

## The 1489 Bull *Cum Sollerti* of Pope Innocent VIII

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### Editorial Comment

The Order of St Lazarus, during the 14<sup>th</sup>-15<sup>th</sup> century, had lost its cohesiveness and had become separated administratively into three regional components: the fraction in France centred at Boigny, the fraction in Southern Italy centred in Capua, and the fraction in England centred in Burton Lazars. The daughter houses in the Kingdom of Hungary, the Kingdom of Germany, and the Swiss Cantons retained their loyalty to the French mother house.<sup>1</sup> The 1489 Bull *Cum Sollerti* of Pope Innocent VIII was to be a significant turning point in the 16<sup>th</sup>-century relationship between the Order of St Lazarus and the Holy See. It provided for the benefices of the Orders of St Lazarus and of the Holy Sepulchre to be transferred to the Order of St John, specifically the Priory of Aquitaine, whenever the incumbent Commander was due to be replaced by death or resignation. The transfer of the benefices reflected the political ramifications prevalent in the European region during the period, and was initiated as part-payment to the transfer of the Sultan's brother Jem (*sive* Djem or Zizim) to Rome. The terms of this Bull were never truly implemented being strongly opposed by the major fractions of the Order. Transfer of benefices was only truly affected in the Kingdom of Germany. The resistance to the proposed amalgamation led subsequent Popes to reiterate the terms of the 1489 Bull – Julius II with the 1505 Bull *Romani Pontificus* and Leo X with his 1514 Bull *Dum continuus*.<sup>2</sup> The terms of the 1489 Bull were challenged in the French court in 1544 with the court concluding that the terms of the Bull were no longer relevant having been superseded by subsequent bulls and edicts.

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<sup>1</sup> Charles Savona-Ventura. The First Schism affecting the Order of Saint Lazarus. *Acta Historiae Sancti Lazari Ordinis*, 2017, 2, pp. 35-52

<sup>2</sup> Charles Savona-Ventura. The Papal Bull *Cum sollerti meditatione pensamus* of 1489. *Journal of the Monastic Military Orders*, December 2009, 2, pp.21-38

**Innocentius Episcopus Servus Servorum Dei  
ad perpetuam rei memoriam.<sup>3</sup>**

*Cum sol<l>erti meditatione pensamus<sup>4</sup> quod inter pr<a>ecipua pr<a>esidia<sup>5</sup> et contra inimicos Orthodox<a>e fidei defensionis<sup>6</sup> Ordo Hospitalis Sancti Johannis Hierosolymitani<sup>7</sup> assiduum propugnaculum existit, ac pro eiusdem fidei observatione<sup>8</sup> tutela et augmento, <et> viros religione decoros propugnatores accerrimos<sup>9</sup> in temporalibus providos et spiritualibus circumspectos<sup>10</sup> producit, circa illius statum eo perspicatius nostr<a>e mentis [...] extendimus, eiusque prosperitatem eo desiderabilius affectamus,<sup>11</sup> quo per eum universali Ecclesi<a>e succurritur illiusque personas magnis subiacentes periculis<sup>12</sup> mentis nostr<a>e oculis conspicimus. Digne igitur ad ea intendimus per qu<a>e illius status prosperitas augeatur et religiosorum locorum aliorum Ordinum<sup>13</sup> eis curae<sup>14</sup> com<m>issa loca ipsa optat<a>e reformationis quibus indigere noscuntur auxilio subleventur, et Ordo pr<a>efatus ad infidelium oppressionem in personis et facultatibus suscipiat incrementum.*

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<sup>3</sup> The transcribed text was sourced from: Rafael Hyacinthe. *L'Ordre de Saint-Lazare de Jérusalem au Moyen Age*. (Conservatoire Larzac Templier et Hospitalier: Millau, 2003).p.215-218.

<sup>4</sup> *pensamus*: Medieval Latin.

<sup>5</sup> *praecipua praesidia*, paronomasia, that is, the succession of words which sound similarly.

<sup>6</sup> *defensiones*, ed.

<sup>7</sup> *Jerosolimitai*, ed.

<sup>8</sup> *pro ... observatione*, hyperbaton, that is, the separation of words, which normally go together, by one or more words, *et passim*.

<sup>9</sup> *viros ... decoros propugnatores accerrimos*: parallelism of phrases: noun / adjective / noun / adjective

<sup>10</sup> *circumspectos*, ed.; *in temporalibus providos et spiritualibus circumspectos*, parallelism of phrases: in / adjective ablative plural / adjective accusative plural / conjunction / <in> understood / adjective ablative plural / adjective accusative plural.

<sup>11</sup> *eo perspicatius ... extendimus, ... eo desiderabilius affectamus*, parallelism of phrases: *eo* / adverb comparative / verb present tense first person plural / *eo* / adverb comparative / verb present tense first person plural.

<sup>12</sup> *personas magnis subiacentes periculis*, chained double hyperbata: noun accusative plural / adjective ablative plural / participle accusative plural / noun ablative plural, that is, ABAB.

<sup>13</sup> *religiosorum locorum aliorum Ordinum*, parallelism of phrases: adjective plural / noun plural / adjective plural / noun plural.

<sup>14</sup> *cura*, ed.

**Bishop Innocent, Servant of the Servants of God,  
for the perpetual memory of the matter.**

We think with prudent reflexion that amidst special protections and against the enemies of the defence of the orthodox Faith, the Hospitaller Order of St John of Jerusalem exists as an assiduous bulwark, and as a protection and help for the observation of the same Faith, and that it produces men who are honourable by their religion, very fierce fighters, helpful in temporal matters and circumspect in spiritual ones. We extend (our good feelings) the more perspicaciously regarding its state according to our conscience, and we put in practice the more urgently its prosperity as help is given to the Universal Church by it, and we view with the eyes of our conscience its persons who are subjected to great dangers. We therefore consider it worthy for those reasons through which the prosperity of its status should be increased and that the places themselves of the desired reformation, those of the other Religious Orders, (but) committed to their care, which are known to need help, should be given (our) support, and that the already mentioned Order should receive help in persons and means for the oppression of the infidels.

*Sane dilecti filii Petrus d'Aubusson Magister et Fratres dicti Hospitalis superioribus annis dum Turci Crucis Christi persecutores<sup>15</sup> eos intra Civitatem Rhodi terra marique arcta<m> dicta obsidione conclusos<sup>16</sup> tenerent, et ipsius urbis m<o>enia machinarum aliorum etiam instrumentorum qu<a>e bello usui esse solent<sup>17</sup> impetu solo magna ex parte <a>equassent s<a>epius, cum eisdem Turcis pro fidei Catholic<a>e ac Rhodi<a>e Urbis defensione manus intrepide cum maxima Turcorum strage conseruerunt<sup>18</sup> pr<a>efatique Magistri providentia atque strenuitate ea ipsa in<sup>19</sup> pugna<sup>20</sup> quinque vulneribus affecti commilitonumque suorum magnanimitate<sup>21</sup> victores auxiliante Deo evaserunt in ea. Tamen, obsidione et oppugnationis<sup>22</sup> congressu quamplures Fratrum atque militum Christi athlet<a>e et accerrimi<sup>23</sup> propugnatores perierunt.<sup>24</sup> Et pro huiusmodi civitatis op<p>idorum, locorum, insularum et subditorum tutela, defensione, manutentione, murorum turriumque ruina<e> prolapsarum<sup>25</sup> re<d>integratione, fortificatione,<sup>26</sup> restitutione et re<da>edificatione<sup>27</sup> per magna expensarum onera necessario subire compulsi sunt;*

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<sup>15</sup> *Turci Crucis Christi persecutores*, alliteration of *c*, and oxymoron, that is, the placing next to each other of two antithetical words.

<sup>16</sup> *eos ... civitatem ... arctam ... conclusos*, double inner hyperbata: pronoun accusative plural / noun accusative singular / participle accusative singular / participle accusative plural, that is, ABBA.

<sup>17</sup> *usui esse solent*, alliteration of *s*.

<sup>18</sup> *conseruerunt*, ed.

<sup>19</sup> *ea ipsa in*, assonance, that is, the succession of words all starting with vowels.

<sup>20</sup> *impuga*, ed.

<sup>21</sup> *Magistri providentia atque strenuitate ... commilitonumque suorum magnanimitate*, parallelism of phrases: noun genitive singular / noun ablative singular X 2 / noun genitive plural + adjective genitive plural / noun ablative singular, that is, ABBAAB.

<sup>22</sup> *obsidione et oppugnationis*, assonance, that is, the succession of words all starting with vowels.

<sup>23</sup> *athletae et accerrimi*, assonance.

<sup>24</sup> *propugnatores perierunt*, alliteration of *p*, *r*, *n*, *t*.

<sup>25</sup> *manutentione murorum turriumque ruinae prolapsarum*, alliteration of *m*, *t*, *r*. See use of expression in Vergil, *Aeneid* 2.554-556: *hic exitus illum / sorte tulit Trōiam incēsam et prōlāpsa videntem / Pergama*.

<sup>26</sup> *fortiticatione*, ed.

<sup>27</sup> *civitatis ...tutela, defensione, manutentione, murorum turriumque ... redintegratione, fortificatione, restitutione et redaedificatione*, parallelism of phrases, that is, noun genitive singular / noun ablative singular X 2 / noun

Indeed, the beloved sons, Peter d'Aubusson, Master, and (his) Brothers of the mentioned Hospital, while in previous years the Turks, persecutors of the Cross of Christ, were holding them besieged within the City of Rhodes, enclosed by land and sea through the mentioned siege, and had more often levelled to the ground in a great part (of it) the battlements of the city itself by means of an attack by means of machines and other instruments which are wont to be of use in war, engaged without fear in close combat with the same Turks for the Catholic Faith and for the defence of the City of Rhodes with very great disaster to the Turks, and through the foresight and vivacity of the already mentioned Master, who had received five wounds through that attack itself, and through the magnanimity of his fellow-soldiers, (and) they emerged from it as victors with the help of God. However, during that siege and in the midst of the attack, several Brothers and soldiers, champions of Christ and very fierce defenders, perished. And for the protection, defence, maintenance of the towns, places, islands and (those parts) depending upon this State, for the re-assembling, fortification, restoration and rebuilding of the walls and towers fallen to ruin, they were compelled to undergo by necessity great burdens of expenses;

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genitive plural X 2 / noun ablative singular X 4, that is, ABBAABBBB;  
*redintegratione ... restitutione et redaedificatione*, alliteration of *r*, *d* and *t*.

et demum Turcorum eorumdem Mahumete tyranno<sup>28</sup> vita functo duobus illius filiis invicem de successione in patris tyrannide<sup>29</sup> vi et armis contententibus, Magister et Fratres praedicti eorum prudentia alterum ex eis Sultanum Zyzum nuncupatum fraterno cedentem gladio praesidioque destitutum omni ab imminente discrimine ac instanti vitae periculo servarunt, et in suam redegerunt potestatem, et alterum Sultanum Bagiazit rerum imperiique potitum fraternae<sup>30</sup> aservationis et incolumitatis terrore perculsum ac foedus ei ignominiosum ipsi vero Ordini ac Fidei Catholicae gloriosum<sup>31</sup> percutiendum et pensionem tributariam nummorum auri quadraginta millium exsolvendam donec<sup>32</sup> in eorum potestate quietus degeret compulerunt ipsorumque suasu eo ipso germani pavore<sup>33</sup> intercedente; tyrannus<sup>34</sup> ipse quosdam captivos diversi generis a servitutis iugo liberavit, classesque duas continuas aetatibus in Christicolae et Latinos ab eo magna impensa instructas atque paratas cum iam ipsas educere destinaret intra Hellesponti fauces impensarum sarcinis explosis, ut Magistro et eius commilitonibus propensius<sup>35</sup> videretur, morem gereret<sup>36</sup> continuitque profecto illustria facinora praekonio permagna commendatione et condigno prosequenda praemio.<sup>37</sup>

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<sup>28</sup> *tiranno*, ed.

<sup>29</sup> *tirranide*, ed.

<sup>30</sup> *fratenuae*, ed.

<sup>31</sup> *foedus ei ignominiosum ipsi vero Ordini ac Fidei Catholicae gloriosum*, parallelism of phrases: noun neuter singular / pronoun dative singular / adjective neuter singular / noun dative singular X 2 / adjective neuter singular, that is, ABABBA.

<sup>32</sup> *donec*, ed.

<sup>33</sup> *ipsorumque suasu eo ipso germani pavore*, parallelism of phrases: genitive / ablative X 3 / genitive / ablative, that is, ABBBAB.

<sup>34</sup> *tiranus*, ed.

<sup>35</sup> *In quos propensior*, ed.

<sup>36</sup> *morem gereret*: See use of expression in Plautus, *Mostellaria* 3.2.37: *sic decet, ut homines sunt, ita morem geras*.

<sup>37</sup> *praemio existunt*, ed.; *facinora praekonio permagna commendatione et condigno prosequenda praemio*, alliteration of *p*, *r*, *c*, *m* and *d*.

and, finally, when Mohamet, the tyrant of the same Turks, died, (and) his two sons were contending one against the other by force of arms for the succession of their father, the tyrant, the already mentioned Master and Brothers, by their prudence, saved from every imminent decisive moment and immediate danger to life one of them, Sultan Zyzus by name, as he was yielding to (his) brother's sword and as he had been found without garrison, and returned (him) to his power, and they compelled the other Sultan, Bagiazit, having acquired possessions and command, (but) was struck by the terror for his brother being guarded and for his own lack of safety, to even strike a treaty, ignoble to him, but indeed a glorious one to the Order itself and the Catholic Faith, and to pay a tributary pension of forty thousand golden coins until peace would reign in their power. And at the persuasion of themselves, at the intervention of that very fear for (his) brother, the tyrant himself within continuous summers freed from the yoke of captivity certain captives of different nations, and two armies which had been instructed and prepared to become worshippers of Christ and Latinized by him at a great expense, when he was at that very moment planning to lead them inside the passes of the Hellespont, when the baggage had been cast away, (in such a way) that it seemed more important to the Master and his fellow soldiers (to gratify him), and so (the Master) continued to perform (his) distinguished deeds by (his) proclamation and very great commendations and worthy prize.<sup>38</sup>

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<sup>38</sup> The Grand Master and the Knights succeeded in keeping the Sultan at abeyance by means of the detention of his brother, for which act the Sultan paid the Knights back by the release of captives and two armies of mercenary soldiers who were about to convert to Christianity. The Sultan even changed his plan to take them to Istanbul via the Hellespont, getting rid of their baggage. Consequently, the Grand Master continued to keep a good relationship with the Sultan through the detention of the other brother who served as the prize for keeping peace with the enemy at least for some more years.

*Nos igitur attendentes, quod militum et Fratrum ipsius Hospitalis numerus pariter, et facultates ad supportandum tantam belli infidelium molem et illorum tam grandi potenti<a>e resistendum, plurimum tenues existunt, cavendum quoque est ne ob virium imparitatem nefandi<sup>39</sup> hostes, non sine<sup>40</sup> maximo et pernicioso Catholic<a>e Fidei dedecore ac detrimento, prevaleant pariter, et sperantes quod, si Sancti Sepulchri Dominici Hierosolymitani,<sup>41</sup> Ordinis Sancti Augustini, et Militiae<sup>42</sup> Sancti Lazari Bethleem et Nazaret etiam Hierosolymitanorum<sup>43</sup> Ordinum ipsorumque Prioratus, Pr<a>eceptor<a>e et Membra necnon Domus Dei de Montemorillon dicti Ordinis Sancti Augustini, vulgo dicti Picant, Pictavensis Dio<e>cesis, et alia dependentia ab eis Membra qu<a>ecumque, suppres<s>is ac penitus ex<s>tinctis in eis dictis Ordinibus et Militia ac eorum nominibus,<sup>44</sup> titulis atque dignitatibus, dicto Hospitali Hierosolymitani,<sup>45</sup> pro eius membris concederentur, assignarentur, et ex eis Prioratus, Baiuliu<a>e et Pr<a>eceptor<a>e, iuxta stabilimenta Hospitalis eiusdem, in posterum<sup>46</sup> regend<a>e ordinarentur; et person<a>e ad pr<a>esens illa obtinentes de eorum Ordinibus pr<a>edictis ad ipsum Hospitale transferrentur, et illum gestarent habitum qui in Hospitali geritur et habetur,<sup>47</sup> ac eiusdem Hospitalis Institutis se conformarent, et illius communi thesauro, ad instar eorum, qui nunc sunt<sup>48</sup> Fratres ipsius Hospitalis, pro perferendis illius oneribus,<sup>49</sup> op<p>ortuna subsidia de eorum Ecclesiasticis<sup>50</sup> proventibus annis singulis exhiberent.*

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<sup>39</sup> *nephandi*, ed.

<sup>40</sup> *non sine*, litotes, that is, the juxtaposition of a negative particle with its opposite notion used for emphasis.

<sup>41</sup> *Jerosolimitani*, ed.

<sup>42</sup> *milicie*, ed.

<sup>43</sup> *Jerosolymitanorum*, ed.

<sup>44</sup> *nominibus*, ed.

<sup>45</sup> *Jerosolymitani*, ed.

<sup>46</sup> *imposterum*, ed.

<sup>47</sup> *geritur et habetur*, copia, that is, coupling together of synonyms.

<sup>48</sup> *sum*, ed.

<sup>49</sup> *perferendis ... oneribus*: see use of expression in Horace, *Epistulae* 1.17.39-41: *hic onus horret, / ut parvis animis et parvo corpore maius: / hic subit et perfert. ...*

<sup>50</sup> *ecclesiastics*, ed.



We, therefore, noting that the number of the soldiers and Brothers of the Hospital itself and, at the same time, the means to support so great a task of war against the infidels and to resist their so great a power, have for a very long time been meagre, (noting) also that caution must be taken lest the abominable enemy, on account of the disparity of the forces, may become superior (over them) not without a very great and destructive disgrace and detriment to the Catholic Faith; and hoping that if the Pories, Commanderies and Divisions of the Lord's Holy Sepulchre of Jerusalem, of the Order of Saint Augustine, and of the Militia of St Lazarus at Bethlehem and Nazareth, as well (those) of the Orders themselves of Jerusalem, as well as (those) of the House of God de Montmorillon of the mentioned Order of Saint Augustine, commonly called "Picant", of the Diocese of Aquitaine, and whatever other Divisions depending upon them, when the titles and honours in those mentioned Orders and Militia and their Dominions will have been suppressed and become completely extinct, (order that) concession and assignment be given to the mentioned Hospital of Jerusalem on behalf of its members, and Pories, Bailiwicks and Commanderies (taken) from them be ordered to be ruled according to the statutes of the same Hospital, and persons who at present are obtaining them be transferred to the Hospital itself from their already mentioned Orders and put on that habit which is worn and had in the Hospital, and conform themselves to the regulations of the same Hospital and to its common bursary, like those who are now Brothers of the Hospital itself, (and) every year give proof of the necessary benefices (coming) from their Ecclesiastical incomes to sustain to the full the burdens of that (Hospital).

*Exinde profecto numerus Fratrum, et facultates dicti communis thesauri tantum incrementum susciperent, quod Magister et Fratres ipsi non solum eorumdem<sup>51</sup> infidelium potenti<a>e et op<p>ressionibus resistere, sed illos<sup>52</sup> invaderi et, divina favente clementia, cum aliorum fidelium auxiliis, durante pr<a>esertim Petro Magistro pr<a>efato, in cuius magnanimitate et singulari prudentia, suis robustissimis commilitonibus succinto, plurimum confidimus occupatas ab eisdem terras, insulas et loca plurima in Orientis partibus recuperare, et Fidei Catholic<a>e <a> cultoribus repleti possent, et eorumdem, qui sic supprimerentur Ordinum Prioratus, Pr<a>eceptor<a>e et Membra, Magistri et Fratrum pr<a>edictorum, quorum Ordo Deo gratus et <a> Christi fidelibus plurimum est acceptus directione, laudabili reformationis votivo<sup>53</sup> <et> successibus congratularetur.<sup>54</sup>*

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<sup>51</sup> eorumdem, ed.

<sup>52</sup> illod, ed.

<sup>53</sup> votive, ed.

<sup>54</sup> gratularentur, ed.

Hence, therefore, the number of the Brothers and the means would take so much increment of the mentioned common bursary, that the Master and Brothers themselves could not only resist the power and oppressions of the same infidels, but have them be invaded, and with the divine mercy being favourable, with the help of the other faithful ones, especially during (the rule of) Peter, the already mentioned Master, in whose magnanimity and particular prudence, (as he is) surrounded by his most robust fellow soldiers, we confide very much, the Pories, Commanderies and Divisions of the already mentioned Master and Brothers, whose Order is grateful to God and is accepted very much by the faithful of Christ, (and which) would be congratulated for (its) direction, laudable vow for reformation (and) successes, (could) recover lands, islands and several places in the parts of the East which are occupied by the same (infidels), and (have them) be replenished by the cultivators of the Catholic Faith and of the same Orders which are thus being suppressed.

Ac volentes eiusdem Fidei oportunitatibus salubriter ut tenemur providere, habita super his<sup>55</sup> cum Venerabilibus Fratribus nostris<sup>56</sup> Sanctae Romanae Ecclesiae Cardinalibus infrascriptis<sup>57</sup> deliberatione matura, de illorum consilio, Sancti Sepulcri Dominici Hierosolymitani<sup>58</sup> ac Militiae<sup>59</sup> Sancti Lazari<sup>60</sup> Bethleem et Nazaret etiam Hierosolymitani,<sup>61</sup> nec non domus Dei de Montemorillon, cum eorum iuribus et proprietatibus,<sup>62</sup> etiam de quibus non fit mentio (Bethleem, Nazaret et Domus Dei, vel aliis Ordinibus,<sup>63</sup> per se distincti non essent), sed aliorum Ordinum membra, tamen ipsa cum suis pertinentiis, a suis Ordinibus auctoritate Apostolica separantes Ordines praedictos et eorundem<sup>64</sup> Ordinum et Militiae<sup>65</sup> Archiprioratum, Prioratus et Magistratus Generales ac in eorundem Ordinum Prioratibus, Praeceptoriiis, Domibus et Membris illorum, quibus denominantur nomina et dependentias ac pertinentias, omnino suppressimus<sup>66</sup> et extinguimus.<sup>67</sup> Illaque omnia per universum orbem existentia et constituta,<sup>68</sup> quorum nomina, fructus, redditus et proventus pro expressis habemus dicto Hospitali Sancti Johannis Hierosolymitani,<sup>69</sup> pro illius membris, et dictam Domum expresse pro membro Prioratus Aquitani dicti Ordinis de similibus consilio et auctoritate, unimus, incorporamus, concedimus et assignamus; et personas suppressorum Ordinum eorundem, ab illorum regularium Institutorum observantione, exceptis tribus substantialibus votis, per eos forsitan emissis, et habituum eorundem suppressorum Ordinum gestatione, de eisdem consilio et auctoritate absolvimus, et ad Hospitale ipsum et illius Ordinem transferimus.

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<sup>55</sup> hiis, ed.

<sup>56</sup> nostrus, ed.

<sup>57</sup> infrascriptis, ed.

<sup>58</sup> Hierosolymitani, ed.

<sup>59</sup> milicie, ed.

<sup>60</sup> Lazaru, ed.

<sup>61</sup> Hierosolymitani, ed.

<sup>62</sup> proprietatibus, ed.

<sup>63</sup> ordines, ed.

<sup>64</sup> eorundem, ed.

<sup>65</sup> milicie, ed.

<sup>66</sup> suppressimus, ed.

<sup>67</sup> suppressimus et extinguimus, copia.

<sup>68</sup> existentia et constituta, copia.

<sup>69</sup> Hierosolymitani, ed.

And wishing to provide, as we are obliged (to do), healthily for the opportunities of the same Faith, after holding a mature deliberation regarding these things with our Venerable Brothers, the below written Cardinals of the Holy Roman Church, according to their advice, we wholeheartedly suppress and bring to an end the members of the Holy Sepulchre of the Lord at Jerusalem, and (those) of the Militia of Saint Lazarus at Bethlehem and Nazaret and even at Jerusalem, as well as (those) of the House of God de Montmorillon, together with their rights and properties, even (those) about whom there is no mention (they may not be distinguished as such {from those} of Bethlehem, Nazareth and the House of God, or from other Orders), but also the members of other Orders, these, however, with their pertinences (as derived) from their own Orders, as we separate through (our) Apostolic Authority the already mentioned Orders and the Arch-Priory, Priors and General Office Bearers of the same Orders and Militia, and (those members) inside the Priors, Commanderies, Houses and their Divisions of the same Orders, to whom are designed powers and dependencies and pertinences. And we expressly hold all those things which exist and which are established throughout the whole world, of which (are) the dominions, produce, returns and income (as belonging) to the mentioned Hospital of Saint John of Jerusalem, for its members, and we, by the same counsel and authority expressly unite, incorporate, concede and assign the mentioned House<sup>70</sup> as a member of the Priory of Aquitaine of the mentioned Order, regarding similar (grants); and, we absolve the persons of the same suppressed Orders from the observation of those regular Institutes, except for the three substantial vows, which perhaps have been made by them, and from the wearing of the habits of the same suppressed Orders and, with the same counsel and authority, we transfer (them) to the Hospital itself and to its Order.

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<sup>70</sup> That is, the House of God de Montmorillon.

*Et volumus, ut de cetero illum gestent habitum, qui per Fratres dicti Hospitalis geritur et habetur,<sup>71</sup> ac illius regularibus Institutis se conferrent.<sup>72</sup> Et tam qui in titulum, quam qui in commendam in praesentiarum illa obtinent, ad aliorum Fratrum dicti Hospitalis instar, iuxta Magistri et Fratrum praedictorum, aut ab eis auctoritatem habentium, providam moderationem, pro temporum qualitate, de eorundem membrorum quae sic obtinuerint, proventibus, communi thesauro praedicto, suffragia et onera exhibeant annuatim, et Magistri ac Conventus praedictorum mandatis obtemperent, nec quovis modo clam vel palam, illi qui huiusmodi Prioratus aut loca dictorum Ordinum suppressorum tenent, eis cedant aut renuncient, vel de eis donationem faciant, absque expresso consensu, licentia et auctoritate Magistri et Conventus praefatorum; quod si secus fecerint irritum et inane,<sup>73</sup> quod factum fuerit, et nullius roboris<sup>74</sup> esse decernimus. Et nihilominus<sup>75</sup> poenam privationis beneficiorum et excommunicationis latante sententiante, eo ipso incurrere censeantur plenam Magistro moderno quoad vixerit, et Magister dicti Hospitalis erit soli sine Conventu, et cum cedente vel decedente seu Magistratum dicti Hospitalis alias quomodolibet dimittente pro tempore existenti Magistro et Conventu<sup>76</sup> praefatis, ac habentibus ab eis potestatem, ex eisdem dictorum sic suppressorum Ordinum, Prioratibus, Domibus, Praeceptoris et Membris huiusmodi, Prioratus, Baiulias et Praeceptorias, ad instar aliorum membrorum dicti Hospitalis et de illa de Domo Dei de Montemorillon, cum suis pertinentiis, ipsius Prioratus Aquitaniante eiusdem Hospitalis et non alterius Prioratus, auctoritate nostra ordinandi.*

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<sup>71</sup> geritur et habetur, copia.

<sup>72</sup> conferment, ed.

<sup>73</sup> irritum et inane, copia.

<sup>74</sup> roborus, ed.

<sup>75</sup> nichilominus, ed.

<sup>76</sup> conventui, ed.

And we wish, as with the rest, that they put on that habit which is worn and had by the Brothers of the mentioned Hospital, and that they abide by its regular Institutes. And both those who obtain those things of the present as for a title, and those as for a Commandery, should show every year (their) proofs and burdens to the prudent moderation of other Brothers of the mentioned Hospital, as that of the Master and the already mentioned Brothers, or of those who have authority from them, for the quality of temporal matters, regarding the income (and) the already mentioned common bursary of the same members which they will thus have obtained, and they should conform to the orders of the already mentioned Master and Convent; and those who hold these Pories and places of the mentioned suppressed Orders should in no manner, openly or secretly, succeed to them or renounce (them), or make a donation out of them, except by the express consent, permission and authority of the already mentioned Master and Convent; which, if they will do otherwise, we consider that that deed will be of no effect and void, and that it is of no importance. And, nevertheless, they should be considered as incurring the full penalty of the privation of (their) benefices and (that) of an excommunication with a sentence extensively passed during the time of the present Master himself as long as he will live, and (as long as) he will be Master of only the mentioned Hospital with or without the Convent. And when (one) of the Office Bearers of the mentioned Hospital departs or dies, or the already mentioned existing Master and Convent at their time resign in whatever manner, as well as those having power from them, (it will be) through our authority to command Pories, Bailiwicks and Commanderies, as of other Divisions of the mentioned Hospital and from that House of God de Montmorillon, with its pertinences, of the Priory of Aquitaine of the Hospital itself, and not of another Priory, (taken) from the same Pories, Houses, Commanderies and these Divisions of the mentioned Orders thus suppressed.

*Et cum pro tempore vacaverint, de eisdem disponendi, concedentes pr<a>esentium tenore facultatum<sup>77</sup> ac decernentes Prioratus, Domus, Pr<a>eceptorias et Membra suppressorum Ordinum huiusmodi, dicto Hospitali, ut pr<a>efertur, applicata, et illa nunc et pro tempore obtinentes privilegiis, favoribus et indultis, quibus alia eiusdem Hospitalis membra et Fratres potiuntur et gaudent uti potiri<sup>78</sup> et gaudere posse et debere et huic<sup>79</sup> Hospitali et membris eius, ac alia<sup>80</sup> obtinentibus concederentur in posterum<sup>81</sup> paro modo includi.*

*Irritum quoque et inane<sup>82</sup> quicquid<sup>83</sup> secus super his<sup>84</sup> a quoque<sup>85</sup> quavis auctoritate scienter<sup>86</sup> vel ignoranter contigerit attemptari. Et nihilominus<sup>87</sup> omnibus et singulis in dignitate Ecclesiastica<sup>88</sup> constitutis personis et Cathedralium Ecclesiarum Canonicis ac Ordinariorum locorum in spiritualibus<sup>89</sup> Generalibus Vicariis et Officialibus quos de super pro parte Magistri et Conventus pr<a>edictorum vel dilectorum filiorum Guidonis de Blanchefort Prioris Prioratus Alverni<a>e ac Johannis Kendal Turcopelerii dicti Hospitalis oratorum pro nonnullis arduis negotiis ad nos destinatorum requiri continget <ut> de similibus consilio et scientia per se aut alium vel alios pr<a>emissa ubi quando et quotiens expedire cognoverint solemniter publicantes.*

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<sup>77</sup> *facultatem*, ed.

<sup>78</sup> *potui*, ed. See use of expression *rerum potiri* in, for example, Tacitus, *Historiae* 3.74: *ac potiente rerum patre*.

<sup>79</sup> *in hiis que hospitali*, ed.: *verba corrupta*.

<sup>80</sup> *ilia*, ed.

<sup>81</sup> *imposterum*, ed.

<sup>82</sup> *irritum ... et inane*, copia.

<sup>83</sup> *quicquid*, ed.

<sup>84</sup> *hiis*, ed.

<sup>85</sup> *quoqua*, ed.

<sup>86</sup> *quoque quavis auctoritate scienter*: alliteration of *c* and *q*.

<sup>87</sup> *nihilominus*, ed.

<sup>88</sup> *ecclesiastica*, ed.

<sup>89</sup> *spiritalibus*, ed.



And when they will leave (their) position, (it will be through our authority) to dispose of the same, as we concede in the sense of the present faculties and decide about the Pories, Houses, Commanderies and Divisions of these suppressed Orders which have been applied, as already said, to the mentioned Hospital, and as we obtain them now and at the time with (their) privileges, favours and permissions which the other members and Brothers of the same Hospital acquire and enjoy, as they may be conceded both to this Hospital and to its members to be able and to ought to acquire and enjoy, and to those who obtain other things to be included for the future in an equal manner.

Even so, whatever may be attempted knowingly or ignorantly even by whatever authority regarding these things (will be) void and null, and (this), nevertheless, as we solemnly publish for each and every person established in the Ecclesiastical dignity and Canons of the Cathedral Churches and Vicars General in spiritual matters and Officials of the Ordinaries<sup>90</sup> of places who happen to be required to know about the above (written), (that is), where, when and how often (they could) expedite (matters) regarding similar things by means of their advice and knowledge through themselves or some other person or persons, on behalf of the already mentioned Master and Convent, or of the beloved sons Guido de Blanchefort, Prior of the Priory of Auvergne, and John Kendal Turcopelerius, orators of the mentioned Hospital destined (to come) to us for some difficult business.

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<sup>90</sup> That is, Bishops.

*Ac eis super his<sup>91</sup> efficacis defensionis pr<a>esidio assistentes faciant auctoritate nostra translatas ad ipsum Hospitalis suppressorum Ordinum pr<a>edictorum personas in habitu et regularium Institutorum dicti Hospitalis observantia Fratribus eiusdem Hospitalis se conformare et eorumdem Magistri et Conventus ac ipsorum Officialium, ad instar aliorum Fratrum dicti Hospitalis obtemperare mandatis, et eiusdem Hospitalis usus, mores, stabilimenta, statuta et consuetudines<sup>92</sup> observare, et tam illos quam <hos> qui in pr<a>esentiarum aliqua ex dictorum suppressorum Ordinum membris in commendam obtinent, aut qui in vim pr<a>esentis unionis in futurum obtinebunt ad respondendum de illorum proventibus <et> dicto communi thesauro, aut illis quibus assignata fuerint debita<sup>93</sup> satisfaciant et onera ac pensiones reservatas seu in posterum<sup>94</sup> reservandas, iuxta moderationem de super pro tempore factam aut faciendam ut pr<a>efertur eadem auctoritate compellant contradictores per censuram Ecclesiasticam appellatione postposita compescendo invocato etiam ad hoc si opus fuerit auxilio brachii s<a>ecularis, non obstantibus constitutionibus et ordinationibus Apostolicis ac Ordinum et Militiae<sup>95</sup> pr<a>edictorum iuramento etiam Apostolica confirmatione vel quavis<sup>96</sup> firmitate alia roboratis statutis et consuetudinibus de eisdemque Ordinibus sic suppressis concessis per Sedem Apostolicam privilegiis<sup>97</sup> contrariis quibuscumque, seu si aliquibus communiter vel divisim a Sede Apostolica indultum existat quod interdici, suspendi vel excommunicari non possit<sup>98</sup> per litteras Apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem.*

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<sup>91</sup> *hiis*, ed.

<sup>92</sup> *usus, mores, stabilimenta, statuta et consuetudines*, congeries, that is, a long list of things to impress the reader or the listener.

<sup>93</sup> *debite*, ed.

<sup>94</sup> *imposterum*, ed.

<sup>95</sup> *milicie*, ed.

<sup>96</sup> *Apostolica confirmatione vel quavis*, alliteration of c and q.

<sup>97</sup> *privilegiis*, ed.

<sup>98</sup> *possint*, ed.

And while assisting them over above these things by means of a garrison of an efficacious defence, let them make the persons of the already mentioned suppressed Orders, transferred by our authority to the Hospital itself, conform themselves to the Brothers of the same Hospital in the habit and observance of the regular Institutes of the mentioned Hospital, and comply to the orders of the same Master and Convent and of the Officials themselves, as of the other Brothers of the mentioned Hospital, and observe the habits, customs, established practices, statutes and traditions of the same Hospital, and both these and (those) who obtain some things of the present times by way of a Commandery from the members of the mentioned suppressed Orders, or who will obtain in the future by the power of the present union, to give an account of their incomes (and) the mentioned common bursary, or let them give them a satisfaction of what debts and burdens and pensions reserved or will be reserved in the future which were assigned to them, according to the decision made or to be made by (the Master) at the time (mentioned) above, as has already been said, (and) let them compel by the same authority those who contradict (these measures) (to do so) through an Ecclesiastical censure, an appeal having been postponed, through repression, having even invoked for this purpose the help of the secular arm, if need will be, notwithstanding the constitutions and Apostolic orders and the oath of the already mentioned Orders and Militia, (notwithstanding) even the Apostolic confirmation or whatever other firmness, statutes having been strengthened and traditions having been conceded by the Apostolic See, (notwithstanding) privileges and whatever (other) contrary things regarding the same Orders thus suppressed, even if a permission were to exist (having been given) to some people commonly or individually by the Apostolic See, (privileges) which may not be forbidden, suspended or excommunicated by means of Apostolic letters not making full and expressed mention of this permission and (that) from word to word.

*Et quia difficile foret pr<a>esentes litteras ad singula loca in quibus necessari<a>e erunt differre,<sup>99</sup> volumus quod earum transumptis sigillo alicuius Pr<a>elati seu eius Vicarii Ecclesiastici munitis et manu Publici Notarii subscriptis eadem prorsus fides adhibeatur qu<a>e adhiberetur eisdem originalibus litteris si essent exhibit<a>e vel ostens<a>e. Nulli ergo omnino hominum liceat hanc paginam nostr<a>e separationis, suppressionis, ex<s>tinctionis, unionis, incorporationis, concessionis, assignationis, absolutionis, translationis, constitutionis et voluntatis<sup>100</sup> infringere vel ei ausu temerario contraire. Si quis autem hoc attemptare pr<a>esumpserit indignationem Omnipotentis Dei ac Beatorum Petri et Pauli Apostolorum eius se noverit incursum.*

*Datum Romae apud Sanctum Petrum anno Incarnationis Domini<sup>101</sup> millesimo quadringentesimo octuagesimo nono, quinto Kalendas Aprilis, Pontificatus Nostri anno quinto.*

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<sup>99</sup> *defferre*, ed.

<sup>100</sup> *volumatis*, ed.; *separationis, suppressionis, extinctionis, unionis, incorporationis, concessionis, assignationis, absolutionis, translationis, constitutionis et voluntatis*, congeries.

<sup>101</sup> *Dominice*, ed.

And since it may be difficult to circulate these letters to individual places in which they will be necessary (to enter), we wish that the same trust be absolutely applied to their transcriptions supported by means of the seal of some Prelate or his Ecclesiastical Vicar, and signed by the hand of a public notary as would be applied to the same original letters had they been exhibited or shown (to the public). It should therefore absolutely not be allowed to any of the human beings to destroy this page of our separation, suppression, extinction, union, incorporation, concession, assignment, absolution, transfer, constitution and wish, or to go against it by an imprudent audacity. If, however, someone will presume to attempt this, he will know that he will incur the indignation of the Omnipotent God and of his Blessed Apostles Peter and Paul.

Given at Rome at St Peter's in the year of the Lord's Incarnation one thousand, four hundred, eighty-nine, on the 28<sup>th</sup> March, the fifth year of our Pontificate.