

MANUSCRIPT 40

[Legal miscellany, in Latin: Notes, glosses, and treatises on legal topics, by various law students and jurists of Naples, Italy.]

MS 40

Italy (in Latin)

1473-1489

The contents of the codex have been listed in Goodspeed, Descriptive catalogue, pp. 41-2; and in De Ricci, Census, I, 560. Although the materials are miscellaneous in authorship, all of them seem to deal with aspects of Roman law, and all originated in Naples, probably at the law school of the University of Naples. They can be divided into eleven different pieces, only one of which has been fully identified, and it (fols. 127-33) consists of a portion of a commentary on the Institutes of the Emperor Justinian I--Lectura super I-III Institutionum, by Joannes Christophorus Portius (Giovanni Cristoforo Porcio), which was first printed in Pavia in 1483, and has been published many times since. The other ten pieces are either unsigned or written by obscure persons--such as Antonio de Raho (Rho?), Francisco Stea, Vincenzo Pico, and Giovanni Spata--who have not been clearly identified, and whose works may never have been printed. The codex awaits the inspection of an expert on late medieval Neapolitan legal history. Despite its fairly late date, the whole codex, with its many hands, displays

Gothic medieval calligraphies, with crabbed scripts and the usual excessive number of contractions, and was seemingly unaffected by humanist calligraphic influences. The contents seem to fall into the general tradition of the Bartolist school, following the distinguished Italian jurist Bartolo de Sassoferato (1314-1357), who applied the methods of scholasticism to legal theory.

Folio, 29 x 21 cm.

268 leaves (fully foliated).

University of Chicago binding, modern boards.

Fair copies in many hands (see Goodspeed, for details).

Belonged to the marquis of Taccone (late 18th-century), who was treasurer to the kingdom of Naples. Part of the Berlin Collection.

27 January 1968
T. Bentley Duncan