

Acts of the Chapters of the Roman Province

in which Thomas Aquinas took part

translated by Joseph Kenny, O.P.

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Cap. Neapoli 1260

In nomine patris et filii et spiritus sancti amen

Hec sunt acta capituli provincialis Neapoli celebrati anno domini MCCLX

1 Ut ordo noster semper in virtute proficiat et sanctitatis recipiat incrementum, oportet nos moderamina abstinentie sollicitius observare. Monemus itaque ut de cetero fratres in domo hospitum cibaria cocta cum carnibus non comedant, et delinquentes per visitatores artius puniantur.

1 That our Order may always progress in virtue and receive an increase of holiness, we must observe more carefully the moderations of abstinence. Therefore, besides, we warn the brothers not to eat food cooked with meat in the guest house.

2 Item in ieiuniis ordinis non de facili dispensetur, quod in VI feria maxime volumus observari.

2 Also, dispensation from the fasts of the Order should not easily be granted. We wish this to be observed especially on Fridays.

3 Item volumus quod constitutio de vilitate vestium, et maxime de cappis, melius observetur.

3 Also, we wish that the constitution on cheapness of clothing, especially of

cappas, be better observed.

4 Item monemus quod iuvenes in etate notabiles ad ordinem non recipiantur.

4 Also, we warn against receiving into the Order candidates who are very young.

5 Item, ut monitiones et ordinationes bone memorie fr. Ro. prioris provincialis de studio et de biginarum confessionibus audiendis, diligentius observentur, et visitatores quos circa hoc invenerint transgressores acrius puniant et eos nihilominus capitulo provinciali nuntiare procurent.

5 Also, the warnings and ordinations of brother Ro., the prior provincial of good memory, concerning study and hearing the confessions of the Biguin sisters, should be carefully observed. Visitors who find brothers not doing so should punish them sternly and still report them to the provincial chapter.

6 Item fratres post completorium ad loquendum non redeant, et circa hoc delinquentes per priorem et suppriorem acrius puniantur et post illam penitentiam completorium iterum dicere teneantur.

6 Also, after Compline the brothers should not resume talking. Those who do so should be sternly punished by the prior and sub-prior, and after that penance they should be held to repeat the recitation of Compline.

7 Item monemus ut nullus de cetero de novo ad predicandum licentietur, nisi de fratrum consilio discretorum.

7 Also, we warn that no one should again be given licence to preach without the counsel of discrete brothers.

8 Item nullus audiat confessiones, nisi in sacerdotio habeat tres annos.

8 Also, no one should hear confessions until three years after being ordained a priest.

9 Capitulum provinciale sequens ponimus Urbeveteri in festo exaltationis crucis.

9 We set the next provincial chapter for Città Vecchia on the feast of the Exaltation of the Cross.

10 Diffinitor capituli generalis fr. Albertus Pulte, socius eius fr. Umbertus de Panzano.

10 The Diffinitor of the general chapter is br. Albert Pulte, and his socius is br. Humbert of Panzano.

Cap. Urbeveteri 1261

In nomine patris et filii et spiritus sancti amen
Hec sunt acta capituli provincialis Urbeveteri celebrati anno domini
MCCLXI

1 Cum ordo noster per sapientiam et conversationem laudabilem incrementum receperit et vigorem, volumus et monemus quod fratres nostri, tam priores quam alii, sapientie et studiis frequentius intendant, et caveant ab omni familiaritate et notabili visitatione mulierum; et visitatores quos invenerint circa hoc notabiles, durius corrigant et emendent, et nihilominus priori provinciali studeant nuntiare.

1 Since our Order grew in numbers and strength through wisdom and laudable behaviour, we desire and warn our brothers, both priors and others, to devote more time to wisdom and study, and avoid all familiarity and too much talking with women. Visitors who find brothers excessive in this should harshly correct and admonish them, and still be sure to report them to the prior provincial.

2 Item monemus ut priores et eorum vicarii circa infirmos curam habeant diligentem, et fratres ad serviendum infirmis difficiles se non reddant.

2 Also, we warn priors and their vicars to take very good care of the sick, and brothers should not present difficulties in serving the sick.

3 Item monemus et volumus quod fratres, nisi pro magnis causis et piis et arduis, non frequentent curias potestatum.

3 Also, we warn and desire brothers not to visit the offices of government officials except for important, difficult and pious causes.

4 Item monemus quod fratres extra terminos suorum conventuum non mittantur ad predicandum, nec questum aliquem faciendum.

4 Also, we warn against sending brothers to preach or take up collections outside the limits of their convents.

5 Item inhibemus omnibus fratribus conversis quod *pater noster* de ambra vel de corallo non portent; et qui portare presumpserint, per priores priventur eisdem.

5 Also, we forbid all lay brothers from wearing a *Pater Noster* made of amber or coral. If any dare wear these, the priors should confiscate them.

6 Item monemus quod ordinationes quas prior provincialis per provinciam misit, diligentius observentur; et tam littere magistri hoc anno misse, quam dicte ordinationes singulis duobus mensibus legantur fratribus in communi.

6 Also, we warn that the ordinations circulated by the prior provincial throughout the province should be very carefully observed. Also the letters of the Master sent this year, as well as the provincial's ordinations, should be read in common to the brothers every two months.

7 Item, ut diffinitores capituli provincialis se valeant citius expedire, monemus ut priorum socii petitiones et proclamationes et alias litteras diligentius superscribant.

7 Also, to help the diffinitors of the provincial chapter to finish more quickly, we warn the socii of the priors to be sure to sign the petitions, proclamations and other letters.

8 Capitulum provinciale sequens ponimus Perusii in octavis apostolorum Petri et Pauli.

8 We assign the next provincial chapter to Perugia on the Octave

9 Socius prioris provincialis ad capitulum generale fr. Ildibrandinus prior Lucanus.

9 The socius of the prior provincial to the general chapter is br. Hidebrand, prior of Lucca.

Cap. Perusii 1262

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta provincialis capituli Perusii celebrati anno domino
MCCLXII**

1 Monemus fratres et districte iniungimus ne libros et res alias sine licentia sui prelati apud extraneas personas deponant; et volumus quod fratres illi qui deposuerunt, ea infra VI dies postquam ad eos hec monitio pervenerit, ad domum reportent vel faciant reportari. Omnes fratres qui contra hoc fecerint, prior provincialis et rebus et libris ex tunc privet predictis.

1 We warn the brothers and strictly command them not to leave books or other things with outsiders without the permission of their superior. And we desire those brothers who have done so to bring them back to the house or have them brought back, within six days of receiving this admonition.

2 Item sub eadem districtione mandamus ut fratres de pecunia pro quacumque causa sibi concessa sine sui prelati licentia mutuare alicui, vel aliquid de ipsa pecunia expendere, seu aliqua contrahere debita non presumant.

2 Also, we likewise command brothers who have money entrusted to them for any reason not to lend or spend any of it or contract any debt, without their superior's permission.

3 Item volumus quod monitio actorum multorum facta quoad confessiones audiendas, vel quod ad quecumque negotia fratres missi se diligenter custodiant et mutuo se videant, de cetero melius et sollicitius observetur; et visitatores quos

circa hoc culpabiles invenerint, durius corrigant et nihilominus provinciali capitulo studeant nuntiare.

3 Also, regarding the admonition made in the acts of many [chapters] regarding hearing confessions or requiring those sent for any business carefully to watch over themselves and one another, we desire that this be better and more carefully observed.

4 Item, cum monitio sepe facta fuerit in capitulo quod fratres pretiosis vestibus non utantur, monemus ut huiusmodi monitio diligentius observetur.

4 Also, since previous chapters often warned brothers against using expensive clothing, we warn them to observe this warning very carefully.

5 Item monemus quod priores vel eorum vicarii regulam et constitutiones faciant diligentius emendari, ita quod visitatores inveniant eas emendatas, et mandamus ipsis visitoribus quod dure super hoc puniant negligentes.

5 Also, we warn priors or their vicars to see that the rule and constitutions are carefully observed, so that the visitors may find them observed. And we command the visitors to punish severely those who are negligent in this.

6 Item inhibemus fratribus omnibus ne sacramentum eucharistie vel etiam unctionis extreme alicui persone extra domum fratrum audeant ministrare, et quod nocte in ecclesiis nostris confessiones non audiant mulierum.

6 Also, we forbid all brothers to administer the sacrament of the Eucharist or of Extreme Unction to anyone outside the house of the brothers, and from hearing confessions of women in our churches at night.

7 Item mandamus quod fratres qui existentes extra domum carnes non comedunt, si contingat eos ire ad balnea, ibidem carnibus non utantur.

7 Also, we command brothers not to eat meat when they are outside the house. And if they go to the baths, they should not eat meat there.

8 Diffinitor capituli generalis fr. Petrus de Luca, socius eius fr. Benvenutus de Serezana.

8 The diffinitor of the general chapter is br. Peter of Lucca, and his socius is br. Benvenuto of Serezana.

Cap. Rome 1263

In nomine patris et filii et spiritus sancti amen

Hec sunt acta capituli provincialis Rome celebrati anno domini MCCLXIII

1 Prohibemus districte quod nullus frater de negotiis partis civitatum et

guerrarum seu confederationibus civitatum vel castrorum ad invicem se aliquammodo intromittat. Quod si aliqui contra fecerint, precipimus districte prioribus et eorum vicariis et visitoribus ut eos graviter puniant, et nihilominus excessum huiusmodi priori provinciali et diffinitoribus sequentis capituli nuntiare procurent.

1 We strictly forbid any brother from involving himself in the affairs of a civic or military faction or in a confederation of towns or military encampments. If any do so, we strictly command the priors, their vicars and the visitors to punish them severely, and also report this misdemeanor to the prior provincial and the diffinitors of the next chapter.

2 Item monemus fratres quod ad loquendum cum secularibus diligentius caveant, ne signo vel verbo se reddant de aliqua parte notabiles; et si qui inveniantur in aliquo excedere in talibus, durius puniantur.

2 Also, we warn the brothers, when they speak with seculars, not to be boastful in any way, by word or sign. Any found to do so should be harshly punished.

3 Item monemus fratres omnes quod tam intus quam extra sint solliciti cotidie audire missam ubi commode poterunt, et fratres sacerdotes sint solliciti circa frequentem celebrationem missarum; et qui inventi fuerint negligentes, pena debita corrigantur.

3 Also, we warn all brothers, both inside and outside the house, to take care to hear Mass every day where they can easily do so. Priest brothers should take care to celebrate Mass frequently. Those who are found negligent in this should be corrected with a suitable penance.

4 Item monemus priores quod fratres conversos in coquina et in aliis officiis occupare studeant, ita quod otio vacare non possint.

4 Also, we warn priors to see that lay brothers are busy in cooking and in other jobs, so that they do not idle away their time.

5 Item monemus fratres quod ad prelatos et ad alias personas ecclesiasticas se habeant reverenter et de eis nullatenus obloquantur.

5 Also, we warn brothers to act respectfully towards prelates and other ecclesiastical persons, and never talk bad about them.

6 Item mandamus prioribus omnibus quod fratres notabiliter iuvenes et moribus non maturos ad ordinem sacerdotii non faciant promoveri.

6 Also, we command all priors not to have brothers ordained priests who are too young or not mature in morals.

7 Item monemus fratres quod caveant a ludo manuum, et priores durius corrigant quos circa hoc invenerint delinquentes.

7 Also, we warn brothers not to play hand game [handball?]. Priors should harshly correct those they find doing so.

8 Item monemus priores et supprioros quod fratres iuvenes ad hoc aptos faciant instrui in cantu, et faciant quod tam iuvenes quam alii fratres frequentent scholas et quod repetant lectiones, et compellant eos stare in cellis, et vacantes otio dure corrigant et in aliis officiis et laboribus plus quam alios intendentes studio teneant occupatos.

8 Also, we warn priors and sub-priors to provide instruction in chant for young brothers who have an ability for this, and see that both young and other brothers attend class and go over their lessons. They should compel them to stay in their cells. They should severely correct those who idle their time away, and keep occupied with study those who spend more time than others in other jobs and offices.

9 Item monemus quod fratres corrigiam et alia que circa corrigiam sunt non deferant curiosa.

9 Also, we warn the brothers not to wear fancy sandal buckles and buckle paraphernalia.

10 Item monemus priores quod non sint faciles ad dandum licentiam fratribus discurrendi per civitatem, nisi necessitas vel utilitas hoc exposcat.

10 Also, we warn priors not to be easy in giving permission to the brothers to run around town, unless necessity or usefulness demands it.

11 Item volumus et mandamus quod fratres subtillares clausos ad modum bottarum non faciant fieri, nec deferant extra domum. Et qui nunc habent, intra VIII dies corrigant, alias ex tunc priventur eisdem.

11 Also we desire and command the brothers not to have closed footwear made that look like socks; nor should they carry them outside the house. Those who have such must remove them within eight days, or else be deprived of them.

12 Item volumus quod priores qui sunt predicatoros generales, in sigillatione litterarum, non sigillis propriis, sed sigillo prioratus utantur; et fratres alii qui non sunt predicatoros generales et habent sigilla sub nomine proprio, infra VIII dies suis prioribus resignent.

12 Also, we desire that priors who are Preachers General, when signing letters, should not use their own seals, but that of the priory. Other brothers who are not Preachers General and have seals with their own name should hand them over to their priors within eight days.

13 Ordinamus quod prior sancti Systi teneat ultimum locum inter priores

provincie.

13 We ordain that the prior of Saint Sixtus holds the last place among the priors of the Province.

14 Electores magistri fr. Iohannes prior Florentinus et fr. Laurentius Tudertinus.

14 The master-electors are br. John, prior of Florence, and br. Lawrence of Todi.

15 Diffinitor capituli generalis fr. Laurentius Tudertinus, socius eius fr. Iohannes Viterbiensis prior Florentinus. Socius prioris provincialis fr. Paulus de Figino.

15 The diffinitor of the general chapter is br. Lawrence of Todi, and his socius is br. John of Viterbo, prior of Florence. The socius of the prior provincial is br. Paul of Figino.

16 Capitulum provinciale sequens ponimus Viterbii in festo Michaelis, ita quod in vigilia eligantur diffinitores.

16 We assign the next provincial chapter to Viterbo on the feast of St. Michael, with the proviso that on the vigil the diffinitors are elected.

Cap. Viterbii 1264

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta capituli provincialis Viterbii celebrati anno domini
MCCLXIV**

1 Quoniam circa honestatem et munditiam ordinis conservandam diligens est adhibenda cautela et insolentes sunt summo studio compescendi, volumus et districte mandamus quod in conventibus Pisano, Florentino, Senensi, Urbeveteris, Perusino, Viterbiensi, Romano et Ananie boni et firmi sint carceres in quibus pestilentes et immundi, si qui, quod absit, tales deinceps inventi fuerint, penis condignis pro meritis puniantur. Et iniungimus districte prioribus conventuum predictorum et eorum vicariis in quibus tales carceres non habentur, quod usque ad dominicam Quadragesime faciant quod mandatum nostrum circa predicta facienda et complenda perfectissime impleatur. Quod si non fecerint, ex tunc qualibet septimana ieiunent II diebus in pane et aqua, quousque predictos carceres fecerint.

1 Since we must be very careful to conserve the good and clean name of the Order, while exerting every effort to put down the insolent, we desire and strictly command the establishment of good and secure prisons in the convents of Pisa, Florence, Siena, Città Vecchia, Perugia, Viterbo, Rome and Anagni, so that if—God forbid—such people are henceforth found they may be punished with penalties corresponding with their mischief. And we strictly order the priors and vicars of those convents which do not have prisons to carry out our instruction

completely regarding them by the [first] Sunday of Lent. If they do not, from then on they must fast two days a week on bread and water until they finish building those prisons.

2 Volumus etiam et iniungimus quod priores et visitatores et alii fratres, si quid certum circa aliquas immunditias invenerint, studeant statim priori provinciali verbo vel scripto intimare, ut contra tales cautelam debitam possit apponere.

2 We desire and order priors and visitators and the other brothers that, if they find any sure information about any sexual misconduct, they should immediately let the prior provincial know by word or by writing, so that he can take proper measures against the guilty.

3 Item, quia videmus quod in ista provincia studium negligitur, volumus et districte iniungimus quod priores circa hoc diligentiam maiorem apponant et ad studium cogantur fratres, et ordinent quod in qualibet septimana lectiones semel repetant; et examinentur diligenter, maxime iuvenes, a magistro studentium de hiis que in scolis per septimanam audierint a lectore. Volumus etiam quod lectores non sint faciles ad dimittendum lectiones et maxime absque priorum suorum licentia et assensu.

3 Also, since we see that study is neglected in this province, we desire and strictly order priors to show greater zeal to compel brothers to study. They should order them to go over their lessons once every week. The students, especially the young, should be examined diligently by the master of students on the matter that they heard from the lector in class during the week. We also wish lectors not easily to forego their lectures, especially without the permission and consent of their prior.

4 Item iniungimus districte quod in quolibet conventu ponantur duo fratres sine quorum examinatione et iudicio secundum monitionem capituli generalis alicui fratri vestis non fiat aliqua. Et iniungimus omnibus fratribus qui sargiam ultramontanam vel vestes attonsas emerunt post ordinationem capituli provincialis Viterbii celebrati, absque licentia speciali, quod III diebus in pane et aqua ieiunent et vestes huiusmodi aut vestiarie resignent aut inversas portent. Huiusmodi autem ordinationis transgressores per visitatores durius puniantur et absque dispensatione aliqua vestes tales eis auferantur.

4 Also, in accord with the warning of the general chapter, we strictly order two brothers to be assigned in each convent, without whose examination and judgment, no habit is to be made for any brother. And we order all the brothers who, without special permission, bought French cloth or uncut cloth after the ordination of the provincial chapter of Viterbo, to fast on bread and water for three days and to surrender these habits to the clothing store or wear them inside out. Any who disobey this ordination should be very severely punished by the visitators, and such clothing should be confiscated without any dispensation.

5 Item volumus et monemus quod fratres non relaxent linguas suas contra prelatos ecclesie et maxime Romane curie; et si qui inventi fuerint contra facere, per priores et visitatores durius puniantur.

5 Also we desire and warn brothers not to talk loosely against prelates of the Church, especially of the Roman curia. If any are found to do so, they should be very severely punished by their priors and visitators.

6 Item caveant priores quod iuvenes ante XXV annum ad sacerdotium non promoveant et ad predicandum secularibus non mittant. Et admonitio quondam facta quod sacerdotes infra triennium sui sacerdotii confessiones non audiant aliquas, diligentius observetur, et revocamus omnes licentias super hoc a prioribus datas. Concedimus tamen quod priores conventuales, cum eis videbitur expedire, possint dispensare in casu necessario ad audiendas confessiones fratrum.

6 Also, priors should avoid promoting young men to the priesthood before their 25th year. Also the admonition previously made that priests should not hear confessions until three years after their ordination should be very carefully observed, and we revoke all exceptions to this rule given to priors. Yet we concede that conventual priors can, when it seems advisable, give young priests dispensation to hear the confessions of brothers when necessary.

7 Item caveant priores ne sint faciles ad licentiandum fratres quoscumque, et maxime iuvenes, visitare monasteria monialium, vel biginas, vel sanas mulieres in domibus suis, nisi utilitas aliqua vel necessitas hoc requirat.

7 Also, priors should not easily give permission to any brothers, especially the young, to visit monasteries of nuns, or Biguin sisters or healthy women in their homes, unless some need or necessity requires this.

8 Item mandamus et districte iniungimus quod fratres nostri de aliquibus medicinis et consiliis dandis et curis infirmitatum faciendis secularibus se nullatenus intromittant.

8 Also, we command and strictly order our brother to involve themselves in no way in giving lay people medicine and advice or in making remedies for their illnesses.

9 Item inhibemus districte quod fratres tunicas et vestes sibi deputatas nec vendant nec commutent sine prioris sui licentia speciali. Priores autem licentias tales non dent absque legitima causa.

9 Also, we strictly forbid brothers from selling or exchanging tunics and clothes assigned to them without special permission of their prior. Priors too should not give such permissions without a legitimate reason.

10 Item mandamus omnibus prioribus et eorum vicariis quod ab omnibus conversis archas auferant, exceptis que ob necessitatem officii aliquibus officialibus concedentur.

10 Also, we command all priors and their vicars to take away chests from all lay brothers, except those that are conceded to some officials because of the necessity of their office.

11 Item inhibemus districte ne fratres aliqui litteras provincialis alteri quam sibi missas audeant aperire vel aliquatenus occultare, sed sine more dispendio assignentur.

11 Also we strictly forbid brothers from daring to open or hide letters of the provincial sent to someone other than themselves, but they should be put in the mail box without delay.

12 Item ordinamus quod prior provincialis habeat medietatem omnium librorum de textu fratrum decedentium de provincia nostra, ut de illis provideat tribus studentibus qui Parisius fuerint pro tempore pro provincia quolibet anno in XX libris Turon. Si quid autem residuum fuerit, in sequentem annum provincialis reservet pro provisione eadem. Libros autem de textu appellamus biblias, sententias, historias, breviaria, missalia, decreta, decretales et libros glosatos. Et volumus quod studentes predicti de huiusmodi pecunia faciant scribi scripta utilia et nostre provincie intitulent. Que scripta post mortem ipsorum studentium, vel postquam ab officio lectionis ex toto cessaverint, ad manus provincialis libere veniant, ut de ipsis provideat studentibus sicut ei videbitur expedire.

12 Also, we ordain that the prior provincial should have half of all the textbooks of deceased brothers from our province, so that with them he may provide for the three students who are at Paris every year for the province with twenty Tours-pounds. If there is anything left, the provincial shall save it for the next year for the same purpose. By textbooks, we mean Bibles, Sentences, histories, breviaries, missals, decrees, decretals and glosses. We desire that these students should use the money gained from [the sale of] these books to have useful writings transcribed and marked for our province. After the death of these students, or after they fully resign from teaching, these writings should be freely handed over to the provincial, so that he may provide for the students as he sees best.

13 Socius provincialis ad capitulum generale fr. Petrus prior Lucanus.

13 The socius of the provincial for the general chapter is br. Peter, prior of Lucca.

14 Capitulum provinciale sequens ponimus Ananie in festo nativitatis beate virginis, ita quod in vigilia ipsius eligantur diffinitores, et volumus quod fratres ante III dies predictae vigilie illuc non veniant.

14 We assign the next provincial chapter to Anagni on the feast of the Nativity of the Blessed Virgin, with the proviso that the diffinitors are elected on the vigil. And we wish the brothers not to come there before three days from that vigil.

Cap. Anagnie 1265

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta capituli provincialis Anagnie celebrati anno domini
MCCLXV**

1 Volumus et mandamus quod fratres non frequentent monasteria monialium quarum cura non est ordini commissa, nec passim earum confessiones audiant, nec eis ministrent ullo modo ecclesiastica sacramenta; et qui secus fecerint, gravius puniantur.

1 We desire and command brothers not to visit monasteries of nuns not entrusted to the care of the Order, and not to hear their confessions at any time and not to administer to them any church sacraments. Those who do otherwise should be severely punished.

2 Item inhibemus ne fratres notabiliter iuvenes ad sacros ordines promoveantur et precipue ad sacerdotium.

Also, we prohibit brothers who are notably young from being promoted to sacred orders, especially the priesthood.

3 Item inhibemus quod fratres non sedeant ad loquendum cum mulieribus sine cappis in ecclesia.

Also, we prohibit brothers from sitting and talking with women in the church without wearing cappas.

4 Item mandamus quod fratres de negotiis civitatum, guerrarum et partium se nullatenus intromittant; et qui circa hoc inventi fuerint culpabiles, per priores et visitatores graviter puniantur et nihilominus excessus eorum provinciali capitulo nuntientur.

4 Also we command brothers not to involve themselves at all in affairs of towns, military factions and parties. Those who are found guilty of this should be severely punished by the priors and visitators and their misdemeanor should also be reported to the provincial chapter.

5 Item volumus quod frequentius dicatur in missa oratio pro domino papa, et maxime in loco ubi est curia.

5 Also, we desire that a prayer often be said in Mass for the Lord Pope, especially in the place the curia is located.

6 Item volumus quod iuvenes sacerdotes, ubi et quando necesse est, scribantur ad omnia ministeria altaris.

6 Also, we desire young priests, wherever and whenever necessary, to be assigned to all the ministerial functions of the altar.

7 Item volumus quod priores circa provisionem lectorum curam adhibeant diligentem, et eis de socio et aliis necessariis commodius studeant providere.

7 Also, we desire priors to take diligent care in providing for lectors, and to see that they have an assistant and other necessary things.

8 Item volumus quod ordinatio facta in alio capitulo provinciali de studio diligentius observetur.

8 Also, we desire that the ordination made in a previous provincial chapter concerning study be diligently observed.

9 Item volumus quod ammonitio facta in capitulo generali de lectoribus non eligendis in priores observetur districte et quod per priorem provincialem super hoc nullatenus dispensetur.

9 Also, we desire that the warning made in the general chapter preventing lectors from being elected priors be strictly observed, and that the prior provincial should never dispense from this.

10 Diffinitor capituli generalis fr. Bonaspes prior Perusinus, socius eius fr. Benvenutus de Serezana.

The diffinitor for the general chapter is br. Bonaspes, prior of Perugia. His socius is br. Benvenuto of Serezana.

11 Capitulum provinciale sequens ponimus Tuderti in festo b. Dominici, ita quod in vigilia eligantur diffinitores. Alii vero fratres ante III dies dicte vigilie illuc non veniant. Committimus autem priori provinciali et eius vicario quod tempus et locum capituli mutare valeant, si visum fuerit expedire.

11 The next provincial chapter we assign to Todi on the feast of blessed Dominica, with the diffinitors to be elected on the vigil. Other brothers should not come there before three days to the vigil. But we allow the prior provincial and his vicar to change the time and place of the chapter if they think it is needed.

12 Fr. Thome de Aquino iniungimus in remissionem peccatorum quod teneat studium Rome, et volumus quod fratribus qui stant secum ad studendum provideatur in necessariis vestimentis a conventibus de quorum predicatione traxerunt originem. Si autem illi studentes inventi fuerint negligentes in studio, damus potestatem fr. Thome quod ad conventus suos possit eos remittere.

12 We enjoin br. Thomas Aquinas, for the forgiveness of his sins, to run a studium at Rome, and we desire that the brothers who are with him for studies should be provided with necessary clothing by their convents of origin. If those students are found negligent in study, we give br. Thomas the authority to send them back to their convents.

13 Conv. Pisanus solvet XXVI lib. Turon. pro studentibus qui sunt Parisius.

13 The Convent of Pisa will pay 26 Tours-pounds for the students who are at Paris.

Cap. Tuderti 1266

In nomine domini amen

**Hec sunt acta capituli provincialis Tuderti celebrati anno domini
MCCLXVI**

1 Quoniam illustris rex Karolus semper speciali dilectione ordinem nostrum dilexit et protector eius ubique fuit, monemus et mandamus fratribus universis quod ubique et semper eius honori tam verbis quam factis intendant; et si qui inventi fuerint contrarium facere, per priores et visitatores durius puniantur et nihilominus priori provinciali per litteras studeant nuntiare.

1 Since the illustrious king Charles has always had a special love for our Order and has been its protector everywhere, we warn and command all brothers to respect his honour everywhere and always in their words and deeds. Anyone doing the contrary should be severely punished by the priors and visitators, and also denounced in writing to the provincial chapter.

2 Item admonemus priores ne occasione questus insolentibus dent nimiam libertatem.

2 Also, we warn priors not to give insolent brothers too much liberty under the guise of begging.

3 Item volumus et mandamus quod fratres sermones et quaternos extra ordinem non vendant, nec secularibus accommodent ad scribendum.

3 Also, we desire and command the brothers not to sell sermons and notebooks outside the order, nor make provision for lay people to copy them.

4 Item volumus et mandamus quod priores libros defunctorum non distribuunt, nec dent fratribus sine consilio sacerdotum, et maxime libros alicuius valoris.

4 Also we desire and command priors not to distribute the books of the deceased, nor to give them to brothers without the advise of the priests, especially books of some value.

5 Item iniungimus prioribus universis et eorum vicariis quod cellas omnium fratrum, exceptis cellis lectorum, non permittant claudi, et clausas faciant taliter aperiri quod in eis fratres sedentes possint a transeuntibus videri; et qui hoc non fecerint, post mensem postquam eis de iniunctione innotuerit III diebus in pane et aqua ieiunent et per visitatores ad id agendum postmodum compellantur.

5 Also, we charge all priors and their vicars not to allow the cells of any brother be closed, and open any that are closed, so that the brothers sitting there can be seen by those passing by. Priors who do not do so by a month after getting this injunction should fast for three days on bread and water, and afterwards should be compelled by the visitators to comply.

6 Item volumus quod constitutio de depositis omnino non recipiendis melius observetur, et quod deposita que recepta sunt, reddantur quamcitus quibus sine gravi scandalo reddi possunt.

6 Also, we desire that the constitution on not receiving any deposits at all be better observed, and that any deposits that have been received should be given back as soon as possible, if they can be returned without grave scandal to the owners.

7 Item monemus quod priores pro quibuscumque minimis non advocent sacerdotes; et si pro casibus aliquibus gravibus eos contigerit advocari, non teneantur plurimum, sed discretorum consilio assentire.

7 Also we warn priors not to summon priests about insignificant matters; and if they are to be called for any serious matters, the priors should go along with the counsel not of the majority but of the discrete brothers.

8 Item volumus et mandamus quod pecunia conversorum, cum ipsi ex ea non faciant fieri libros, auferatur ab eis, nisi que tunc ad eorum sufficiat vestimenta. Also, we wish and command that the money of lay brothers, since they don't need it to have books made, should be taken from them, except for what they need for clothing.

9 Item volumus quod libri defunctorum fratrum qui aliis conceduntur ad usum, ipsis conventibus intitulentur a quibus dictis fratribus sunt concessi.

9 Also, we desire that the books of deceased brothers which are given to others for their use should be marked as belonging to the convents of the brothers to whom the books are given.

10 Item mandamus districte omnibus fratribus qui aliquid intelligunt de medicina, quod se de consulendo fratribus nullatenus intromittant.

Also, we strictly command all brothers who have some medical knowledge not to

involve themselves at all in advising the brothers.

11 Diffinitor capituli generalis fr. Hugo Senensis, socius eius fr. Synibaldus de Alma.

11 The diffinitor for the general chapter is br. Hugo of Siena, and his socius is br. Synabald of Alma.

12 Inhibemus districte fratribus Romanis ne locum Rome novum acceptum aliquatenus alienent.

We strictly prohibit the Roman brothers not to alienate any newly accepted place in Rome.

Cap. Luce 1267

In nomine patris et filii et spiritus sancti amen

Hec sunt acta capituli provincialis Luce celebrati anno domini MCCLXVII

1 Monemus quod fratres circa studium diligentius solito sint intenti, studendo in biblia, sententiis, historiis et sanctorum scriptis et summa de casibus, et maxime iuvenes sacerdotes. Lectores autem lectiones continent, fratres solerter repetant; et circa hoc negligentes per priores durius puniantur.

1 We warn brothers, especially young priests, to be intent on study more zealously than usual, studying the Bible, the Sentences, histories, the writings of saints and the Summa of cases. Lectors should continue their teaching, and brothers should eagerly go over their lessons. Those who are negligent in this should be sternly punished by the priors.

2 Item volumus et mandamus quod fratres ad curiam Romanam nullatenus accedant sine prioris provincialis vel eius vicarii licentia speciali.

2 Also we desire and command the brothers not to approach the Roman curia at all without special permission of the prior provincial or his vicar.

3 Item volumus et mandamus quod litteras cuiuscumque fratris, exceptis prelati eorum, nullus audeat aperire.

3 Also, we desire and command that no one, except their prelates, should dare open letters sent by any brother.

4 Item prohibemus quod fratres, quando mittuntur de conventu ad conventum, pulvinaria, bottas et carpitae nullatenus secum ferant, nec per alios faciant apportari.

4 Also, we forbid brothers, when they are transferred from one convent to another, to take with them toilet stools (?), slippers and carpets, or to have these

brought by others.

5 Item, cum dicatur per provinciam quod fratres aliqui libros faciunt ad vendendum et sic in scriptura propria occupantur quod a servitiis communibus se subtrahunt, volumus et mandamus quod priores in conventibus suis hoc nullatenus fieri permittant. Libros autem seu quaternos quos scripserunt absque prioris provincialis licentia, vendendi non habeant facultatem.

5 Also, when it is said around the province that some brothers make books for sale and thus are occupied in their own writing and withdraw themselves from the common services, we desire and command priors never to permit this in their convents. Books or notebooks which they wrote without the permission of the prior provincial they should not be allowed to sell.

6 Item, quia frequenter turbationes oriuntur propter fratres qui egrediuntur et claves suas dimittunt, ita quod a prioribus ignorantur vel, quod peius est, extra domum aliquando secum portant, volumus et ordinamus quod quilibet prior ordinet in conventu suo duos fratres magis residentes in domo, quorum alteri fratres egredientes extra domum claves suas dimittant.

6 Also, because disturbances often arise because of brothers who go out and leave their keys where the priors do not know or, what is worse, sometimes take the keys out of the house with them, we desire and ordain that every prior should appoint two brothers of his convent who ordinarily stay at home to receive the keys of the other brothers who go out.

7 Socius provincialis ad capitulum generale fr. Prohinus.

7 The socius of the provincial for the general chapter is br. Prohinus.

8 Capitulum provinciale sequens erit Pisis circa festum Pentecostes, ad quod fratres non veniant ante tres dies vigilie Pentecostes.

8 The next provincial chapter will be at Pisa near the feast of Pentecost. Brothers should not come before three days to the vigil of Pentecost.

9 Admonemus quod fratres bene loquantur de domino papa et rege Carulo.

9 We admonish the brothers to speak well of the Lord Pope and King Charles.

Cap. Viterbii 1268

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta capituli provincialis Viterbii celebrati anno domini
MCCLXVIII**

1 Volumus quod fratres de domino papa et dominis cardinalibus bene loquantur et honeste, et excessus ecclesie quantum possunt commendent et excusent.

Idem etiam de domino rege Sycilie volumus observari.

1 We wish the brothers to speak well and respectfully of the Lord Pope and the cardinals and, as to the extent they can, commend and excuse church excesses. The same we wish to be observed regarding the lord king of Sicily.

2 Item fratres sint solliciti circa studium, et per priores et visitatores qui negligentes inventi fuerint durius corrigantur.

2 Also, brothers should be dedicated to study. Those who are found negligent should be severely corrected by the priors and visitators.

3 Item caveant fratres ne de partibus se intromittant, neque super hoc apud seculares personas se notabiles reddant.

3 Also, let the brothers beware of getting involved in factions, nor should they get a reputation for this among secular persons.

4 Ponimus conventum Reate, ubi priorem instituimus fr. Hugonem, lectorem fr. Raynonum.

4 We establish a convent at Reata, where we appoint br. Hugo as prior and br. Raynonus as lector.

5 Diffinitor capituli generalis fr. Eufranon cui parcimus hoc anno a lectione, socius eius fr. Gerardus prior Florentinus.

5 The diffinitor of the general chapter is br. Eufranon, whom we dispense from teaching. His socius is br. Gerard, prior of Florence.

6 Capitulum provinciale sequens ponimus Neapoli in nativitate beate virginis, ita tamen quod in vigilia eligantur diffinitores.

6 We assign the next provincial chapter to Naples on the feast of the Nativity of the Blessed Virgin, with the diffinitors to be elected on the vigil.

7 Committimus priori provinciali vel eius vicario quod locum et tempus capituli mutare possint, si sibi videbitur expedire.

7 We allow the prior provincial or his vicar to change the place or time of the chapter if they think best.

8 Provisionem studentium committimus priori provinciali.

8 We entrust the provision of students to the prior provincial.

Cap. Florentie 1272

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta capituli provincialis Florentie celebrati anno domini
MCCLXXII**

1 Volumus et mandamus quod priores et vices ipsorum gerentes in portis et sacristiis fratres instituant securos et discretos, et advenientes benigne et caritative recipiant, et claves portarum custodiant diligenter.

1 We wish and command priors and their representatives to appoint trustworthy and discrete brothers to the reception and the sacristy, who can kindly and charitably receive those who come and carefully keep the keys of the doors.

2 Item districte inhibemus ne alicui fratri de bonis conventus pro vestibus certa pecunia concedatur, sed priores et eorum vices gerentes pannos emi faciant, et fratribus indigentibus secundum honestatem ordinis, prout facultas permiserit, in vestibus provideatur oportunis.

2 Also, we strictly forbid any clothing allowance to be given to any brother from the goods of the convent, but priors and their representatives should have cloth bought and provide needy brothers according to the goodness of the Order with suitable clothing as resources allow.

3 Item universis prioribus et eorum vices gerentibus districtius inhibemus ne libros et alias res conventuum sine assensu conventuum expresse alienare presumant, et pretium ex libris receptum in nullum alium nisi in librorum usum aliquatenus expendatur.

3 Also, we very strictly forbid all priors and their representatives from daring to alienate books and other goods of the convent without the express consent of the convent. And the price received from books should not be spent for anything except for books.

4 Item, volumus et mandamus ut constitutio de pecunia non portanda melius observetur.

4 Also, we desire and command that the constitution on not carrying money should be better observed.

5 Iniungimus priori Viterbiensi ut pecuniam quam de Avicenna vendito recepit, in libris utilibus conv. Viterbiensi expendat.

5 We enjoin the prior of Viterbo to spend the money he received from selling Avicenna on acquiring useful books.

6 Studium generale theologie quantum ad locum et personas et numerum studentium committimus plenarie fr. Thome de Aquino.

6 The general studium of theology, including its location, personnel and number of students, we commit fully to br. Thomas of Aquinas.

7 Studium artium ponimus in conv. Pisano, ubi leget fr. Ricculdus Florentinus, cuius studio deputamus et cetera.

7 We establish a studium of arts in the convent of Pisa, where br. Ricculdus of Florence will teach, and we depute everything concerning this to him.

8 Volumus autem et mandamus ut conventus et loca de quorum predicatione studentes tam in theologia quam in artibus traxerunt originem, teneantur ipsis in vestibus providere.

8 Yet we desire and command that the convents and places from whose preaching area the students in arts and theology originate should be held to provide for their clothing.

9 Diffinitor capituli generalis fr. Eufranon, socius eius fr. Salvus de Barga.

9 The diffinitor of the general chapter is br. Eufranon; his socius is br. Salvus de Barga.

10 Terminos predicationis conv. Senensis, Urbeveteris, Tudertini et Narnie assignamus secundum quod in cedula nostris sigillis munita plenius continetur.

10 We designate the limits of the preaching area of the convents of Siena, Città Vecchia, Todi, and Narni as is fully laid out in the schedule marked with our seal.

11 Facimus visitatores et cetera.

11 We appoint visitators etc.

12 Iniungimus autem omnibus fratribus qui per presentem ordinationem sunt conventibus et domibus assignati, quod infra XV dies postquam huiusmodi ordinatio ad eos pervenerit, ad conventus et domos quibus deputati sunt accedant.

12 We enjoin all brothers who are assigned by the present ordination to convents or houses to go to the convents or houses to which they are assigned within 15 days from receiving this ordination.

13 Capitulum provinciale sequens ponimus Rome in festo sancti Michaelis, ita tamen quod diffinitores in vigilia eligantur. Committimus priori provinciali vel eius vicario quod tempus et locum capituli mutare possit, si sibi videbitur expedire. Volumus autem quod fratres ante tres dies predictae vigilie ad locum capituli non accedant.

13 The next provincial chapter we assign to Rome on the feast of Saint Michael, with the diffinitors to be elected on the vigil. We allow the prior provincial or his

vicar to change the time and place of the chapter if they think best. But we wish the brothers not to go to the place of the chapter before three days to the vigil.

Rome 1273

In nomine patris et filii et spiritus sancti amen

**Hec sunt acta provincialis capituli Rome celebrati anno domini
MCCLXXIII**

1 Cum ordo noster propter animarum salutem et predicationis officium plurimum studio indigere noscatur, volumus et mandamus quod lectores continuent lectiones suas usque ad festum Iohannis Baptiste, et quod legant duas lectiones de theologia, et quod de parvis lectionibus notabiles se non reddant, et ad hoc cogi eos volumus per priores.

1 Since our Order is known to need study very much for the salvation of souls and the office of preaching, we desire and command lectors to continue their lectures until the feast of John the Baptist. They should give two lectures in theology and not be given to short classes, and we desire priors to compel them in this matter.

2 Item monemus lectores et mandamus eis quod prioribus suis debitam reverentiam exhibeant et pacem priorum et conventuum studeant observare; quod si secus fecerint, gravius puniantur.

2 Also, we warn and command lectors to show proper reverence to their priors and try to keep peace with the priors and convents. Otherwise they should be severely punished.

3 Item monemus priores et mandamus eisdem quod lectores benigne et curialiter tractent, et in cibis, vestibus, cellis et sociis provideant secundum facultatem conventus et exigentiam laboris eorum et ordinis honestatem.

3 Also, we warn and command priors to treat the lectors kindly and courteously, and provide food, clothing, cells and assistants for them according to the ability of the convent and the need of their work and the good name of the Order.

4 Item volumus et mandamus quod lectores qui supradicto modo continuant lectiones, in tempore vacationis non scribantur ad hebdomadam mortuorum vel vivorum seu ad officia chori vel refectorii, nec inviti mittantur ad questum, nec ad chorum et ad funera ire cogantur, nisi necessitas et causa subfuerit specialis.

4 Also, we desire and command lectors to continue their teaching as said above. During vacation time they should not be enlisted for the week[ly office] of the dead or of the living, or for assignments in choir or the refectory, nor should they be sent out to beg against their will, nor should they be compelled to go to choir

or to funerals, unless there be a special need or reason.

5 Item monemus priores et fratres quod ad scholas portando libros studeant frequentare, nec se subtrahant, nisi causa rationabilis id exposcat; et qui de hoc notabiles se reddiderint, puniantur.

5 Also, we warn priors and brothers to go to class along with their books, and not stay away unless a reasonable cause demands it. Those who notoriously contravene this should be punished.

6 Item monemus priores et mandamus eis quod ad facienda precepta de facili non prorumpant propter fratrum scandalum et periculum animarum.

Also, we warn and command priors not to be quick and easy in giving precepts, so as to avoid scandalizing the brothers and endangering souls.

7 Item, cum contra priores plures querele venerint quod negligenter servitur infirmis, volumus et mandamus quod qui de cetero inventi fuerint negligentes, per visitatores durius puniantur.

Also, since many complaints are made against priors that the sick are served negligently, we desire and command that henceforth any found negligent should be severely punished by the visitators.

8 Item volumus et mandamus quod libri quos studentes fieri faciunt de pecunia provisionis provincie, post eorum mortem ad manus prioris provincialis deveniant, ut per ipsum inter studentes alios dispensentur. Huiusmodi autem libris superscribant studentes eos de pecunia provincie esse factos.

8 Also, we desire and command that the books which students have produced with the money the province provides, should be handed over to the prior provincial after their death, so that they can be distributed to other students. The students should inscribe in these books that they were produced with the money of the province.

9 Item inhibemus fratribus ne culpas priorum vel fratrum provinciali vel eius vicariis vel visitatoribus occultent, pro provinciali capitulo reservantes; quod si secus fecerint, eorum accusationes ad capitulum misse non admittantur et pro nullis penitus habeantur; et si eis videbitur quod prior provincialis, vel eius vicarius, vel visitator, non bene corrigant ipsorum negligentiam, capitulo provinciali nuntiare procurent.

9 Also we forbid brothers to hide the faults of priors or the brothers from the provincial or his vicars or the visitators, reserving them to the provincial chapter. Otherwise, their accusations will not be entertained by the chapter and will be treated as null. Yet if the complainants see that the prior provincial or his vicar or the visitator does not adequately correct the brothers' negligence, they should

report this to the provincial chapter.

10 Item monemus quod constitutio de vilitate vestium diligentius observetur et quod corrigiarum curiositas penitus dimittatur, nec sudariola per domum aut civitatem fratres de cetero portent.

10 Also, we warn that the constitution concerning cheapness of clothing should be very carefully observed, and that their sandals have no fancy buckles, nor should they wear handkerchiefs in the house or in town.

11 Item monemus quod priores pecuniam non teneant et quod ab officialibus ratio reddatur frequenter coram fratribus antiquioribus.

Also we warn priors not to hold money, and that an account be frequently made to the officials in the presence of the older brothers.

12 Item inhibemus ne fratres qui cum episcopis morantur, in priorum socios eligantur.

12 Also, we prohibit brothers who stay with bishops from being elected as socii to priors.

13 Item mandamus prioribus et supprioribus quod studeant habere in conventibus suis constitutiones correctas; et qui post Pasca inventi fuerint non habere, per visitatores gravius puniantur. Idem mandamus fieri de hiis qui acta capitulorum generalium et provincialium in uno volumine non habent, que in conventibus legi faciant et frequenter.

13 Also, we command priors and sub-priors to try to have correct constitutions in their convents. Those who are found after Easter not to have them should be very severely punished by the visitators. We command the same regarding those who do not have the acts of the general and provincial chapters in a single volume, which they should have read frequently in the convents.

14 Inhibemus districte fratribus universis quod de negotiis conventuum iurisperitos non consulant sine priorum consilio et assensu; quod si aliqui contrarium attentaverint, gravius puniantur.

14 We strictly forbid all brothers from consulting lawyers concerning conventual affairs without the advice and consent of the priors. Any who do otherwise should be severely punished.

15 Item monemus fratres sacerdotes quod frequenter celebrent et quod, cum ex causa a missarum celebratione impediuntur, monitionem olim factam non sacerdotibus fratribus ut bis in septimana confiteantur, in se studeant diligentissime observare.

Also, we warn priest brothers to celebrate frequently and, when some reason

impedes them from celebrating Mass, to try to observe most carefully the admonition previously made to brothers who are not priests confess twice a week.

16 Ponimus conventum apud Castellum, ubi ponimus priorem fr. Guarnerium Florentinum, lectorem fr. Iacobum Raynutii, conventuales et cetera.

16 We establish a convent at Castellum, where we assign br. Guarnerius of Florence as conventual prior, br. James Raynutius as conventual lector, etc.

17 Facimus predicatores generales fratres Vicentium Lucanum, Hubertinum Florentinum, Ugonem de Ubertinis, Iohannem de Viterbio, Bandinum de Amelia, Parisium Romanum et Thomam de Fuscis.

17 We make preachers general bros. Vincent of Luca, Humbert of Florence, Hugo of Ubertino, John of Viterbo, Bandinus of Amelia, Parisius of Rome and Thomas of Fuscia.

18 Sententias iudicum approbamus.

18 We approve the sentences of the judges.

19 Socius prioris provincialis ad capitulum generale fr. Guarnerius Florentinus.

19 The socius of the prior provincial at the general chapter is br. Guarnerius of Florence.

20 Sequens provinciale capitulum ponimus Neapoli in festo exaltationis sancte crucis, ita quod in vigilia eligantur diffinitores, et volumus quod fratres ante triduum capituli non veniant ad conventum, hiis dumtaxat exceptis qui ad capitulum per mare sunt venturi.

20 The next provincial chapter we assign to Naples on the feast of the Exaltation of the Holy Cross, with the proviso that on the vigil the diffinitors are elected, and we desire the brothers not to come before three days to the chapter, except those who are coming by sea.