist. XXIII 3; Dist. XXV 1 - (2). (Migne, *P.L.* 192, cols. 898-900; 905-(906)):

f.1. [fue]/rat. Sic eum quod dimissum fuerat ... augmentum generaliter accipiendum/.

f.2. /solum baptisma ratum esse permittit ... (end of folio almost illegible).

2 folios.

Location: Receiver's Book 14 (1583-1584).

Sermons ("de Tempore" ?)

7

Sermons on the texts:

"Querat et ludicet" (Jo.viii 50) from the gospel "Quis ex vobis arguet me" (Jo.viii 46-59) for 5th Sunday in Lent.

"Videte dolorem meum". Text for Palm Sunday ?

"Erat ortus in quem introivit" (Jo.xviii 1) from the St. John Passion (Jo.xviii, xix) on Good Friday.

f.1. /suos unum tanquam vas figuli confringes ... qui audit verbum meum habebit vitam eternam. loh.5. [Q]uerat et ludicet. loh.8. Iosue 22. Ewangelium hodiernum Carrissimi in ewangelio hodierno 4 patent notitia in predicatione (one sentence in English) sed transibimus de morte ad vitam. loh.5. quod nobis concedat.

[V]idete dolorem meum. Tren.I. Carissimi. Primum quod debet facere predicator ante sermonem suum est orare ut sermo dei fructificet ... deum instruit quomodo se []/

f.2. /debent [] multi ... ista contemplantes/

f.3. /est signum quod ibi est ignis ... / (part of the folio missing).

f.4. /iabimus et current hic et illuc ... transeamus ad gaudia perhenna quod nobis concedat etc. [E]rat ortus in quem introivit. loh.18. Carissimi. Sicut naturaliter aquila est ... verticem non fuit in eo sanitas. Ysa.1/.

2 Bifolia (one torn and partly missing).

Location: Treasurer's Book (1557-1558).

Treatise on Morals. W Peraldus, *De vitiis*

8

f.1. / ... ignem est adeo ebulliat ut effundatur ...

Triplex ratio quod fugiendo pugnandum contra luxuriam. Triplex autem ratio potest assignari quare fug[iendo] pugnandum sit cum peccato carnis ...

Tria que sunt contra frequentes accessus mulierum. Set tria contra hoc solent aliquos decipere scilicet (?) sanctitas mulierum fiducia ... Licet autem sint fugienda loca universaliter in quibus mulieres possunt vel videre aut videri ... itura ad eius obsequium iudicavit, tunc primo .xv. dies febre corepta/

f.2. /est et die xxx^o cum hora exitus sui appropinquasset ...

Quod valde periculosum est coreas ducere. Consequenter ostendum est rationibus (?) quam periculosum est coreas ducere § Septem autem sunt per quas potest hoc ostendi ... signum autem quod corea sit processio diaboli est hoc quod tendit ad sinistram. Ad quod potest refferri illud quod legitur/

f.3. /in inferno. David. appropinquaverunt a portas mortis. Job xxi ...

Remedium contra peccatum luxurie. Sequitur de aliis remediis contra peccatum luxurie. Et cum luxuria non sit qualiscumque ignis ...

De prohibicione simplicis fornicacionis. Quinto loco in tractatu de luxuria dicendum est de prohibicione simplicis fornicacionis. De qua hoc ordine dicemus. § Primo ostendemus simplicem fornicacionis prohibitam esse § Secundo ...

Quod simplex fornicacio prohibita sit, rationibus et auctoritatibus. Quod simplex fornicacio sit prohibita probatur, primo ex hoc quod legitur Deu.xxiii ...

Quod prohibenda fuerit probatur. Octo autem sunt per que (sic.) ostendi potest quod simplex fornicacio prohibenda fuit ... Octavum est hoc/

1½ Bifolia with fragment of the other half.

Location: Treasurer's Book 7 (1599-1600).*Decretum Gratiani*

9/1-4

9/1

Pt. I, Dist. XXXIV ch.13 - Dist. XXXVII ch.2; Dist. XLV ch.17 - Dist. XLVII ch.3. (Migne, *P.L.* 187, cols. 193A-201B; 241B-245C):

ff.1 & 2. / Qui ante baptisma sive post baptisma ... / ... buccolicorum versuum verba cantare/.

f.3. /Que ista bonitas ... designatur proficiens vita iustorum/.

1½ Bifolia.

Location: Receiver's Book 17 (1590-1591).

9/2

Pt. I, Dist. L ch.4 - introd. ch.14; ch.39 - ch.54. (Migne, *P.L.* 187, cols. 256C-264A; 276C-281A):

f.1. /tamque perversi sensus ... preterea Calixtus papa de huiusmodi ita scribit/.

f.2. /presbiteri ille mortuus est diaconus ... deflevit atque ideo maiorem/.

1 Bifolium.

Location: Treasurer's Book 4 (1588-1589).

9/3

Pt. I, Dist. L fragments of chapters 32, 36-39. (Migne, *P.L.* 187, cols. 273; 275C-276):
Recto. /in omni deiectione et habitu ... (to end of decretal).

Verso. [dispen]/satione remanere [permittetur] ...

Fragment of one folio.

Location: Receiver's Book 19 (1593-1594).

9/4

Pt. II, Causa V, Quaest. IV-VI; Causa VI, Quaest. I, ch.11-21; Causa VII, Quaest. I, ch.17-30; 41-48. (Migne, *P.L.* 187, cols. 721B-726B; 731B-734; 754B-758A; 762C-768C):

f.1. /secedat et trium dierum ... Incipit causa sexta. /

f.2. /ut plebes languescentes ... sint postremo tales, ut/.

f.3. /ut te vivente tibi alium ... eligere et deceat consecra/[re].

f.4. /transfertur. Hoc interest ... occasionem ire demeret et mane/[bat].

2 Bifolia.

Location: Receiver's Book 18 (1592-1593).

Decretales Gregorii IX

10

Bk. III, Tit.xxxiv ch.7-10; Tit.xxxix ch.8-18 (Chapter references to the *Decretales Gregorii IX* are according to the Paris edition (T. Kerver) 1519. (In the Refectory, Durham Cathedral Library, catalogue number G.III.2.):

f.1. /[...] iniquum loquatur ... cumque termine ipso transacto non curasses/

f.2. /presertim post decessum suum ... Cum ergo non/.

1 Bifolium.

Decretales Gregorii IX, with gloss

11

Bk.I, Tit.xxix ch.11-22 (ch.18 between chapters 20 and 21); 33-37 (Chapter references to the *Decretales Gregorii IX* are according to the Paris edition (T. Kerver) 1519. (In the Refectory, Durham Cathedral Library, catalogue number G.III.2.):

ff.1 & 2. (Text:) [contuma]/ciam ab sentasset ... / ... predictus montis regalis archiepiscopus se postquam nuntius/.

f.3. (Text:) /processerant contra ipsum ... quo restituto plenarie et corporalem ac/

1½ Bifolia.

Location: Receiver's Book 15 (1584-1585).

Decretales Gregorii IX, with gloss

12

Loose slips: 2 Bifolia. 2 cols. 11 lines of gloss.

Bk. II, Tit.xxvi ch.19 - Tit.xxvii 17; Tit.xxviii ch.51-61 (Chapter references to the *Decretales Gregorii IX* are according to the Paris edition (T. Kerver) 1519. (In the Refectory, Durham Cathedral Library, catalogue number G.III.2.):

ff.1 & 2. (Text:) [possi]/dent decimas sibi solvant ... ostensum quare sententia pro episcopo/

ff.3 & 4. (Text:) /exsolvebat et infra premissis igitur diligenter ... si eius excessus evidencial/.

2 Bifolia and two separate strips.

Location: Receiver's Book 10 (1574-1575).

Goffredus de Trano, *Treatise on Canon Law*, following the plan of the *Decretales Gregorii IX*

13/1 & 2

13/1

Treatise on Bk. IV, Tit.xx - Bk. V, Tit.iii.

f.1. / ...

De secundis nupciis. Tractatum est supra in generale de matrimonio, nunc tractatur in speciale de secundo matrimonio ... /

ff.2 & 3. / ...

De accusationibus, inquisitionibus et denunciacionibus. Proxime tractavimus de accusatione, matrimonii et divorciis ... / ... /

f.4. / ...

De calumpniatoribus. Dictum est supra de accusationibus et accusatoribus, sed quia plerumque accusatores calumpniantur, icirco subicitur ...

De symonia et ne aliquid pro spiritualibus exigatur vel promittatur. Inter cetera crimina ecclesiastica symonia primum obtinet locum. Nam symoniaci ... /

2 Bifolia.

Location: Receiver's Book 23 (1597-1598).

13/2

Treatise on Bk. V, Tit.xiii - xvi; Tit.viii - xix.

f.1. / ...

De clericis pugnantibus in duello. Quid sepe provenit ...

De sagutariis et balistariis. Dictum est supra de homicidiis in generale ...

De adulteriis et stupro. Quia in dealego statim post homicidium prohibetur ... /

f.2. / ...

De usuris. Dictum est supra de rapinis et furtis, sed quia parum vel nichil interest .../

1 Bifolium.

Location: Treasurer's Book 5 ^A (1596-1597).

Treatise on Canon Law, following the plan of the *Decretales Gregorii IX*

14/1 & 2

14/1

Treatise on Bk. V, Tit.xvii; Tit.xx-xxii.

f.1. /expellendo vivilter et criminaliter punitur ...

De penis raptorum corporum. Ex quo vidimus de penis raptorum rerum, bene est vero videramus de pena raptorum corporum, unde sciendum est quod si quis mulierem rapuerit ...

De incendiariis. In hac secunda parte tituli iungendum est de ruina et naufragio ... ipso naufragio durante captum est. Nam si post naufra/

f.2. /quod sicut suffic[iter] probare ... De sortilegiis Egimus supra de falsitate que nichil aliud est quam inmutacio veritatis ...

De collusione detegenda. Quoniam in accusationibus criminum de quibus dictus est sepe colluditur dicamus

§ Quid sit collusio.

§ Quis colludat ... talis collusio attemptetur ut.i.e. audivimus/

1 Bifolium.

Location: Treasurer's Book 2 (1577-1578).

14/2

Treatise on Bk. V, Tit.xxvii (?).

f.1. /excommunicare. sub § super illo autem catione quod dic[it] ut ibi plene no[bis]
... querelam transferatur, causa ad metropolitanum potest defferre/

f.2. /suffraganeo suo si voluerit ...

Et qualiter hoc absolutio fieri deberat ... pro absolutione talium introducta est, sed de consuetu/

f.3. /§ superior ibi (?) sive difficultate relaxatis ...

Et que sit pena participancium excommunicatis super hoc diverse sunt opiniones
... sed contra quia secundum hoc mercenari ad committendum qualiter
excommunicentur/f.4. /et sic fraudarent me servicio debito quod vitandum est ... coniugatur xxiii quod
vide prodest [.....]/.

2 Bifolia. (Spaces left for chapter headings).

Location: Receiver's Book 11 (1578-1579).

Decrees of the 2nd Council of Lyons (1274) with gloss, and some additions

15A

2½ Bifolia.

Location: Receiver's Book 2 (1542-1543).

Decrees of the 2nd Council of Lyons (1274) with gloss, and continuation

15A/1

Chapters XIX - XXXI (end), with gaps in chapters XXIV, XXV, XXVI, and XXVII where part of one folio is missing. (P. Labbei et G. Cosartii, *Sacrosancta Concilia* XI, pt.1, cols. 986-994A):ff.1-3. / ... De his qui vi metusve causa fiunt (ch.XX) ... per sedem apostolicam
absolutionis beneficium optinere.f.3. Continuation: Velut fidei fervor devocionis et compassionis pietas excitare debet
corda fidelium ... collectoribus in idem subsidium convertenda confessoribus/

f.4. Gloss.

Decretals of Innocent IV and Gregory IX

15A/2

f.5. De supplenda negligentia clericorum (Innocent IV). Grandi non inmerito et infra
... (See *Liber Sextus Decretalium Bonifacii VIII*, Bk. I, Tit.viii, ch.2)De etate et qualitate (Gregory IX). Nullum eorum quorum unus sed quis eorum
omnino nescitur homicidium ...De testibus (Innocent IV). Mediatores ad quos zelus symonie ... (See above *Liber Sextus* ..., Bk. II, Tit.x, ch.1 where it is attributed to Gregory IX). Protocol to a Decretal of Gregory IX to the Archbishop of Rouen.

Copies of letters in the same hand as 2.

15A/3

f.5v. Martin IV to Friars Minor: Ad fructus uberes ... (See above *Sacrosancta Concilia* XI, pt.1, cols. 1143-1144). Other letters, apparently to the Friars Minor, largely illegible.Part of folio listing the Tituli of the 5 Books of the *Decretales Gregorii IX*.

15B

/ Incipiunt tituli primi libri decretalium ... de clerico non ordinato/.

Location: Enclosed in the above

Part of an Inspeximus of grants to the Prior and Convent of St. Bartholomew of Smithfield
16/1-6

There is an Inspeximus of these grants by Henry V, dated 27 Sept. 7 Hen. V (1419), enrolled on the Patent Rolls (*Calendar of Patent Rolls* 1416-1422, pp. 239-246), and another by Henry VI, dated 8 June 2 Hen. VI (1424), (*Calendar of Patent Rolls* 1422-1429, pp. 171-177). Both include further grants of a similar nature by Richard I, John and Richard II.

One membrane, partly missing.

Location: Receiver's Book 7 (1559-1560).

16/1

Notification of grant by Henry [I] that they be free from all earthly servitude. Dated 1133, 33 Hen. I. (See *Regesta Regum Anglo-Normannorum*, ed. C. Johnson and H.A. Cronne, vol. II Henry I, no. 1761).

16/2

Similar notification by Henry [I]. Dated at Westminster 1133, 33 Hen. I (*Regesta Regum Anglo-Normannorum* II, no. 1794).

16/3

Similar notification by Henry [I]. Dated at Westminster (*Regesta Regum Anglo-Normannorum* II, no. 1795).

16/4

Similar notification by Henry [II]. Dated at Rouen.

16/5

Similar notification by Henry [II]. Dated at Rouen.

16/6

Similar notification by Richard [I]. (Incomplete. Dated at Rouen 24 March 1 Rich. I.).

II. Other Fragments used as Covers, or from Bindings

Part of Kalendar from Durham Cathedral Priory (July-December), with Paschal Table
17

Note especially: 7 July: Translatio S. Thome m. (red, St. Thomas Becket translated 1220), Boisilii pres.; 5 Aug.: S. Oswaldi reg. et m. (red), with octave 12 Aug.; 20 Aug.; S. Oswini reg. et m.; 31 Aug.; Aidani ep., Commemoratio reliquarem; 4 Sept.; Translatio S. Cuthberti (red). (Cf. *English Benedictine Kalendars after 1100* vol. I, ed. F. Wormald, Henry Bradshaw Society 77 (1938) pp. 161-179).

1 Bifolium (torn).

Missal

18

Recto. Parts of gospel, offertory and secret for Friday in the 2nd week of Lent.

Verso. Parts of lection for Saturday in the 2nd week of Lent.

Fragment of one folio.

Missal

19

Recto. Part of collect and lection for Monday in the octave of Pentecost.

Verso. Part of lection (?)

/Videte manus meas ... et iurantibus [] hic aliquid quod man/

Fragment of one folio.

Missal

20

Formularies for Monday to Thursday in the 3rd week of Lent.

Fragments of two Bifolia.

Missal

21

f.1. Part of formulary for Ember Saturday in June from the middle of the lection Cum ingressi fueritis to the middle of the lection Si in preceptis (the 2nd-4th lections in the Sarum Missal).

f.2. Formularies for the Sundays after Trinity, from the epistle on the 6th Sunday to the collect on the 7th Sunday.

1 Bifolium.

Location: Cover of Bursar's Rental 1535-1536.

Missal

22

Library mark " Liber ecclesiae Cathedralis Dunelmensis " indicates that it was used as a cover after the Dissolution.

Formularies of the Sanctoral in December and January (viz.):

f.1. From gospel for S. Thomas ap. (21 Dec.); S. Silvester (31 Dec.); S. Benedict (Biscop) abbot of Wearmouth, incipits only (12 Jan.); S. Hilarius (13 Jan.); to collect for S. Felix (14 Jan.).

f.2. From post communion for S. Agnes (21 Jan.); S. Vincent (22 Jan.); S. Emerentiana (23 Jan.); to the lection for the Conversion of S. Paul (25 Jan.).

1 Bifolium.

Breviary with musical notation

23

Pieces for vespers:

ff.1-2. Sunday: Parts of Psalms 111 (Beatus vir qui timet) and 113 (In exitu Israel);
Antiphon. Nos qui vivimus benedicimus. Capitulum. Dominus autem ... [...] ... ps. Dilexi.
Amen.

f.2v. Monday (Feria secunda): Beginning of Psalm 114 (Dilexi quoniam).

Size: 32 x 320mm (open)

Fragment of 1 Bifolium.

Catalogued in: B. Crosby, *A Catalogue of Durham Cathedral Music Manuscripts*, (Oxford 1986), p.10.

Office of the Dead, with musical notation

24

Recto. End of Psalm 137 (Confitebor tibi); Antiphon. Opera manuum tuarum ne
despicias. A porta inferi educe animas eorum/

Verso. End of Psalm 145 (Lauda anima); Requiem eterna da eis domine. Et lux perpetua
luceat eis. Credo videre bona domini. In terra vivencium. A porta inferi./

Size: 290 x 96mm (adjoined)

Two fragments from one folio.

Catalogued in: B. Crosby, *A Catalogue of Durham Cathedral Music Manuscripts*, (Oxford 1986), p.10.

Troper

25

Outside folios illegible.

f.1r. end of Agnus Dei in stroke notation

ff.1v-2. Trope on the Kyrie : Kyrie fons bonitatis ... proclamare possimus (see *Sarum Missal*, edited by J. Whickham Legg pp. 3-4), in stroke notation.

Omitting the lines: Kyrie qui septiformis ... eleyson.

Christie celitus ... eleyson.

Kyrie qui baptizato ... eleyson.

Followed by the beginning of the Gloria ... [gr]acias agimus/ in stroke notation.

Could have been a sequence of Mass Ordinaries [KGCSA], polyphonic settings with
plainsong quoted in one voice, written in stroke notation to enable inexpert singers to
sing polyphony from plainsong-type notation. Mid-15th century. (The Agnus and Gloria
may well be in plainsong too?)

Size: [290] x 450mm (open)

1 Bifolium (damaged).

Location: (olim Misc.Ch.7175)

Catalogued in: B. Crosby, *A Catalogue of Durham Cathedral Music Manuscripts*, (Oxford 1986), p.10-11.

Sequences

26

Recto. Parts of: Letabundus exultet (*Sarum Missal*, p. 481); sequence relating to the baptism of Christ (?): F[...]ce [...] or[...] dis ornati ... me fili genui hu[...]tate populi precept [...]; Sollempnitas sancti Pauli (*Sarum Missal*, p. 476).

Verso. Parts of Post partum virgo Maria (Rubric: [In pu]rificatione beate virginis. cf. *Sarum Missal*, p. 480); Ave Maria gratia plena (Rubric: [In] Annunciatione Marie. cf. *Sarum Missal*, p. 480); T(?) [...]ent Christi ... [...]edendum el[...]vide or[...]/.

Two fragments from one folio.

Decretum Gratiani, with gloss

27

Pt.II, Causa xxiii Quaest. ii ch.2 - Quaest. iii ch.9 with gaps where the foot of each column comes (Migne, *P.L.* 187 cols. 1166C-1171B):

/neglexerit quod a suis improbe ... lustum est ut qui divina contempnunt man/[data].

Fragment of one folio.

Decretales Gregorii IX, with gloss

28

Text:

Bk. IV, Tit.xix, ch.7 - Tit.xx, ch.7; Bk. V, Tit.i, ch.6-11 (Chapter references are according to the Paris edition (T. Kerver) 1519. (In the Refectory, Durham Cathedral Library, catalogue number G.III.2.):

ff.1. (2 pieces) and 2 recto: [du]/obus infidelibus alter ad fidem catholicam ... et heredi quem de ux/ore legitima ... [... vi]ro dimissa se/[u].

f.2.verso: /absolutus est ... [... acc]ipiat ministrari/.

Fragments of two folios.

29

Two folios from St Thomas Aquinas, *Summa Theologica*, now (November 1974) restored to Durham Cathedral Library MS. B.I.13.

Treatise on law

30. (formerly 30A)

f.1. verso. /Qui occasione acquirendi non utitur non intellegitur alienare vel qui hereditatem omittit ante opcionem intra certum tempus datam non amplectitur ...

alii condici potest, alii non potest et sane post veterem auctoritatem eo perunitum est ut nemo videatur furtum/

f.2. /fecisse nisi et consilium malignum habuit nec consilium habuisse nocendi ... §8 (?). leg'.xii.t. his uti legisset sue rei ita esto latissima potestas tributa videtur, et heredes instituendi et legata libertates dandi tutelae quoque/.

f.3. recto. Blank.

ff.3v.6r. List of chapter headings and sub-divisions. Two columns, changing to three on f.4v.

f.3v. /§ Leges vel decretales epistole licet ad certas personas directe, generalium constitutionem habent effectum ...

§ Vel dictum maxime suus adversarii ex eo non sit diterius .../

f.4. /§ Vel iurament[um]. De iureiurando ... § Posterior emeritus determinat precedencia .../

f.5. /§ Per aliquem stare videtur cum per casum personam (?) eius contingentem steterit ...

§Posteriora derogant prioribus .../

f.6. recto. /§ Partem legati accipiens totum agnoscit ...

§ Dictum in uno videtur in alio repetit[ur?] .../

ff.6. verso. - end. Blank.

4 Bifolia.

Location: Cover of Court Book of Thomas Castyll, John Walker, Thomas Swalwell, successively, Official of the Prior of Durham 1487-1498.

30B

Memorandum of money owing for "good Skine", replaced in front of relevant Court Book, September 1974.

Fragment from Book IV of a Treatise on law, or collection of Decretals, with gloss
31

Recto. /cepto et pretio soluto, rei demum repetendi preti[i] potestas ...

De monopoliis et conventu negotiatorum illicito vel artificum gratia laborum ...

De vectigalibus et commissis. Si iure manumissus ...

Verso. Largely illegible.

One folio, with fragment from another attached.

Location: Cover of Almoner's Rental 1533-1537.

Treatise on civil law (?) concerning the functions of the "fideiussor", with gloss
32

Recto. /adhibiti placuit eos omnimodo non obligari ...

Fideiussores et in partem persone (?) et in partem rei recte accipi possunt ...

Ex persona (?) rei et quid invito reo exceptio et cetera rei commoda fideiussoribus ... tenebitur quod tenent cum rei indicavit/.

Verso. /accipere stichum aut pamphilium utrum fideiussor vellet ...

Ut fideiussor adversus confideiussorem ...

§ Non possunt conveniri fideiussores liberato reo transactione ... rei societas coitu nullam vim habeat/.

Fragment of one folio.

Regulations for a monastery (?)

33

f.1v. /...

Significatum denuntiet si enim parentes obtulissent ante xiiii an[nos] ...

Porreptum reddidit et hoc est vehemens presumptio pro formis licet verba professionis .../

f.2. /...

Cum ad monasterium exhibere et de carnibus in hoc ...

In singulis abbatum atque priorum non advocent capitulum .../

Ordinances of an order with a general chapter, see f.2b third line of chapter "In singul".

Not Carthusian: refers to abbots, loc.cit.

One Bifolium.

Treatise on laws concerning inheritance (?), with gloss

34

/Iuris administrationis quondam conveniri patitur ... intulit vel aliquid de [] successores eius (?) in solid. alio quin/.

One folio, pasted on wood.

35 [12th century]

Two fragments from a 12th century codex written in two columns of 28 lines, with rubrication. One fragment bears some relation to Acts ii and iii but does not follow the Vulgate text.

36 [12th century]

Two fragments, probably from the same 12th or 13th century codex, containing marginal glosses.

Three documents

37A, B & C

Location: Formerly sewn together to form a cover for the Proceedings before the Papal Judges Delegate 1360-1364 (Misc.Ch.7231)

37A 3 March 1328

Notarial Instrument recording that on 3 March 1327 [1328] in the chamber of Louis (Beaumont), Bishop of Durham, at his manor of Northallerton, Manuser Marmyon, rector of the churches of Houghton (le Spring) and Stanhope, read a protestation concerning his right to the said churches, and that he gave back the church of Stanhope to the Bishop.

Notaries: John, son of John of Thirsk, clerk of the diocese of York; John of Norton, clerk of the diocese of Durham.

1 membrane.

37B June 1329

Notarial Instrument recording that at the Bishop of Durham's manor of Northallerton on 12 June 1329, ... Brown, clerk, proctor of Louis (Beaumont, Bishop of Durham), read an appeal against a proposed visitation by William (Melton, Archbishop of York) of the churches of Northallerton, Kirkby Sigston, and Rounton; and that on 17 June, at the collegiate church of St. Wilfrid's at Ripon, Henry de Radcliffe, clerk, proctor, delivered the appeal to the Archbishop.

Notary: John, son of John of Thirsk, clerk of the diocese of York.

1 membrane.

37C 27 November 1354

Mandate of the Official of the court of York to Adam de Helay and Thomas de Fitlyng', notaries, to inhibit any attempt by the Chapter of York or by John of Woodhouse, canon of York and farmer of the church of Hornby in the archdeaconry of Richmond (who has appealed to the Chapter after being excommunicated by Master John of Ashton, Official of the Archdeacon of Richmond, for, as it appears, refusing to recognise the Official's jurisdiction), to prejudice John of Ashton's appeal to the court of York; the notaries are also to cite John of Woodhouse to appear in court on Saturday following the feast of St. Thomas the apostle (27 December).

At York. 27 Nov. 1354.

Endorsement: that on 29 Nov. 1354 the instructions given in the mandate were carried out in the presence of J. de Cottingham and Hugh de Myton'.

1 membrane.

Indenture

38 [1465]

Indentures between the Bursar, Thomas Hawghton, and the Granator, Richard Stele, for the year 1464-1465.

1 membrane.

Location: Cover of Bursar's Rental 1507-1510.

39 [1480s]

Fragment containing the protocol to a grant by Thomas Pikering, almoner (1479-1485/86) to John Brown, chaplain.

Fragments of deeds from the binding of the Bursar's Summary Account 1535-1536, etc. 40A-D

40A [1526 or 1527]

Six fragments from one or more deeds in Latin. One piece dated: Millesimo Quingentesimo Vicesimo S(?) ... (1526 or 1527 ?).

40B [1527]

Five fragments from one or more deeds (Leases ?) in English, one piece dated: 1 Nov. 19 Henry (VIII ? 1527).

40C 23 November 1557

Last three lines of Mandate, dated at Durham, 23 Nov. 1557.

40D

Fragment from Articles of Apprenticeship (?), 16th century.

[Registrum Parvum ?V], two folios

41

Headed: "Liber H"

Language: Latin

Location: Formerly used to cover the Book of Officiality of the Dean and Chapter of Durham, 1583-1586 (DCD SJC/1)

Ownership history: Formerly DCD Misc.Ch.7197

Calendared by Virginia Murphy as part of a Follett-funded project 1995-1999. The resultant Wordperfect file was edited by Alan Piper, and then converted to Word and input to XMetal by Michael Stansfield in March 2006.

f.1r-v June 1522

Certification by Hugh, prior of Durham, to Edmund, abbot of St Mary's, York, [deputed] visitor of the abbots, priors, monasteries and other places of the Benedictine order within York province by authority of the provincial chapter thereof, last held at Coventry (*sic*), or to his commissaries, one or many, having received on 4 June the following citation, informing him that he has obeyed his letters and mandate, and, on their authority, has forewarned and cited all his fellow monks who should be present by right or custom to appear on the day and place appointed. He has caused their names to be written in a schedule appended hereto, and has executed all else incumbent upon his office in this regard.

Date: Durham, (blank) June 1522.

2 June 1522

Citation and mandate by Edmund, abbot of St Mary's, York, deputed by the presidents of the provincial chapter of black monks, last held at Westminster, to visit all and sundry abbots, monasteries, priors and convents within York province, to the prior and convent of Durham. Since he intends to visit them on Saturday, 14 June, in their chapter house, he cites the prior and commands him to cite all his fellow monks who should be present by right or custom, to appear in person on the said day and place before him or his commissaries. By letters patent reciting the contents hereof and (in a certain schedule appended thereto) the names of those cited by him, he is to certify him on the said day and place as to what he has done in the aforementioned.

Date: in the aforesaid monastery [York], 2 June 1522.

f.1v

Various pen-trials, including the names of C? ?Grene, Janet ?Dowse, Janet ?Grene and Jacob Joseph, a reference to "the wardens in the same place", and several calculations in the margin.

f.1v [?1522]

Proxy (incomplete) by Hugh, prior of Durham, to all and sundry fathers of the order of black monks (attending) the provincial chapter thereof to be held by apostolic authority at Coventry or elsewhere on Monday next, 30 June, or on any other day after the date of the presents, appointing his fellow monks, John, abbot of Bury St Edmunds, William, prior of Rochester, Peter Lee, B.Th., warden of [Durham] College Oxford, as his proctors, and granting them full authority: to appear before the said fathers on the aforesaid day and place, to excuse and give the causes of the prior's absence and to swear an oath in that regard; to treat and come to an agreement concerning all and sundry articles proposed by them or the other prelates there present for the honour of the order; to agree to all and sundry which shall be decreed in the chapter by the common counsel of all and sundry present; and to do all else necessary or appropriate for the aforementioned and known to pertain by right or custom to the office of proctor, since he is unable to be present in person by such difficult and pressing causes and matters [touching] the state and advantage of the monastery of Durham (whose rule he has).

[then some folios missing]

f.2r

Various pen-trials, including sums of money.

f.2r [?1525]

[Memorandum] that on the said day and year a similar letter of recall was issued for Thomas Holeborne from the cell of Finchale to the monastery [of Durham] under the round seal.

f.2r 3 June 1525

Memorandum that on 3 June 1525 an appointment was issued for John Swalwell as master of the cell of Wearmouth in the usual form under the prior's long seal.

f.2r 9 June 1525

Grant by Hugh, prior of Durham, to Agnes Watson, widow of William Watson, of a corrody in the infirmary outside the abbey gate, Durham, which Thomas Fawderley lately held, for the term of her life. She is to have what any brother thereof, staying within or outside, receives, provided she keeps all its statutes (etc.). If she should not carry out the statutes (etc.), commit fornication or adultery, or contract marriage beyond the present one without licence from the prior [or] his successors, he wills that she be deprived of all the aforementioned in perpetuity.

Dat: Durham, 9 June 1525.

f.2r [9 June 1525]

Memorandum that afterwards the said corrody, granted to the same Agnes and Margaret, her daughter, jointly and to the survivor of them, was issued, bearing the aforesaid date.

f.2v

Various pen-trials

f.2v 11 June 1525

Appointment by Hugh, prior of Durham, of his fellow monk, Henry Thewe, B.Th., as prior of the cell of Holy Island, committing to him its care and administration, both in spiritualities and temporalities, until he has a further mandate from the prior; and commanding all whom this concerns to be answerable to him as prior thereof in all and sundry pertaining to the cell. He is to render annually to the prior a faithful account of all receipts and expenses of the cell.

Date: Durham, 11 June 1525.

f.2v [11 June 1525]

Memorandum that on the day, month and year abovesaid two letters of removal were issued, one for John Maynard from the cell of Stamford to the cell of Finchale and the second for William Brantingham from the monastery of Durham to the cell of Stamford.

f.2v 3 July 1525

Appointment by Hugh, prior of Durham, of Mr Richard Houghton, knight, as steward of all the vills, lands and tenements pertaining to the cell of Lytham, as long as he conducts himself well in his office; provided that he duly carries out the office and those [duties] incumbent on it, as should be done for the advantage and honour of the prior and church of Durham. He is to receive the due and customary fees and wages. The prior commands all his officials and tenants whom this concerns to obey him as steward in all and sundry pertaining to the office. The presents are to last at the prior's will.

Date: Durham, 3 July 1525.

42 1587

Part of Bargain and Sale, 2 Feb. 29 Eliz. (1587), by (1) Cuthbert Rackett of Elvett in the suburbs of Durham, gent., and Catherine Rackett, to (2) Thomas Harrison of ... (place missing) in the county of Durham, beerbrewer, of two burgages and two gardens in Elvett.

Purchase price missing. Signed by Cuthbert Rackett. Seals missing.

Language: English

1 membrane.

Location: From cover of Book of Rates, approx. 1629-1632.

43 1609

Unexecuted Lease, 7 James I (1609), by (1) Right Worshipful Adam Newton, Dean, and the Chapter of the Cathedral Church of Durham to (2) Timothy Draper of Newcastle upon Tyne and Thomas Consett of the city of York of the parsonage of Bossall in the county of York, with covenants that ordinary charges due to the Bishop and Church of York will be paid by (2), and extraordinary charges, eg. subsidies and 10ths by (1); and bond of (2) William Consett of the city of York and others (names left blank) for £100, conditioned for the performance of the covenants of the lease.

Term: 21 years

Rent: £24

Language: English

1 membrane.

Location: Cover of Court Book for 1620.

44

Draft Lease, reign of James I, by (1) Adam Newton, Dean, and the Chapter of the Cathedral Church of Durham to (2) Thomas Man of the city of Durham, draper, of property in the borough of Elvet, with proviso that the lease should not be assigned to anyone without the permission of (1), and the bond of (2) and others (names left blank) for £30, conditioned for the performance of the covenants of the lease; the said property being (a) a burgage with brew leade and steep leade, and (b) a waste(?) and garden in Rotton Raw.

Term: 40 years

Rent: 14s. 0d. for (a) and 12d. for (b)

Note: Originally the lease was to include also property in the barony of Elvet (viz.): a parcel of ground, rent: 2s. 4d. b) burgage and two wastes, rent: 6s. 0d., 16d. and 6d. respectively c) little close or garth, rent: 3s. 0d. d) one garth, rent: 8d.

Language: English

1 membrane.

Missal

45

f.1. Part of the formulary for S. Vincent (22 Jan.); Incipits and prayers for S. Emerentiana (23 Jan.); and part of the formulary for the feast of the Conversion of S. Paul (25 Jan.).

f.2. Part of the formularies for SS. Philip and James (1 May); S. Athanasius (2 May); Alexander, Evencius and Theodolus (3 May); and the Invention of the Cross (3 May).

Part of one Bifolium.

Location: Cover from Act Book of the Dean and Chapter's Officiality in Durham Diocese and Allertonshire, 1595-1606.

Digestum Vetus

46 13th century

Bk. VI, Tit.ii ch.12 - Bk. VII, Tit.i ch.17; and Bk. VII, Tit.i ch.58 - Tit.iv ch.10 (Russard ed., Plantin 1567).

ff.1-2v. (Text:) /quis rem petere ... seruum noxe dedere/

ff.3-4v. (Text:) /diuidi debeat inter heredem ... uerumetiam si demolitis edibus/

2 Bifolia.

Location: Cover of Finchale Repertory, drawn up c.1500-c.1527.

Court Roll

47 [?1498]

[Crossgate Borough] court roll fragment

Location: Binding from a Sacrist's rental of 1500

Removed on re-binding, 13 August 1946. Also with original binding were two accounts, now held in the main series of medieval accounts: Communar's account 1459-60 and Sacrist's account 1395-96 (C).

Printed in: *Records of the Borough of Crossgate, Durham 1312-1531*, ed R.H. Britnell (Surtees Society 212, 2008), p.342-346.

Binding of a Sacrist's Rental 1329-1380

48 [c.1380]

Sacrist's rental binding

Leather cover with canvas stitched to the inside

Theological treatise

49 [14th century]

Theological treatise, lower part of a 2 column folio, used as a cover/pastedown.

Parchment, 1f, part, badly damaged

Provenance: Found in a box of Chester Beatty papyri at 5 The College, 29 October 2015, Acc No 2015/16:53.