

## List of Things and Places

- abbot 281, 351, 387, 524–525  
 absolution 211, 213, 223, 268–270, 285, 291, 515, 520–521  
 agency  
   and representation 5, 8, 263–266, 277, 348, 383–385, 399  
   internal vs. external validity of 387–391, 400, 424–425, 450–461, 463,  
   502–504, 531–533  
   triangle 346, 383, 388, 426, 441–442, 448–450  
   confirmation/ ratification in office 280–282, 371–372, 406–419, 442  
 analogy 41, 92, 99, 226, 278, 369, 390, 409, 411, 413, 463  
 apostate 466–468, 478  
*Apparatus Ordinaturus Magister* 207  
 aptitude 348, 351–352  
 arbiter 36–40, 70–71, 85, 122, 145, 175–179, 184, 197, 241, 285,  
   296–297, 359–360, 436–438, 479, 491, 496, 502–503  
 Armenia 58  
  
 banished 136–139, 146, 157, 430  
 baptism 193–194, 217  
 benefice 245, 267, 249, 349  
 bequest 51, 70, 79, 120, 324, 356–358  
 bishop 28, 52–56, 138, 149, 281–282, 311, 329, 469, 484  
   apostate 466–468, 478  
   archbishop 268  
   bequest to 357–358  
   bishop-elect 280, 286, 445  
   diocesan 53  
   excommunicated 201, 227–228  
   false 124–125, 132–133, 226, 294, 466–467  
   heretical 5, 7, 202, 244, 254, 274  
   incumbent in the office of 357–358, 362, 531  
   insane 366, 404  
   is ordinary judge 259  
   metropolitan 286, 445  
   of Gallipoli 258

of Trieste 53, 56  
 putative 227, 395  
 schismatic 195  
 simoniacal 194, 258  
 suffragan 256 n.51, 286, 445  
 tolerated in office 226, 228, 258  
 true 227, 466–467  
 vicar of 358  
 Bologna 17, 62, 82, 90, 107  
 bribe 474  
 brocard 7, 382, 489, 492, 504  
 burden of proof 265, 267, 497  
  
 candlestick 51  
 canonical entry *see* entry into office  
 cardinal 257–258, 287, 301–303, 363  
 cavil 54, 256  
 Champagne 513  
 chaplain 351  
 chapter 246–247, 363, 499, 531  
 chronology 303, 343  
*Citramontani* 62, 90, 96, 126, 133, 163, 317–319, 529  
     *see also* Italy  
 clandestine 521  
 clergy 191, 244  
 cleric 217, 244, 300, 349  
 clerk 56, 379  
 commentators 12, 63, 84, 161, 489  
 common opinion 35–36, 52, 59–60, 122, 135, 150, 181, 236,  
     265–267, 308–309, 326, 330, 453, 485, 497–499, 516–517  
 commonwealth 122–124, 132, 142, 150, 155, 177, 228, 264, 277,  
     369–370, 421, 446–450, 454–455, 459–461, 504  
 concealment 143  
 concession 44, 142  
 condemnation 25, 174, 248–249, 271–272, 378–379, 382, 403, 474, 476,  
     479–480, 492  
 confession 252, 268–269, 285, 290, 312, 396, 517, 525  
     *see also* sacrament  
 confirmation 280–282, 296, 302, 308, 318, 329, 347, 370–378, 385–395,  
     403, 406–419, 442, 490, 499–500, 530–533  
 Connecticut, Supreme Court of 527

consecration 182, 195, 202–203, 275, 290  
 Constantinople 56  
 convent 53  
 conviction 168  
 corporation 245–246, 346, 398–399, 531  
 Curia of Rome 258–260  
 custom 51, 82, 92, 121, 197  
  
*de facto* officer doctrine 3, 5, 10, 153, 333, 383, 390, 400, 424, 489,  
 512–514  
     in England 524–526  
     in the United States of America 526–528  
     in early modern Europe 504–514  
 deceit 44, 78, 142, 272, 297–300, 385, 413, 461  
 decretalist 7  
 decretist 7, 195, 197–200, 204, 207–208, 218–219, 224, 228, 232–233,  
 241, 251  
 decurion 29–30, 117, 351, 407  
 delegation 325, 435, 437, 502  
 denial 78, 101, 122, 418, 458  
 deposition 53, 58, 174, 249–251, 263, 271, 275, 350, 360, 375–376,  
 378–382, 388–389, 391, 431, 440–441, 443–444, 465–466, 468, 472,  
 475–479, 517, 523  
 despot 184, 370  
 dialectic 6, 62, 89, 237, 347, 349  
*dignitas* 17, 26–27, 174–176, 180, 199, 214–215, 345, 348–370, 376–377,  
 392, 397–398, 403, 408–410, 423, 434–435, 442, 447–448, 450–454,  
 459–461, 467, 474–475, 483  
 dignity 242, 348, 355, 358, 433–434  
 Dijon, Parlement of 513  
 diocese 52–53, 259, 281, 286, 294, 366, 445, 468–469  
 dismissal 56–57, 360, 379  
 dispensation 200–201, 214, 286, 499  
 dispossession 364–365, 441  
*disputatio* 351, 510  
 dissent 65, 74, 78, 90, 312, 529  
*Distinctiones Monacenses* 202  
 donation 142, 404  
  
 ecclesiological 7, 189, 191, 196, 199–200, 203, 239, 241, 269, 312, 361,  
 530

election

- by robbers 375
- formal validity of 151–153
- in violation of the *lex Iulia de ambitu* 24, 27–29, 68, 82, 116 n. 92, 126, 164, 401–402, 409, 489 n.1
- invalid vs. inexistent 139–140
- invalid 236, 285
- ipso iure* void 390, 392, 467
- of a banished 136–139
- of Barbarius as praetor 25, 40, 65–68, 72, 87, 104, 108, 119–122, 132–134, 139, 441
- ratification of 242–242, 278, 371–373, 409–412, 490–491, 499–501, 517, 530
- simoniacal 26, 374, 411
- validity of 280, 300, 322–327, 390–392
- voidable 375, 416, 424–431, 436, 451
- elector 138–140, 151, 243, 285, 300, 323–327, 374, 427–431
  - rightful 139–140, 429
- emancipation 19, 45, 67
  - see also* manumission
- emperor 17, 29, 31, 33–35, 40, 44–45, 51, 83, 100, 130, 147, 149, 153, 238, 282, 298, 351–359, 405, 409, 415, 493, 511
  - see also* sovereign; prince
- endorsement 180, 301, 414, 521
- enforcement 152, 258, 360–361, 412
- England 524
- enlistment 29–30, 33, 158, 162, 407
- entry into office 242, 242, 374, 407, 431–432, 443, 445, 447, 490–491
- equity 10, 39–40, 69–70, 77, 99, 118, 123, 142–145, 156, 161, 167, 177–178, 200, 279, 387, 401, 421, 425, 445–447, 455–456
  - see also* fairness
- error 30, 51, 67, 87, 119, 145, 322, 504
- excommunicate
  - judge 91–97, 103–105, 123–125, 132–133, 146–150, 171, 176–179, 236, 345, 463–465, 469, 479, 523
  - publicly 248, 284
  - secretly 250–251, 274, 293–294, 300, 310–312, 380, 395, 458, 463–464, 503, 515–520
  - toleration of 218, 244–245, 261–263, 283, 293–297, 310
- excommunication 97, 149, 171, 234, 247–248, 268, 281–282, 296–297, 302

by an excommunicate 209–228, 235, 238, 251, 270, 293–294,  
 311–312, 515–519, 521  
*ferendae sententiae* 193, 261, 263  
*latae sententiae* 261  
 manifest 277–278, 479  
 occult 250, 284, 298, 311, 464, 479  
 excuse 95, 119, 131, 151, 159, 263, 321, 403  
 expel 197, 203, 216, 350, 474  
 expropriation 48, 68, 83

faculty 206, 409  
 fairness 34, 39, 69, 104–105, 109, 130–131, 133, 144–145, 155, 177, 293, 446  
*see also* equity  
 faith 36, 39, 61, 87, 125, 131, 201, 225, 233, 266, 268–269, 271, 273, 276,  
 279, 285, 290, 302, 319, 396, 430, 454–455, 518, 526, 530  
 faithful 133, 228, 252, 276, 285, 290, 310, 312, 458  
 fame 53, 93, 161, 267, 390, 403, 426, 482, 484  
 fitness 366, 376  
 flexibility 11, 63, 94, 345, 390  
 Florentine 322, 430–431, 448  
*fonctionnaire de fait* *see* de facto officer doctrine  
 forbearance 189, 214, 218, 221, 329, 377, 414, 492  
 forgery 52, 58, 168, 174, 179, 263, 265, 272, 309, 434, 474, 476, 479, 492  
 forgiveness 214  
 formality 157–158, 324, 429, 500  
 formation 12, 152, 362, 529, 531  
 fornication 190, 276, 378, 396 n.158  
*see also* priest, fornicating  
*Fragmentum Cantabrigense* 204  
 France 4, 64, 93, 111, 205, 214, 217, 221, 514  
*see also* Orléans  
 Frankfurt an der Oder, University of 514  
 fraud 282, 422, 443  
 freedman 31, 123, 128, 178, 198, 438  
 freedom 22, 33, 35–41, 43–47, 51, 61, 67–68, 73, 77–80, 85, 88, 94,  
 100–101, 108–110, 115, 126, 128, 134–136, 141–144, 163–164, 166,  
 176–177, 184, 249, 319, 402, 413, 460–461  
 freeman 31, 33, 58, 154, 437  
 French 4, 61–62, 90, 140, 168–169, 177, 205, 209, 219, 221, 225, 507, 512,  
 529  
*see also* Orléans; Ultramontani

funeral 44, 109

Gallipoli 258

generosity 6, 33, 35, 40, 44, 222, 335, 339, 500, 503, 529

Ghibelline 127, 430–431

glossators 5–7, 12, 18, 34, 41, 84

Gospel 374–375

gravity 293, 395, 409–410

guardian 19–20, 49, 77, 180–183, 352–353, 360–361, 369–371, 385, 387,  
392, 447

Guelph 430

habit 386–387

heir 44, 49, 79, 120–121, 324 n.22, 349

heresy 193, 199, 203, 208, 217–219, 222–223, 225, 233–235, 250, 297,  
479

heretic

jurisdiction of 5, 191, 203, 211, 215, 221, 233, 287 n.17,  
292

toleration of 199, 203–204, 208–212, 215, 221, 224, 232, 237, 244,  
250, 271, 289

evidence given by 190

sacraments administered by 194–195, 272

ordinations by 201–202, 205

secret/occult 7–8, 193, 199, 211–212, 218–219, 223–226, 235, 250,  
297, 312, 485, 490, 529

honour 94, 112, 348, 475, 524

humanity 39–40, 109, 126, 134, 167

Hungary 367

ignorance 50–51, 95, 143, 147, 154, 159, 262–264, 267–268, 270, 275,  
290, 294, 297, 319, 382, 403, 521

justifiable 95, 225, 228, 290, 326

*see also* mistake

illegitimacy 120, 183, 345, 430, 455, 465–466

immortality 353–354, 356–358

impediment 151, 178, 197, 218, 326, 466

impostor 56, 71–72, 138–139, 151, 172, 481

inadmissibility 271, 412

incapacity 17, 30, 42, 67, 91, 99, 104–105, 120, 139, 143, 154, 176, 180,  
198, 247, 261, 297, 299, 307, 318, 352, 366, 404, 413, 435–436, 440,

447–448, 451–452, 454, 464, 466, 474, 477, 479, 482, 485, 490, 495–496, 499, 501, 506

incompatibility 19–20, 351, 362, 387, 419, 440

incorporeal 362, 380, 433

incumbent 9–10, 88, 245–246, 305, 307, 345–371, 375–380, 384, 387–389, 391, 397, 400, 410, 435, 438–444, 449

*indignitas* 199, 350, 366, 376–378, 389, 392, 394–395, 401, 403, 405, 410, 413, 435, 448–449, 453, 461, 466–468  
*see also* unworthiness

ineligibility 67, 119, 136, 138, 151, 328, 466

inexistence 139, 157

*infamia* 17, 23, 37, 174–176, 178–179, 179 n.44, 231–232, 255–256, 284, 309, 414, 474–475, 495

*inhabilis* 17, 30, 185, 412, 436–437, 451–452, 480, 500–501, 503–504

interdict 79, 244, 281, 302

intruder 249, 254, 308–309, 364, 371–376, 380, 386–389, 407, 411, 416, 418, 424–425, 429, 431–432, 441, 443–444, 451, 468, 492, 499, 518, 523

Istria 53–54

Italians 61–62, 72, 93, 103, 107–108, 125, 130, 133, 163, 208  
*see also* Citramontani

Italy 6, 52, 56, 91, 137, 322

Judas 209, 257

judge 17–20, 23, 31, 36–37, 42, 47, 55, 85, 91–92, 96–97, 103–105, 122–125, 132–133, 145–146, 148–151, 153, 171, 173, 176–179, 197–198, 204, 211, 214, 220, 222, 227, 235–238, 254–259, 266–267, 270, 277, 284, 288, 292, 296–297, 305, 308, 345, 350, 359, 372, 387–388, 392, 394, 420, 432–435, 437–438, 442, 451–454, 457, 460, 463–465, 470, 477, 479–480, 495, 502–503, 510, 514, 523  
*see also* jurisdiction

minor 41

excommunicated *see* excommunicate, judge

slave acting as *see* slave, acting as judge

judgment 23, 58, 70–71, 123, 133, 145, 197–198, 237, 249, 292, 360–361, 369, 438  
*see also* sentence

jurisdiction 5, 7–8, 19, 23, 27, 41, 91, 96–98, 123–125, 154, 179, 185, 189–192, 195–196, 198, 200–201, 203–204, 206, 208–233, 236–239, 244–246, 250–251, 255–259, 266, 268–275, 281–285, 291–292, 295, 303, 307, 310–312, 320, 341, 359, 362, 365, 369–370, 374, 377, 392–395, 404, 423, 425–426, 432–442, 451–457, 466–468, 479, 492,

496–497, 500–504, 517–521, 523, 530–531  
 of the heretic *see* heretic, jurisdiction of  
 possession, of *see* possession, of jurisdiction  
 jury 525  
 justice 446, 454–455, 527  
 justifiable 95, 225, 290, 326  
  
 Koper 52, 53 n.114  
  
 legal proceedings 122, 130, 133, 184, 353, 454, 476  
 legate 301–303  
 Leiden 93  
 lender 76, 148  
 limitation 62, 90, 347, 354, 503–504  
 litigant 71, 91, 150, 440, 452–453, 495, 532  
  
 magistrate 2, 12, 18–20, 23–24, 29, 97, 139, 157, 173, 184, 404, 413, 430  
 mandate 49, 54, 97, 124–125, 132–133, 237, 303, 326, 484  
 manumission 19, 31–34, 38, 46–47, 49, 65, 68, 83, 85, 135, 142  
     *see also* emancipation  
 marriage 210, 225, 265, 267, 276, 279, 358, 513, 521–523  
     *see also* sacrament  
 Mechelen, Great Council of 512  
 mercy 201, 218, 222  
 metaphor 352–353, 361, 369, 375, 436  
 mistake  
     as pathology of volition 85  
     justifiable 326  
     individual 86–87, 95, 119, 145, 154–155, 159–160, 423  
     common 7, 30, 33–41, 49–52, 65–72, 75–77, 80–81, 84–88, 92,  
         95–100, 103–106, 110–111, 118–114, 130–140, 145–150, 153–160,  
         166–172, 181, 236–237, 262–270, 279–280, 293–294, 298, 302,  
         307–308, 320–323, 326–327, 382, 385, 416–423, 437, 450, 452, 470,  
         491–497, 505–507, 526  
     *see also* ignorance  
 monk 29, 351, 386–387  
 murderer 253, 370, 409, 466–467  
 mystical body 361, 385  
  
 Naples 93, 339–340, 398  
 necessity 59, 132, 194, 200–201, 218, 271–273, 306, 360, 390, 457

notary 52–54, 297–301, 380, 398  
     difference with scrivener 174–177  
     dismissed from office 57–58, 168, 174, 263, 272, 474–480, 492, 497  
     excommunicated 263, 298, 309, 482, 523  
     false 52, 56, 71–72, 136–139, 146, 150–153, 169–173, 176, 180, 264,  
         298, 301, 309, 337, 470–475, 523  
     heretical 274, 297  
     putative 53, 55, 58–60, 169, 175, 264–265, 330, 481–485, 497, 510  
     *see also* tabellio  
 notoriety 60, 90, 115, 190, 249–250, 252–253, 263, 274–277, 291, 307,  
     310 n.92, 311 n.96, 326, 377–378, 389, 403, 430, 438, 439 n.112,  
     440–441, 474, 479–480, 482, 497 n.30  
  
 oath 77 n.47, 180, 183, 360–361, 367  
 obligation 119 n.99, 152, 345–346, 352–356, 360–361, 365–366,  
     383–384, 454–455, 459–460, 524  
*oeconomus* 379  
 officer 3, 5, 10, 12, 153, 333, 383, 400, 424, 474, 489, 512, 524–527,  
     529–530  
 omission 59, 68, 130, 176, 184, 347, 524  
 ordination 24, 26, 182, 194–195, 201, 205, 276, 289–290, 374, 458  
 Orléans 6, 61, 89–91, 93–94, 106–107, 111–112, 125–126, 128, 130, 134,  
     140–142, 146–148, 161, 164, 167–168, 317, 329, 408, 493, 529  
     *see also* Ultramontani  
 opinion *see* common opinion  
  
 Padua 56, 72  
 papacy 127, 355, 365  
 Paris, Parlement of 513  
 parish 124, 268, 276, 285, 311, 513, 521  
 phoenix 353–354, 361  
*pileus* 44–46, 109  
 Pirano 54–55, 484  
 podestà 341 n.49, 430–431  
 Poitou, Parlement of 513  
 possession  
     of diocese 280, 286, 294  
     of ecclesiastical prebend 249, 267  
     of freedom 36–40, 67, 319  
     of jurisdiction 281, 425, 431–436, 500–501  
     of land 79, 365

of office 218, 265, 286, 295, 364, 372, 378–393, 400, 424–425,  
431–455, 466–467, 471–473, 485, 491–493, 496–498, 533  
of rights 362–363  
of the superior's authority 391–393  
postglossators 63, 73  
prebend 117, 210, 249–250, 382  
predecessor 97, 353, 354 n29, 359, 384, 524  
prefect 18–19, 44, 371  
prelate  
and representation 246, 249, 259, 360–361, 364–366, 370, 385–386,  
454–455  
confirmation of 182, 278, 282, 286, 307, 517  
deposed 183, 275, 360, 444, 466  
excommunicated 227, 236, 310  
false 117, 124, 171–172, 176–177, 180–183, 206, 295, 330, 372, 375  
heretical 5  
putative 124, 133, 210, 265–270, 280, 382, 454, 491, 512, 515–521  
schismatic 182  
simoniacal 26, 251, 258  
tolerated in office 217–218, 226, 231, 253, 268–270, 278, 282,  
285–286, 306, 454, 490, 518  
prerogative 23, 209, 218–220, 231, 251, 282, 481  
priest  
excommunicated 273  
false 124, 180–182  
fornicating 190, 252  
heretical 192, 225, 274  
ordained by simoniacs 194–195, 200–201, 215 n. 95, 233,  
254  
putative prelate 268  
tolerated 215, 234, 268–269, 275–276, 288, 290–292, 458  
prince 17–18, 29, 34, 41–43, 46, 48, 51, 65, 70, 83, 102, 105, 109, 118,  
128, 153, 168, 174, 237–238, 280, 320, 329, 350–352, 354–359, 367,  
370, 401, 405, 407, 410–417, 420, 429, 441, 460, 481, 490–491, 533  
acting for his private advantage 369–370  
representative of the Crown 352, 354–359  
*see also* sovereign; emperor  
proceedings *see* legal proceedings  
proconsul 18, 97, 341, 350  
procurator 246, 261–263, 266, 270, 369, 465  
pronouncement 26, 32, 261

ratification 102, 181, 237–238, 327, 329, 419, 441, 502, 530  
 recipient,  
     of bequests 357  
     of delegated jurisdiction 435, 503  
     of sacraments 192, 201, 228, 272–273, 458  
     of the jurisdictional acts of Barbarius 122, 426, 448–449, 457–458  
 release 152, 250, 292, 360, 385–387, 392  
 reordination 194  
 representation 5, 8–10, 189, 199, 241, 249, 253–254, 258, 281–282, 293,  
     296, 305–309, 345–348, 361–370, 375–393, 398–401, 418, 439–441,  
     482–483, 516, 526, 531–532  
 revocation  
     of delegated jurisdiction 124–125  
     of mandate 132–133  
     of the acts of the agent apparent 69  
     of title 429, 444  
 Roman Curia *see* Curia of Rome  
 Romans 43, 64, 77–79, 103, 109, 128, 142, 319, 349, 399, 414, 493  
 Rome, Rota of 512  
  
 sacrament 26, 190–196, 200–201, 211 n.83, 214–217, 244, 252, 270–276,  
     285, 310–312, 393–395, 457–458, 516–517, 521  
     administered by schismatics *see* schismatic, sacraments administered by  
     administered by heretics *see* heretic, sacraments administered by  
     recipient of *see* recipient, of sacrament  
     and toleration *see* toleration, and sacramental issues  
 salary 137, 157–158, 430–431  
 scandal 200, 230, 252, 276, 287  
 schism 195–196, 363, 372  
 schismatic  
     ordinations by 194–195  
     sacraments administered by 193  
 scholastic 6, 351  
 scrivener 176–177, 180, 483  
 senator 349–350, 474–475  
 senatus consultum 76, 148  
 sentence 25–26, 32, 36–37, 96, 124, 146–147, 209, 211, 213, 217,  
     220–225, 227–228, 231, 235, 237–238, 263, 267–268, 270, 275,  
     281–282, 284, 294–295, 307–309, 312, 343, 372, 378–379, 382, 423,  
     441, 444, 468, 518–519  
     *see also* judgment

servitude 32, 36, 78, 101, 123, 142–143, 178, 197, 362, 408, 433, 438, 452  
 silverware 51, 70, 76, 79  
 simoniac  
     election of 26, 373–374  
     occult 275, 311, 402, 409, 411  
     ordinations by 200–201, 205, 233  
     toleration of 204–205, 242, 257–258, 275, 402, 409  
 simony 24, 68, 127, 201, 242, 251, 253, 258, 275–276, 311 n.96, 373, 401–403, 416  
 slave  
     acting as arbiter 36–38, 70–71, 85, 122–123, 127–128, 145, 177–178, 197–198, 438, 495–496, 502–503  
     acting as judge 37, 123, 198, 219–222, 232, 235–236, 238, 255–256, 453, 460, 495  
     and putative freedom 31–40, 111, 135, 237, 437  
     manumission of 44–46, 67, 83, 109  
     witnessing a testament 33–36, 135–138, 437, 472–473  
     acting as praetor 12, 17, 20–21, 43, 64, 142–143, 164, 167, 278, 299, 319–320, 400, 404–405, 435–437, 441, 453, 493, 530  
 Slovenia 52  
 soul  
     as metaphor for incumbent in ecclesiastical office 361, 365  
     defrauder of 396  
     impurity of 457  
 sovereign 41, 45, 78, 94, 102–105, 110–111, 118–121, 124, 130, 138, 149, 157, 161–163, 173, 318–320, 366, 410, 431, 526 n.158  
     *see also* emperor; prince  
 sovereignty 45, 122, 352, 414  
 spouse 225, 279, 521  
 statute 23, 136, 322, 426, 431, 468, 478, 527  
 steward  
     of a church 379  
     of a manor 525–526  
 succession 349, 356, 384  
 successor 49, 97, 354, 357, 531  
 Summa  
     Bambergensis (*Animal est Substantia*) 197 n.26  
     Sicut uetus testamentum 202  
     Cum in tres partes 202  
     Coloniensis 202, 212 n.83, 216 n.95  
     Glossa Palatina 222–225, 234–236

- Lipsiensis (Omnis qui iuste iudicat) 203, 216–217  
 Monacensis 205  
 Tractaturus Magister 219–221, 224  
 Parisiensis 214–216  
 Casinensis 219  
*see also* Apparatus; Distinctiones; Fragmentum
- tabellio* 54–56, 58, 60, 71, 137, 139, 150, 170, 173, 176, 179, 264–266,  
 297–300, 330–331, 380, 471–473, 475, 479–485, 492, 498, 501  
*see also* notary
- testament  
 of a son *sui iuris* 57  
 validity of 324, 472  
 witnessed by a slave 33–36, 135–138, 437
- title  
 absence of 71, 249, 294, 386, 393, 471, 497, 516  
 coloured 153, 390, 443, 449, 491, 500, 503–507, 521–527, 529  
 validity of 153, 184, 308, 370, 432, 472, 475, 492, 497, 511, 530–531
- toleration  
 and common mistake 184, 264–268, 293–294, 307–309  
 and confirmation in office 241–244, 292, 306, 318, 372, 380, 385–389,  
 405, 444–445, 458, 517  
 and forbearance 184, 189–190  
 and legal representation 244–247, 263–264, 329, 443, 459, 464–465,  
 502–504  
 and notoriety 263, 276–277  
 and ordinary jurisdiction 254–259, 307  
 and public utility 260, 266–268, 277, 297–298, 417–418, 519  
 and sacramental issues 250–254, 271–275, 289–291, 311–312,  
 393–396, 514–523  
 and validity of excommunication *see* excommunication, by an excom-  
 municate 209–228, 235, 238, 251, 270, 293–294, 311–312,  
 515–519, 521
- in Albericus de Rosate 317–321, 328–332  
 in Angelus de Ubaldis 489–492  
 in Baldus de Ubaldis 345–346, 375–382, 388–395, 401–409, 415–418,  
 424, 440–444, 457–459, 463–472  
 in Goffredus de Trano 283  
 in Guido de Baysio 291–294  
 in Hostiensis 287–291  
 in Innocent IV 241–282

in Johannes Andreae 303–312  
 in Panormitanus 516–519  
 in Paulus de Castro 495–496  
 in Raphael de Fulgosiis 492–493  
 in the decretists 200–210  
 in the *Decretum* 196–199  
 in the Gloss on the *Liber Extra* 284–286  
 in the Ordinary Gloss on the *Decretum* 228–239  
 in the *Speculum Iudiciale* 295–303  
 of excommunicate *see* excommunicate, toleration of  
 of heretics *see* heretic, toleration of  
 of jurisdictional acts 27, 185, 195  
 of prelate *see* prelate, tolerated in office  
 of simoniacs *see* simoniac, toleration of  
 Toulouse, Parlement of 513  
 Troyes, Bailliage of 513  
 tyrant 77, 183–184, 370, 414, 459, 497  
  
*Ultramontani* 89–90, 93, 95, 108, 126, 141, 146–147, 157, 161–169, 176,  
 317–319, 342, 397, 400–402, 405, 408, 418–419, 469–470, 493, 524, 529  
 unfitness 30, 254–255, 299, 366, 376, 389, 401, 403  
*universitas* 224–225, 246, 398–399, 455  
 unworthiness 182, 192, 204, 209, 213, 243–244, 247, 258–259, 269, 272,  
 275, 280–282, 285–286, 310–311, 329, 350–352, 366, 370, 376–378,  
 405, 409–413, 440, 444, 453, 457, 460, 466–468, 502, 531–532  
*see also* indignitas  
 usurper  
     and intruder in office 525  
     and tyrant 184, 370  
 utility 47–48, 56, 68–72, 75–76, 78, 80, 83–87, 94–98, 104–105, 111,  
 118–119, 121–124, 130–132, 140, 145, 150, 153, 155, 157, 162, 168,  
 171–172, 177–181, 183–184, 196, 214, 260–266, 275–276, 280, 297,  
 300, 320–322, 337, 397, 400, 416–421, 425–426, 436, 441, 445–451,  
 455, 460, 464–466, 469–471, 490–494, 496–497, 500–507, 519, 523,  
 526, 530–531  
 private 71, 87, 105, 360–361, 370, 436, 451, 465, 503  
  
 warden *see* guardian

## List of Names

*Names are listed by surname, unless they are commonly referred to by first name (such as Bartolus) or by some other name (such as Panormitanus)*

- Accursius 5–6, 18–48, 61–66, 84, 88–90  
Ackersdijck, Willem Cornelis 509  
Alanus Anglicus 221  
Albericus de Rosate 8, 73–74, 78, 80, 189–190, 317–331, 347  
Albertus Galeottus Parmensis 59–60  
Aldericus, bishop of Koper 52–55  
Alger of Liège 192–194  
Aristotle 334–336  
Angelus de Ubaldis 489–492, 498, 500  
Arena, Jacobus de 72–81, 85–88, 99, 319, 322  
Augustine 28, 193  
Azo 18, 22–29, 33–34, 37–38, 46–47, 58–60, 68, 91
- Balduini, Jacobus 6, 62, 89–91  
Baldus de Ubaldis 2–5, 8–11, 185, 317–485, 489–504, 529–533  
Barbosa, Agostinho 522  
Bartholomaeus Brixiensis 229  
Bartolus de Saxoferrato 83, 94, 158–159, 161–185, 333–340, 343, 357–358, 397–398, 418, 481, 483–484  
Bassianus, Johannes 22, 27–28, 33, 47, 68, 182  
Baysio, Guido de 260, 291–295, 409  
Bellapertica, Petrus de (Pierre de Belleperche) 94, 111–133, 147, 156–158, 161–162, 168–172, 176–180, 183, 342, 397, 400–401, 418, 448, 524  
Belviso, Jacobus de 58, 60, 73, 172, 321–323, 326–327, 329, 426  
Boniface VIII (Benedictus Caetani) 468  
Bronkhorst, Everardus 509  
Butrigarius, Jacobus 74, 78, 81–88, 107, 164–168, 320–322
- Caldera, Eduardo 508  
Campionus, Augustinus 509  
Castro, Paulus de 495–498  
Cicero 334–336  
Cocceius, Samuel von 504  
Coninck, Aegidius (Giles de Coninck) 522  
Constanus, Antonius Guibertus 509

Corsetti, Antonius 505  
 Covarrubias y Leyva, Diego de 522  
 Cravetta, Aymonis 505  
 Cugno, Guilelmus de (Guillaume de Cuhn) 134, 140–159, 161–162,  
 168–173, 401, 429, 484, 501  
 Cujas, Jacques 509  
 Cumis, Guidus de 10  
 Cynus de Pistoia 76–77, 94, 125–133, 156–160, 162, 176

Dante Alighieri 9  
 Dantoine, Jean-Baptiste 507  
 Decius, Philippus 507  
 Dio, Cassius 21  
 Diplovatatus, Thomas 334  
 Donellus, Hugo (Hugues Doneau) 506–507  
 Durantis, Guilelmus (Guillaume Durand) 295–303  
 Dynus de Mugello (Dino Rosoni) 158–162

Ernstius, Henricus 508

Faber, Antonius (Antoine Favre) 511  
 Faventinus, Johannes 203, 207  
 Fulgosius (Raphael de Fulgosiis) 81, 493–495

Gabrieli, Antonius 509  
 Goffredus de Trano 283  
 Gothofredus, Jacobus 511  
 Gratian 7, 191–200, 211, 231, 235–237, 457  
 Gregory IX (Ugolino de Segni) 270, 302

Heineccius, Johannes Gottlieb 509  
 Honorius of Richmond 213  
 Hostiensis (Henricus de Segusio) 287–291, 295, 303–304,  
 310–312  
 Huguccio (Pisanus) 55, 209–211, 219

Innocent III (Lotharius de Segni) 52, 55, 255, 279  
 Innocent IV (Sinibaldus de Fieschi) 2–3, 7–9, 182–185, 189, 239,  
 241–312, 317–318, 329, 338, 345–347, 363–365, 371–390, 393–394,  
 399–418, 424–425, 442–445, 453, 457, 464–471, 489–495, 498–503,  
 514–521, 529–533

Johannes Andreae 304–313, 360  
 Kantorowicz, Ernst 8–9, 353  
 Kettwig, Mentetus 509  
 Landus, Constantius 508  
 Lanfrancus de Cremona 29  
 Laurentius Hispanus 222–225, 234–235, 381, 388  
 Lessius, Leonardus (Lenart Leys) 504, 522  
 López Madera, Gregorius 508  
 Lycklama, Marcus 509  
 Malumbra, Richardus 319  
 Maqueda, Paulus de 509  
 Mascardus, Josephus 509, 520  
 Mayno, Jason de 333–339, 498–501  
 Meijers, Eduard Maurits 93, 107  
 Menochius, Jacobus 505  
 Monciaco, Johannes de (Jean de Monchy) 89–93, 96–97, 147  
 Navarrus, (Martín de Azpilcueta) 520  
 Odofredus de Denaris 28, 62–72, 89–90, 93, 99, 123, 134, 139–141, 177  
 Oldradus da Ponte 73, 319  
 Paezo (Plauzio Pezone), Camillus 509  
 Panormitanus (Niccolò de' Tedeschi) 516–521  
 Parmensis, Bernardus (Bernardus de Botone) 271, 283–284, 381, 388  
 Paucapalea 198–199, 204, 244  
 Placentinus 22, 34, 36  
 Pomponius Sextus 20–21, 24, 29, 77, 100–101, 104, 117, 134, 164, 408,  
 511  
 Pontius, Basilius 523–524  
 Rasch, Petrus 509  
 Ravanis, Jacobus de (Jacques de Révigny) 90–124, 129–132, 138,  
 141–144, 147–149, 156–157, 161–162, 168–169, 317–318, 329, 401  
 Raynerius de Forlì (Raniero Arsendi) 159, 322, 426–429  
 Reiffenstuel, Anaklet 522  
 Reisenberg, Peter 352  
 Riessinger, Sixtus 339

Roffredus Beneventanus (Roffredus de Epiphanio) 257–260  
 Rolandus 200–206  
 Rufinus 204–206, 211–213, 223, 256

Sallust (Gaius Sallustius Crispus) 334–336  
 Sánchez, Thomas 521–522  
 Sanctius, Johannes (Juan Sánchez) 524  
 Sandeus, Felinus (Felino Sandei) 335, 503–504  
 Savigny, Friedrich Carl von 334  
 Schröter, Johann Wilhelm 509  
 Sichardus de Cremona 208, 234–235  
 Simonis de Bisignano 209  
 Singer, Heinrich 205  
 Socinus, Bartholomaeus 505  
 Suárez, Francisco 520  
 Suzzara, Guido de 108, 133–141, 144–146, 150–153, 157, 430, 481  
 Syllimani, Martinus 106–111, 162  
 Sylvester I 355

Tartagni, Alexander (Alexander de Imola) 498  
 Tornacensis, Stephanus (Stephen of Tournai) 203, 206–207  
 Turnebus, Adrianus (Adrien Turnèbe) 509  
 Tuscus, Dominicus (Domenico Toschi) 522

Ugolino de Presbyteris 22, 27–28, 45–48, 91  
 Ulpian, Gnaeus Domitius Annianus 5–6, 19–23, 37–41, 44–45, 49, 104,  
 117–118, 134, 142–144, 408, 511

Vincentius Hispanus 296  
 Vinnius, Arnoldus 505  
 Voet, Johannes 505

Weißbrodt, Johann Andreas 509

Zarotto, Andrea 340