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THE INQUISITION AGAINST PETER DE CASTRO,
VICAR OF THE DOMINICAN PROVINCE OF THE HOLY LAND,
IN NICOSIA, CYPRUS, 1330

BY
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Professor Jean Richard has already drawn attention to the curious episode of the inquisition conducted by two Dominican masters of theology – Peter of Palude, patriarch of Jerusalem, and Bishop Mark of Famagusta and Tortosa – against the Dominican provincial vicar of the Holy Land, Peter de Castro, for among other things imprisoning a papal legate, the Dominican Arnald de Fabricis, in the Nicosia convent of the Friars Preacher.¹ The events took place in December 1329 and January 1330, while the inquisition was held in the Dominican convent later that year. Here we offer an edition of the complete inquisition record, from manuscript Instrumentum Miscellaneum 4588 of the Archivum Secretum Vaticanum.² In addition to the intrinsic interest of the inquisition itself, the complete record is significant for the light it sheds on the life of the convent in 1330 and the relationship between the Dominicans and their great patron, King Hugh IV Lusignan of Cyprus (1324-59). In this introduction, building on Richard's work,³ we shall provide some

* We would like to thank Fritz Saaby Pedersen for checking our edition so carefully, Christoph Egger and Michalis Olympios for their expert assistance, and the Vatican Archives for a reproduction of the document.

¹ J. Richard, "Comment un nonce du pape Jean XXII fut emprisonné au couvent dominicain de Nicosie," in idem, *Chypre sous les Lusignans. Documents chypriotes des Archives du Vatican (XIV^e et XV^e siècles)*, Paris 1962, pp. 51-58.

² Paper, 42 pages, ir: "Quaternus Inquisitionis contra Fratrem Petrum de Castro mittendus ad Curiam Romanam." At the end there is a loose sheet in a post-medieval hand stating after the old shelf mark: "Continens Processum anno 1330 confectum per P. Patriarcham Hierosolymitanum et Marcum Famagustanum et Antheradensem Episcopum contra Fratrem Petrum de Castro Ordinis Praedicatorum vicarium in Provincia Terrae Sanctae super nonnullis ejus excessibus."

³ We will not cite this except in cases where Richard provides additional information we deem useful.

background concerning the convent, attempt to reconstruct the events that took place there in late 1329 and early 1330, and describe the inquisition itself.

*The Nicosia Convent of the Dominicans*⁴

Our only source for the foundation of the convent is the sixteenth-century account of the Cypriot Dominican author Etienne de Lusignan. Despite some errors, it is probably true that Alice of Montbéliard, the wife of the regent of Cyprus, Philip of Ibelin, founded the convent around 1226, most likely just west of Alice's other establishment, the Cistercian nunnery of St Theodore, to the west of the medieval city.⁵ The Nicosia Dominicans were already involved in a quarrel with King Henry I's chancellor in 1248. We also know that the convent was receiving bequests by 1300 and that it had a functioning school by 1306.⁶ In his will, King John I (1284-85) left an annual donation to the Franciscans, Carmelites, and Dominicans, under certain unknown conditions that the friars found unacceptable. In 1295 Pope Boniface VIII gave leave to Henry II (1285-1324) to dispose of this money as he saw fit, with the approval of the executors. Henry's decision was apparently not to give the mendicants the money. Thus, in 1308, his brother Amaury de Lusignan, a usurper who had taken over after a coup d'état in 1306 and probably sought ecclesiastical support for his disputed rule, wanted to provide the Dominicans with a new place, as King John had wished "but could not fulfill because of his death." Pope Clement

⁴ For the convent, see also J. Hackett, *History of the Orthodox Church of Cyprus*, London 1901, pp. 592-599; N. Coureas, *The Latin Church in Cyprus, 1195-1312*, Aldershot 1997, pp. 211-215; C. Schabel, "Ecclesiastical Monuments and Topography," part of N. Coureas, G. Grivaud, and C. Schabel, "The Capital of the Sweet Land of Cyprus: Frankish and Venetian Nicosia," in D. Michaelides, ed., *A History of Nicosia*, Nicosia, forthcoming. The AFP itself has published some interesting source material on the Cyprus Dominicans for later periods, including M.-H. Laurent and J. Richard, "La bibliothèque d'un évêque dominicain de Chypre," AFP 21 (1951), pp. 447-454, and C. Longo, "I Domenicani a Cipro. Documenti (1451-1587)," AFP 59 (1989), pp. 149-211.

⁵ Etienne de Lusignan, *Description de toute l'isle de Cypre*, Paris 1580; reprint Nicosia 2004, f. 89r-v; *The Cartulary of the Cathedral of Holy Wisdom of Nicosia*, ed. N. Coureas and C. Schabel, Nicosia 1997, no. 64. Alice is not to be confused with Queen Alice of Champagne, Philip's niece.

⁶ *Les registres d'Innocent IV*, ed. E. Berger, Bibliothèque des Ecoles françaises d'Athènes et de Rome (= BEFAR), Paris 1881-1921, nos. 3712-3713; Richard, "Comment," p. 51, n. 1; Coureas, *The Latin Church in Cyprus*, p. 214.

V approved their transfer because "their location is so far removed from the city of Nicosia that on account of this distance the fruits of their preaching and the curing of souls are much impeded."⁷ Thus, after 1308 the Dominicans were in a new location.

The buildings of the new convent were destroyed in 1567 when the Venetians, who had annexed the island in 1489, decided with the leading citizens to build new city walls with a reduced perimeter, a measure that failed to stop the Ottomans from taking the city three years later. The convent, next to and finally combined with the Lusignan royal palace, was one of Nicosia's greatest architectural treasures. Beginning with King Hugh IV, the Lusignans and other nobles showered it with gifts and chose it as their sepulcher, so that it has been called the "St Denis" of Cyprus. With the death of Hugh IV in 1359, every monarch and most members of the royal house were buried there until the death of King John II in 1458, giving it a total of twenty-four major tombs.⁸

The lavish elements of the Dominican convent may have dated from the first years of the reign of Hugh IV. When Hugh came to power in 1324 the Roman Dominican John of Conti (1312-32) was archbishop of Nicosia. Perhaps with Hugh's support, Conti constructed a chapel of St Thomas Aquinas in the cathedral by 1326, just three years after the Angelic Doctor's canonization. Hugh may even have named his son Thomas after Aquinas, who had dedicated his *De regno* to King Hugh II. In 1335 Hugh IV had two Dominicans serving in his own chapel, and two Dominican patriarchs of Jerusalem lived in the Dominican convent at some point in the early years of Hugh's reign, both Parisian masters of theology: Raymond Bequini, who was appointed in 1324 and died in Cyprus in 1328, and his successor, Peter of Palude, who was involved in the inquisition. Although Hugh would not have been able to influence

⁷ *Bullarium Cyprium: Papal Letters Concerning Cyprus*, ed. C. Schabel and J. Richard, 3 vols., Nicosia forthcoming, nos. 10-11, 24 April 1295 (cf. *Les registres de Boniface VIII*, ed. G. Digard, BEFAR, Paris 1884-1939, no. 125), and q-28, 27 February 1308 (cf. *Registrum Clementis Papae V*, Rome 1885-1892, no. 2484). Richard, "Comment," p. 51, n. 2, who also notes this transferral; hypothesizes that King John's initial conditions included the foundation of new convents.

⁸ See the proposed plan of the Dominican convent's tombs and list of major burials in B. Imhaus, "La mort dans la société franque de Chypre," *Επετηρίδα του Κέντρου Επιστημονικών Ερευνών* (= ΕΚΕΕ) 24 (1998), pp. 1-75, at 39 and 67-75 respectively, correcting for erroneous pre-1300 burials; W.H. Rudt de Collenberg, "Les Ibelin aux XIII^e et XIV^e siècles," ΕΚΕΕ 9 (1979), pp. 117-265, passim; and idem, "Les Lusignan de Chypre," ΕΚΕΕ 10 (1980), pp. 85-319, passim.

Bequini's appointment, the King loved theologians and it is quite possible that he asked for another important Dominican master after Bequini's death.⁹

At this time the convent probably abutted the royal palace, perhaps just south of the present Paphos Gate, over a branch of the seasonal Pediaios River, and in King Peter II's reign (1369-82) the palace and convent merged. In 1394, the convent was described as having "two cloisters, one large and the other small," but better descriptions come from two Dominicans: the traveller Felix Faber (1483) and Etienne de Lusignan. Unlike the royal palace, the conventual buildings and church of the Dominican convent escaped the destruction of the Genoese and Mamluk invasions in 1373-74 and 1424-26 respectively and remained intact inside the walls of the ruined palace. The church, full of all those tombs, was "right royally adorned," the two cloisters were fitted with marble pillars, and one of the two dormitories, on the second level of the conventual buildings, and the refectory, on the ground level, were paved with marble. The entire complex was surrounded by gardens and orchards.¹⁰

It is likely that this description reflects the situation in 1329-30, although much construction must have still been in progress, given that only two decades had passed since the convent's relocation. During the inquisition the main cloister and the sacristy, chapterhouse, cells, prison, garden, and orchard are mentioned on various occasions.

⁹ On Hugh IV, see C. Schabel, "Hugh the Just: The Further Rehabilitation of King Hugh IV Lusignan of Cyprus," *EKEE* 30 (2004), pp. 123-152, esp. 126-128. On Bequini, Palude, and Cyprus, see *Joannis Papae XXII (1316-1334) Litterae Communes*, ed. G. Mollat (BEFAR), Paris 1904-1947, no. 41068 (2 May 1328), to Bequini, "Nicosiae commoranti"; Etienne de Lusignan (C.D. Cobham, *Excerpta Cypria. Materials for a History of Cyprus*, Cambridge 1908, p. 120), reporting that the Dominican patriarchs lived in the Nicosia convent, although this merely refers to Bequini and Palude; L. de Mas Latrie, "Les patriarches latins de Jérusalem," *Revue de l'Orient latin* 1 (1893), pp. 16-41; J. Dunbabin, *A Hound of God. Pierre de la Palud and the Fourteenth-Century Church*, Oxford 1991; C. Schabel, "Elias of Nabinaux, Archbishop of Nicosia, and the Intellectual History of Later Medieval Cyprus," *Cahiers de l'Institut du Moyen-Age grec et latin* 68 (1998), pp. 35-52 (Elias de Nabinaux, who succeeded John of Conti as archbishop, was another Parisian master of theology; although a Franciscan, he helped Pope John against rebel friars such as Francis of Marchia); W. Duba, "The Afterlife in Medieval Frankish Cyprus," *EKEE* 26 (2000), pp. 167-194; C. Schabel, /R.L. Friedman, and I. Balcoyiannopoulou, "Peter of Palude and the Parisian Reaction to Durand of St. Pourçain on Foreknowledge and Future Contingents," *AFP* 71 (2001), pp. 183-300.

¹⁰ Cobham, *Excerpta Cypria*, pp. 26 (Martoni), 43-44 (Faber), 120 (Etienne de Lusignan). It should be noted that the convent also possessed certain relics: *Excerpta Cypria Nova*, ed. G. Grivaud, Nicosia 1990, no. 37, p. 129 (Lengherand, from 1486).

There are many references to the two levels of the conventual buildings: a prisoner was transferred "de loco superiori ad inferiorem" [§150 in the edition below], the nuncios had a room below the roof [§§25, 36] and descended to the chapterhouse [§168], and the tailor in his workroom went to the cloister roof upon hearing some commotion [§188]. The infirmary is also cited numerous times [e.g., §§31, 36, 58, 168], and perhaps it contained the small cloister mentioned in 1394. Likewise, the church, with its choir, had been built and King Hugh IV was already frequenting services.

Etienne de Lusignan claims that the convent had eighty friars in its heyday,¹¹ which would correspond to the time of the inquisition. In the inquisition record approximately thirty residents of the convent are mentioned by name – from Ancona, Cyprus, Gascony, Savoy, England, Rieti, Poitou, Aragon, etc. – and there were many more. Although Patriarch Peter of Palude was given the administration of the Church of Limassol, one of Nicosia's suffragan sees, he preferred to live in the capital in his Order's convent, to be near the center of political and ecclesiastical power. When Peter arrived on Cyprus, he was accompanied by six learned Dominicans and his regular household, which no doubt increased in size. For example, Peter was allowed to make six notaries in Cyprus.¹² With the administration of the Holy Land province housed at the convent, various Dominican missionaries stopping on their way to the East, and the numerous servants required to run the institution, the Dominican house in Nicosia may have accommodated over one hundred people when the events of late 1329 began to unfold.

The Events of 1329-1330

In 1329, then, the Nicosia convent of the Dominicans was at the height of its glory. The Kingdom of Cyprus was at its zenith, after the influx of refugees from the Latin East following the fall of Acre and other crusader cities by 1291, enjoying the tremendous prosperity that resulted from the Cypriot exploitation of the papal ban on direct trade with the Muslims. Soon that ban would be relaxed entirely, the Black Death would weaken the island, and invasions from Genoa

¹¹ Lusignan, *Description*, f. 90v.

¹² *Joannis Papae XXII (1316-1334) Litterae Communes*, nos. 45465 and 52712; Dunbabin, *A Hound of God*, p. 165.

and Egypt would deal further blows. Hugh IV, perhaps the greatest of the Lusignan dynasty that ruled from 1192 to 1489, was the Dominicans' strongest supporter, and famous Dominicans were passing through as well.¹³

Using the inquisition record, papal letters, and other sources, we can attempt to reconstruct what happened in late 1329 and early 1330.¹⁴ Having received their assignment in 1327, by 26 May 1328, Peter de Manso, canon of Nicosia, and the Dominican Arnald de Fabricis (Fabrégues in the vernacular) were in Cyprus acting as papal nuncios, dealing with an issue involving the bishop of Famagusta and the Greek monks of the monastery of St Catherine of Mt Sinai, concerning the chapels of La Cava and St Catherine near Famagusta [41388]. Peter de Manso settled in a house in Nicosia, whilst his associate, Arnald de Fabricis, took up residence in the convent of the Order of Friars Preacher in Nicosia. Peter de Manso had been given an expectant canonry in Nicosia Cathedral on 15 May 1327 [28736], not to be confused with the Peter Mansel given an expectant benefice in Nicosia on 10 April 1323 [17170], but whether he was resident in Cyprus at that time is unknown. In 1328 Pope John XXII assigned to nuncios Peter de Manso and Arnald de Fabricis the business of the establishment of two new houses of Augustinian Hermits, presumably in Famagusta and Limassol, since Nicosia already had its convent [41573]. On 1 August of that year Peter de Manso was described as dean of Paphos when the pope told him and Arnald to investigate a matter concerning the important Benedictine abbey of Stavrovouni, about a day's journey to the south of Nicosia [42057]. By the time of the inquisition and perhaps by December 1329 [§31], Peter was also cantor of Burgos in Spain, and with that title in 1331 he and Arnald were involved in an issue concerning the wealthy Cistercian abbey of Beaulieu, just outside Nicosia [52555]. By late 1332, Peter and Arnald were no longer nuncios in Outremer [59059], and Peter, at least, died sometime between 18 April and 6 August 1333.¹⁵

¹³ For the general history of Frankish Cyprus, see G. Hill, *A History of Cyprus*, 4 vols., Cambridge 1940-1952, vols. II-III; P.W. Edbury, *The Kingdom of Cyprus and the Crusades, 1191-1374*, Cambridge 1991; and A. Nicolaou-Konnari and C. Schabel, eds., *Cyprus - Society and Culture 1191-1374*, Leiden 2005.

¹⁴ In what follows, we shall refer in square brackets to paragraph numbers in the inquisition record below and to the five-number digits of the letters of Pope John XXII summarized in *Joannis Papae XXII (1316-1334) Litterae Communes*.

¹⁵ Richard, "Comment," p. 54, calls him "dean of Burgos," meaning "Badajoz": see Richard, *Chypre*, pp. 35 and 41, p. 33 for the 1327 assignment. Peter de Manso received a benefice in Burgos Cathedral in September 1328 [42829], and he is

Meanwhile, James de Farges was serving as prior provincial of the Dominican province of the Holy Land following his election, probably replacing the vicar Anselm de Silvano, from the province of Lombardy, who had been appointed by the Dominican General Chapter of 1325 after the removal of the previous prior provincial. Then, at the General Chapter of 1329, James de Farges in turn was removed from duty and Peter de Castro was appointed vicar general until the election and confirmation of the new provincial.¹⁶ According to various depositions at the inquisition, Peter de Castro and the Dominican defensor, on the advice of prudent Dominicans, sentenced and imprisoned James for his many "demerita," "excessus," and "culpa" against the rules of the Order, although we do not know if this was related to James' removal from office [§§8, 25, 31, 127].

On some unspecified date in early or mid-December 1329, in the morning before breakfast, Peter de Manso and Arnald de Fabricis descended from Arnald's room high up in the convent down to the chapterhouse, where they had a notary ring the usual bell to summon the friars to the chapter. When the friars had gathered there, the nuncios asked the vicar, Peter de Castro, and the prior of Nicosia, Thomas de Marchia, to release James de Farges from prison and to bring him before them because they wanted to question him on some affairs [§§31, 36, 75, 111, 168], which we are later told had some connection with a papal decree "De Falsariis," probably involving forged papal letters [§127]. When this did not work, the nuncios ordered that this be done in the name of the pope [§§31, 111].

We are not told any other details about the nature of their inquiry, nor do we know for what crimes exactly James de Farges was incarcerated. Although there is no direct evidence, perhaps it is connected to a quarrel involving Famagusta. On 14 October 1328 [43118, 43119], Pope John XXII wrote to Arnald and Peter de Manso (here dean of "Pacen.," i.e., Badajoz in Spain), ordering them to restore to the newly installed Bishop Mark of Famagusta and Tortosa a list of items: slaves that were cultivating and working the lands of the Church of Famagusta, whom Mark and his predecessor,

variously described as precentor [43135], cantor [52555; 59059], and canon [60095] of Burgos down to April 1333. On 6 August of that year, following his death, his canonry, prebend, and position of cantor were assigned to someone else [60916]. Peter de Manso also had a claim to a canonry and prebend in Famagusta, which were reassigned in September 1333 [61383].

¹⁶ *Acta capitulorum generalium ordinis praedicatorum*, ed. B.M. Reichert, 9 vols., Rome 1898-1904, vol. II, pp. 159-160 and 192.

Baldwin, had acquired, in addition to camels, cart horses, and pack horses, without which that church could not function; arms for the defense of that church and the city of Famagusta, which Baldwin and his predecessors had recuperated from people who were detaining them; seven copes and some ornaments that Mark had had made for the service of that church out of some gold cloths found among the goods of Baldwin, which had been used in that church for a long time; and several books and other movable and immovable goods that had been Baldwin's. Peter de Manso and Arnald had sequestered all of these things, to the detriment of that church. Since we learn from another letter of the same date [43122] that Bishop Mark was actually a Dominican master of theology, we at least know that the nuncios were in a conflict involving an important local Dominican.¹⁷

This was not the only time the nuncios were involved in the property of Dominican theologians, however. Peter of Palude was made patriarch of Jerusalem on 27 March 1329, following the death of his confrere Raymond Bequini in Cyprus [44849], succeeding the latter also as administrator of Limassol [44850; §6]. Palude arrived in Cyprus when the struggle between Peter de Castro and Arnald de Fabricis had already begun,¹⁸ but on 12 June 1329, even before Palude set off for the island, the pope ordered the Dominican archbishop of Nicosia and the Dominican bishop of Famagusta to support the Dominican Palude against the nuncios Peter de Manso and the Dominican Arnald de Fabricis, since they had seized various things of the late Dominican Raymond, including *casalia* – villages [45362].¹⁹ So when the nuncios went to the Dominican chapterhouse that December morning demanding the release of James de Farges for questioning, it is possible that a Dominican dispute over forged papal letters dealing with property and money was connected.

Peter de Castro, the vicar, and Thomas de Marchia, the prior, replied that they were not obliged "prima facie" to obey the nuncios, because they were immediate subjects of the Apostolic See and exempt from the nuncios' jurisdiction. They would only obey if the nuncios showed them an apostolic privilege proving that they had the authority to order the prisoner's release. The nuncios answered that the vicar

¹⁷ In another letter the nuncios were told to defend Mark against the Dominican Archbishop John of Nicosia in a case over tithe collection [43120].

¹⁸ Dunbabin, *A Hound of God*, p. 168.

¹⁹ Other documents concern the accounts of a former nuncio, Bishop Gerard of Paphos: Richard, *Chypre*, pp. 33-49; [43135, 43136, 46250].

and prior were obliged to release James, and they read a document that stated that they must do so in all obedience and on pain of excommunication. The vicar asked the nuncios for a copy of the document and asked the notary Francis de Saixedo to put it in public form, but the nuncios refused. For their part, the nuncios apparently ordered the notary to draw up a document recording the refusal of the vicar and prior to release James de Farges. An acrimonious argument between the two sides ensued, during which the nuncios had the notary read some articles against the vicar [§§10, 31, 132].

Eventually Peter de Castro is said to have told the nuncios, "I will deliberate and answer you presently," ordering the friars in the chapterhouse to follow him into the church by virtue of obedience. The nuncios, in contrast, told the friars not to follow Peter de Castro and tried to stop them. Some of the Dominicans followed the vicar and the others remained with the nuncios, among them Robert the Englishman, Geoffrey of Poitiers, Peter of Aragon, Peter of Montegrosso, and Robert of Saint-Denis [§§31, 36, 75, 111, 132].

When Peter de Castro returned, he found that the nuncios had not waited for him. Instead Peter de Manso and Arnald de Fabricis went searching for the lay brother John of Savoy in order to get the key to the prison, ordering the friars with them to accompany them [§36, 75]. According to John of Savoy himself, the nuncios asked and then ordered him to hand over the key on behalf of the pope and on pain of excommunication. John did not dare, but eventually he raised his hands and replied: "Here's the key, but I don't dare give it to you." Then Arnald reached out and grabbed John's belt, taking the key by force from the string attached to the belt [§§31, 36, 57, 75, 111-112, 209].

With the key in their possession, the nuncios proceeded to the prison in the company of their associates, among them two notaries, Master Raymond and Master Arnald, whom the nuncios ordered to open the door. One of the notaries called to James de Farges to come out, and the group then led him to the infirmary, probably nearby, and gave him meat to eat, without the permission of the vicar and the prior [§§31, 36, 57-58, 112, 132, 168, 209]. Immediately upon his release James de Farges apparently announced his intention to appeal to the pope and asked Master Raymond to draw up the document [§123]. Then in the infirmary James de Farges stood talking with the nuncios while the notary was writing the appeal. Afterwards James read aloud the charter of his appeal near the infirmary door, in the presence of the nuncios, the two notaries, and some friars and servants of the house [§§58, 165, 168-169, 224-225, 239].

One of the charges against Peter de Castro later on was that he had disregarded this appeal. Thus in the inquisition there was some question about whether Peter de Castro ever learned of the appeal, officially or unofficially. Half of the witnesses, including Peter himself, claimed to have known nothing at all about it [§§29, 34, 42, 72, 107, 185, 205, 248, 258]. Others heard it from others, sometimes second hand, almost always without naming names [§§89, 149, 165, 239]. Donnino of Parma heard it from the nuncios and via some Dominican associates of the archbishop, who said that they had heard it from other friars [§240]. In Robert of Saint-Denis' cell, perhaps the same day, James told Robert and Simon de Vienna that he had appealed [§273]. John of Savoy declared that he had heard and witnessed the appeal himself, however, claiming that fifteen days later he heard some friars telling James de Farges: "Revoke it! Revoke the appeal, because the vicar will show you mercy." This he did in the presence of the former vicar Anselm de Silvano and others, and this revocation was known indirectly to two other witnesses. Richard the Englishman, perhaps the same as Robert, asserted that he heard from friars whose names he could not recall that Peter de Castro actually brought James down from his place of incarceration above to revoke the appeal [§§89, 123, 150]. The Greek servant Carnavabus suspiciously gives the most information: the notaries, Masters Raymond and Arnald, told him that James de Farges was appealing, something he later "saw" in Arnald's room, and he heard both nuncios ordering the notaries to inform Peter de Castro about the appeal. Carnavabus also stated that the notaries went to the chapter to announce it to the vicar, although he did not witness this [§225-227].

From the infirmary the nuncios escorted James de Farges to Arnald de Fabricis' room on the upper level, below the roof of the convent [§§25, 58, 75]. Richard the Englishman claims that James spent the night in Arnald de Fabricis' room, although this probably means just the evening on which the below events occurred [§131].

Several attempts were made to secure the return of James de Farges. Peter de Castro appears to have first sent Thomas de Marchia, the prior, to Arnald de Fabricis' room to demand that they hand over James de Farges, but the nuncios refused [§§31, 36]. At some point the vicar and the friars had a meeting about how to respond to what they considered the violence done to the Order and themselves. They decided to go to King Hugh to ask for secular assistance. The vicar, the prior, and other friars went to the king and told him what had happened, showing him a privilege by which they could ask for secular assistance when necessary and requesting his help against

the nuncios. The king, wishing to observe the privileges granted to them by the Apostolic See, agreed [§31, 36]. Meanwhile the nuncios told Arnald the porter that if Peter de Castro came back to the convent, the porter should tell the vicar to come speak with the nuncios [§168].

The vicar returned to the convent in the evening after Complines, accompanied by some well-armed sergeants whom the vicar left in the cloister. The vicar sent various friars up to Arnald de Fabricis' room to ask and warn the nuncios to return James de Farges, who was supposed to come to the chapterhouse, but to no avail. Prior Thomas went to Arnald's room a second time with the older friars and repeated the demand, but again they refused, claiming that they had to question James on the pope's behalf on matters pertaining to a papal decree "De falsariis," after which – according to Richard the Englishman, who was generally opposed to Peter de Castro – they would return him. The vicar was not satisfied and went in person with other friars to the room and demanded the same thing. He is said to have gone in person more than four times, in fact. The nuncios replied that he was not their superior and that they were not obliged to obey him. The vicar also discovered that the door of the room was locked [§§25, 31, 36, 55, 75, 92, 110, 127, 153, 169, 188, 261, 265].

Finally, the angry vicar and other friars – among them Thomas de Marchia, Richard the Englishman, Simon de Vienna, the lay brother Francis of Cyprus, and the bishop of Santorini – went to the room to repeat the demand, accompanied by the armed men. The Greek servant Carnavabus, who was inside the room at the time, colorfully related that Thomas de Marchia (here called "of Ancona") said, "Open the door!" Arnald de Fabricis replied, "I will not open the door, because I don't know who those men are." The nuncio continued: "I demand on behalf of the pope and the king of Cyprus that you not break down the door, because the treasury, documents, and goods of our lord pope are here." Witnesses claimed that the room contained money, baskets, cases, the furniture of the nuncios, silver goblets and pots, books, and paper documents (perhaps protests and appeals, thought Simon de Vienna). ("When asked how he knew that they were the lord pope's goods, [Carnavabus] replied: 'Because what Friar Preacher, unless he's a prelate, has so many denarii and so much money?'" [§214].) Besides Arnald de Fabricis himself, James de Farges, and Peter de Manso, who was staying there that night, in the room at the time were the servants Carnavabus and Johanninus (= Greek Ioannakis?), three notaries – Master Raymond, Master Arnald, and apparently John Calhaferius – and Peter de Manso's

nephew, who may have been a notary himself [§§115, 127, 136, 155, 170-171, 174, 188-189, 208, 213, 263, 266].

While the vicar was talking with Arnald de Fabricis, who was inside and replying through the door, the armed sergeants asked: "Shall we go?" and the vicar replied: "Yes." (According to Richard the Englishman, who was present but appears unsympathetic to the vicar, some friars pleaded with Peter de Castro not to break in, fearing that it would create a scandal.) The sergeants broke the door and forced entry into the room violently and with hostility. Turmoil! The armed men unsheathed their swords while entering the room, because they mistakenly thought that other armed men were in the room who would attack them, but they struck no one. With weapons in their hands they grabbed Arnald de Fabricis and Peter de Manso, not knowing who James de Farges was. When Peter de Castro entered, according to the Greek Carnavabus, James read a charter he had in his hand, in the presence of the vicar, the bishop of Santorini, and Thomas de Marchia, and said, "I have made my appeal to the Lord Pope." Thomas de Marchia said to the armed men: "He's not one of them," or: "Don't seize Brother Arnald – because he's not the one, but seize that one," indicating James de Farges, and they let the nuncios go. Although Peter de Castro asserted that they did not lay a hand on James de Farges, the porter Arnald saw that four or five armed men took James by the head, legs, and arms, dragged him out of the room, and led him back to prison in a different, much less comfortable room (although Richard the Englishman said it was the same room as before) [§§25, 36, 55-56, 110, 127, 130, 157, 169, 208, 211, 215, 261, 273]. The witnesses agreed that this was done without damaging the goods and documents that were in Arnald de Fabricis' room and without physically harming James de Farges or the nuncios. Some emphasized that the vicar's intent was not to offend the nuncios, but only to return James to prison [§§31, 36-37, 56, 59, 77].

The following day Arnald de Fabricis left the convent and went to the house of the Hospitallers in Nicosia, arranging for all the contents of his room in the Dominican convent to be transported to the Hospitallers [§§25, 32, 38]. During Arnald's absence, which lasted several days, Peter de Castro made various attempts to get Arnald to come to obedience. He sent Thomas de Marchia and John *Ministralis* to the Hospitallers, and Thomas asked Arnald, by virtue of obedience, both as the vicar's nuncio and as prior of the convent, to return to the vicar's and his obedience, because if he did that, the vicar would show him mercy and they would be friends and in peace. Arnald replied that he would not go to the vicar, because as a papal nuncio

he was exempt from Peter de Castro's jurisdiction and not obliged to obey due to a certain papal constitution that he had written down in a small book. He read the text to Thomas, who said that it began with "Extravagantem." According to one witness, it is doubtful that the booklet contained the entire constitution, but only the beginning, because Arnald later asked Bishop Gerard of Paphos for the full text. At any rate, Thomas reported back to the vicar, without Arnald. After various such warnings, Peter de Castro, it seems, promulgated sentences of excommunication against Arnald for his actions and his contempt [§§27, 32, 38, 63, 272].

Eventually, in the morning of the day after Christmas, 26 December 1329, i.e., St Stephen's day, Arnald de Fabricis went voluntarily to the convent of the Friars Preacher and entered the church while Mass was taking place. (The tailor, William Zamboni, said that Arnald came with the king and the master of the Hospitallers [§194], but this seems unlikely.) The king was present in the choir at the time, and Arnald entered the choir, greeted the king, knelt before him, and begged him to intercede on his behalf with the vicar and friars in order to obtain mercy and forgiveness for his actions against the Order. The king told Arnald: "Go to the obedience of your Order." Then the vicar, having spoken with the king briefly, asked John *Ministralis* to accompany Arnald de Fabricis to the sacristy and stay with him until the end of Mass. The vicar then sent the lay brothers Francis of Cyprus and John of Savoy to guard the nuncio in the sacristy, with John at the door. In the sacristy Arnald spoke at length with Simon de Vienna. After Mass the king summoned the vicar and the older friars of the convent and, in the presence of Arnald, he asked them for his own sake to show leniency, mercy, and justice to Arnald, saving the Order's correction and discipline. Then the king departed [§§27, 32, 38, 63, 82, 98, 118, 138, 158, 177, 194, 219, 251, 267].

If the convent had the usual layout, the sacristy would have been close to the choir, between the choir and the chapterhouse off the cloister. In answer to the king's pleas, the vicar and the older friars led Arnald de Fabricis to the chapterhouse, summoning the others with the customary bell. At first Arnald probably protested his exemption, saying, "You don't have power over me!" Eventually, however, Arnald "voluntarily" submitted, orally and in writing in his own hand, to the vicar and the Order, acknowledging that he had committed offenses contrary to the rules of the Order and asking for mercy, stating: "Whatever I did, I did of my own accord and not on behalf of the pope." The vicar absolved him from the sentences of

excommunication that he had incurred for his faults and offenses [§§27, 32, 38, 98, 147, 245, 256, 272].

Peter de Castro then ordered that some constitutions of the Order be read in the presence of Arnald and the chapter, according to which, due to his faults and offenses, Arnald deserved imprisonment. Arnald was thus sentenced to imprisonment in the presence of the chapter, and the vicar asked the notary Mark of Parma to draw up a public document with the sentence against Arnald, who was condemned as a rebel, a fugitive, and a disobebient friar. On the advice of prudent friars and in reply to the prayers of the king, however, the vicar, out of reverence for the pope and the Apostolic See, did not carry out the sentence, but out of mercy he instead ordered that Arnald be placed in one of the most beautiful and spacious rooms of the entire convent, although it was strong and had been employed to incarcerate friars before, namely Peter Vitalis and James de Farges himself. The room had been built for the king, and the Dominican Archbishop John of Conti used to stay in the room when he visited. John of Savoy and Robert the Englishman escorted Arnald to his place of confinement [§§27, 32, 39, 63, 67, 82, 104, 117-118, 145, 196, 221, 235-236, 244-247].

The vicar said that Arnald should stay in the room until he ordered otherwise. The witnesses agreed that Arnald's confinement was only harsh in the sense that he could not leave without the vicar's and convent's permission, and to that extent the nuncio's work on behalf of the pope was impeded [§§116, 135]. Other prisoners were certainly treated more harshly by comparison, and Arnald was not put in irons or other devices. For Arnald things were generally comfortable: the room was nice and he had no restrictions on food or drink. Indeed, he ate and drank whatever he wanted, including fish, meat, eggs, hens, roosters, and good "Maroa wine." He was able to go to the infirmary when needed, but otherwise he could only stroll in the yard of the convent and in "the place of the friars" with permission and under guard. Thus he was sometimes seen in the infirmary and in the convent's garden [§§27, 40-41, 63, 82, 84, 88, 103, 105, 122, 143-144, 160, 181, 183].

While Arnald de Fabricis was incarcerated, Donnino of Parma and Baldo Spinola came to the convent on business for the king of Armenia and found that Arnald was being kept in a separate place. Baldo Spinola, procurator of the king of Armenia, asked Arnald about the execution of an affair that was entrusted to the nuncio by the Apostolic See. Arnald replied that he could not execute it because he could not leave the room in which he had been unjustly imprisoned.

The vicar, who was present, retorted that Arnald was not confined without reason and unjustly, but on account of his faults. At the episode Anselm de Silvano and possibly Thomas de Marchia were also present [§§232, 234].

For the first four or five days, friars such as Simon de Vienna and Arnald the porter could visit Arnald de Fabricis freely. One day, however, many seculars came wanting to enter the room to speak with Arnald. The vicar feared another scandal and ordered that the door be locked so no one would be allowed entry. When they left he ordered the room opened again, but a guard was placed at the door to prevent further interaction. The vicar then forbade Arnald from having conversations with anyone without his permission, and the residents of the convent were kept away. Thus when some pilgrims came for absolution – perhaps for visiting the Holy Land without license – Arnald could not speak to them [§§27, 63, 65, 85, 122, 160, 182, 201-202, 223, 267].

At this point the room was kept locked at night, but it was open during the daytime, although the door was guarded by lay brothers at all times. It seems that John of Savoy was first posted there, giving the key to Peter de Castro when the door was locked. Later Bertolino of Rieti replaced John of Savoy. The lay brother Alegrinus remarked that he took their place when they wanted to attend services. Peter de Castro allowed Arnald to have two friars of his choice who stayed with him day and night (perhaps not at the same time), namely Elias and Raymond Saraceni, the subprior at the time [§§27, 32, 39-40, 63, 82, 102, 117, 119, 141-142, 159, 162, 178-179, 219, 253, 267-268].

Eventually Hugh IV asked Peter de Castro to release Arnald to carry out papal business, and the king even had a public document drawn up with the details of his request. The vicar reported this to the chapter and left the decision to the *maiores* of the Order. After fifteen days or more in confinement,²⁰ out of reverence for the Apostolic See and due to the prayers of the king and prelates, Arnald was thus released. The vicar said to the nuncio: "I release you so you can execute the affairs that you have to do, but I do not remit your penance." Arnald replied: "Then I am still in prison" [§§27, 32, 41, 121, 145, 257].

²⁰ Most said "some days" very vaguely, but one witness said ten days [§103], which could be interpreted as the time after security was tightened. Bertolino of Rieti remarked that it *seemed to him to be* "usque ad unum mensem" [§164], but this is hard to understand.

The Inquisition

Arnald de Fabricis was released around the middle of January 1330. Pope John XXII had been informed of the events by 12 May 1330, for on that day he wrote to Peter of Palude, patriarch of Jerusalem, and Bishop Mark of Famagusta and Tortosa,²¹ ordering them to investigate Peter de Castro's alleged crimes and, if the accusations were true, to cite Peter de Castro to appear before the pope within four months of his citation. The pope's letter is included twice in the inquisition record [§§47-51, 283-287]. It is possible that Arnald de Fabricis himself or Peter de Manso had informed the pope, but the presence of factual errors in the papal letter might suggest that there was another source. Given the length of the journey from Avignon to Nicosia, the letter probably arrived sometime in late June or early July. Aside from a mission to Cairo in April, Palude seems to have been in Cyprus from January to September.²² Having received their instructions, the patriarch and bishop first went to the scene of the crime, so to speak, the Dominican convent [§280], and by the end of August they had decided to conduct an inquisition, first summoning Peter de Castro, who first appeared on 27 August. The inquisition was concluded on 25 October.

The first phase of the inquisition began at the Dominican convent with Patriarch Peter and Bishop Mark presiding, with the public notary by papal authority William Clavel, a cleric of Lyons, recording the proceedings [§2]. On the first day of the inquisition the defendant, Peter de Castro, appeared before the court and requested time to prepare exceptions to the accusations against him. The inquisitors, or judge-delegates, as they are called alternatively, granted him three days [§3]. Accordingly, on 30 August Peter de Castro reappeared in court. He asked the court to assign him a lawyer, specifically requesting Geoffrey Spancota (more often called Spanzota) of Milan. According to papal letters, by 1330 Spanzota was a canon of Famagusta and Nicosia and a master of canon and civil law, whose career in Cypriot ecclesiastical affairs spanned from 1325, when he received an expectant canonry in Famagusta, to at least 1353, when he was archdeacon of Famagusta and official of the

²¹ Bishop Mark was a prominent figure in Cypriot affairs from his appointment in 1328 to his death in 1346.

²² Dunbabin, *A Hound of God*, p. 170.

Church of Nicosia.²³ The judges ordered Spanzota to represent the vicar on pain of excommunication and he obeyed, although not voluntarily [§4].

Using the letter of Pope John XXII, Palude and Bishop Mark drew up three articles. First, Peter de Castro was accused of (a) going in a hostile manner to the house that the two papal nuncios inhabited in Nicosia, (b) invading the house, in which the nuncios were keeping many goods of the Apostolic See, papal letters, and other writings concerning the pope's business, (c) much *molestando* the nuncios, and (d) much disturbing them in the execution of papal business [§24]. The second article was that the vicar had the Dominican nuncio Arnald de Fabricis captured and held in harsh imprisonment, against the constitution of the Apostolic See that warns that no one can exercise any jurisdiction over papal nuncios, not even an inquisitor of heresy [§26]. Third, Peter de Castro was charged with ignoring and holding in contempt the appeals that the former Dominican prior provincial James de Farges made to the pope against the vicar and with having him captured and held in harsh imprisonment [§28].

Then Peter de Castro proposed his exceptions to the charges as contained in John XXII's letter, denying every accusation against him, although he was vague about the charge of his imprisoning Arnald de Fabricis [§6]. Specifically, claiming that the pope had been misinformed, the vicar denied having entered accompanied with armed or unarmed men any *house* in Nicosia in which the nuncios – Arnald de Fabricis and Peter de Manso – were residing. He even argued that it would have been impossible to do such a thing in the town of Nicosia without being noticed and without causing a great scandal, because the city was the royal capital. It appears that the vicar's denial was based in part on a technicality: he pointed out that the nuncios were never *residing* at any *house together* [§7]!

Moreover, Peter de Castro denied that he had obstructed the nuncios in the execution of papal business or their own affairs, nor

²³ He received various benefices in John XXII's letters: 23562 (13 Oct. 1325); 28736: "of Milan"; 29106, 30526, 41546-7; 44284 (8 Feb. 1329): *Master Geoffrey de Spanzota*, canon of Famagusta; 45473 (20 June 1329): canon of Nicosia; 54117; 61051 (23 Aug. 1333): *jurisperitus*. In local documents, in *The Synodicum Nicosiense and Other Documents of the Latin Church of Cyprus, 1196-1373*, ed. and trans. C. Schabel, Nicosia 2001, no. L.14 (1340), he is archdeacon and canon of Famagusta, and in the *Cartulary*, nos. 108a (7 May 1326), vicar of the church of Limassol and "*utriusque iuris peritus*," and 130 (18 May 1353), still archdeacon of Famagusta and now also official of Nicosia.

had he persecuted them with hatred. Avoiding the subject of Arnald's incarceration, the vicar explained that whatever he did do with respect to the nuncios was part of his duties as provincial vicar, because the nuncios committed violations against the Dominican Order, especially when they released James de Farges from prison. In this case he explained that he did it in order to defend the rights of the friars and the Order [§8]. Furthermore, he denied that he had incarcerated James de Farges after the latter had appealed to the pope, since he claimed that James had never made any appeal [§9]. Finally, the vicar accused the nuncios of violating the rights of the Order by having the chapterhouse bell rung to summon the friars, releasing a prisoner, and creating a schism among the friars of the convent. According to Peter de Castro, the nuncios committed these offenses in the name of the pope. The vicar suggested that the nuncios should be accused of these crimes [§10].

Having heard the vicar's exceptions, the judges ordered the nuncios to reply [§12]. Thus, on 31 August or 1 September Peter de Manso and Arnald de Fabricis appeared in court and declared that they had no intention in participating in the inquisition. [§13]. Then on 6 September the judge inquisitors gave a deadline of eight days to Friar James Gascon, Peter de Castro's procurator, to prove the vicar's exceptions [§14].

On 11 September, in a letter drawn up in the Dominican convent [§289], Peter of Palude delegated his role to a Franciscan, Bishop Matthew of Beirut, who no doubt was living in exile in Cyprus [§281].²⁴ The patriarch explained that the pope had recalled him to the West and the papal curia on important business, and so Bishop Matthew would act as subdelegate [§288]. This change caused some delay, and the second phase of the inquisition – the interrogations – only began on 26 September. By then Bishops Mark and Matthew had Francis de Saixedo (son of the late Artuxius de Saixedo of Vicenza), notary by imperial authority, replace William Clavel, who may have been one of Palude's notaries. Francis remained the scribe for the remainder of the inquisition, drawing up the document that has come down to us [§§1, 15].

On Wednesday, 26 September, probably meeting in Mark's house, Bishops Mark and Matthew appointed Balian de Glòria, subdeacon of Famagusta, as summoner, ordering him "to go to the place of the

²⁴ According to a papal letter (60780), Matthew was still bishop of Beirut on 24 July 1333.

friars Preacher" and cite Peter de Castro to appear before them the following Monday evening [§§16-17]. Accordingly, on 1 October Balian informed the judges that he had gone and summoned the vicar, and that evening Peter de Castro did appear before the court. The inquisitors asked him to reappear in court on Wednesday to hear what they wanted to state and to proceed with the inquisition [§§18-19]. Ultimately Peter de Castro appeared before the judges four times in this phase. The second was on 3 October, when he was asked to reappear on Friday, because Matthew was absent and Mark was busy with other affairs [§20]. Therefore on the evening of 5 October he appeared for the third time before the court, "in the place of the Friars Preacher of Nicosia" [cf. §290]. The judges asked him whether he wanted to proceed to the inquisition and if he was ready to reply to the accusations against him, and Peter de Castro answered affirmatively. Then the papal letter and the articles of the inquisition were read to him. The vicar requested some time to reflect on his replies and the judges allowed him until the morning of the following day. They had him take an oath that he would speak the plain and pure truth [§21]. Peter de Castro appeared before the judges for the fourth time on 6 October, "in the chapterhouse of the Friars Preacher" [§22].

In his deposition, replying to the three articles per se, Peter de Castro again rejected every accusation against him [§§25, 27, 29]. He repeated the technicality that the nuncios were never living together in a house in Nicosia [§25]. Now forced to address his imprisoning Arnald de Fabricis, the vicar tried to justify his actions as well as he could. Peter de Castro claimed that he never knew about any papal constitution he violated by capturing Arnald and holding him in harsh imprisonment. In any case, the vicar maintained that the Dominican nuncio was not captured, but had willingly submitted and confessed his infractions against his Order. Moreover, the vicar asserted that Arnald was not so much imprisoned harshly as confined in a very nice room without many restrictions [§27].

The interrogations of fifteen other witnesses took place from 8 to 17 October [§§30-274]. Six of these witnesses were friars of the convent, i.e., Thomas de Marchia – no longer prior –, John *Ministralis*, Garcia de Bacharissa, James Gascon, Richard the Englishman, and Simon de Vienna, whether from Vienne or Vienna is unknown. Four lay brothers of the convent also testified: Francis of Cyprus, John of Savoy, Bertolino of Rieti, and Alegrinus. The other five witnesses were the convent's porter Arnald, the convent's tailor William Zamboni, Carnavabus – a Greek servant of the convent (Richard

reads "Carnavalus") –, the knight Donnino of Parma,²⁵ and the notary Mark of Parma, who was in the service of the archbishop of Nicosia.²⁶

Prior to his testimony, each witness took the oath that he would speak the plain and pure truth. Each responded concerning the three articles, although sometimes the witness was questioned many times on details. The Dominican friars were questioned in Latin, but the lay brothers, porter, tailor, and Greek servant had the articles "explained" to them, usually "in the vulgar" tongue [§§54, 152, 167, 187, 207, 249]. Interestingly, John of Savoy is called a lay brother (*conversus*) by the other witnesses [e.g., §31], but he is not described as such as a witness, nor are the articles explained to him in the vernacular [§109]. Perhaps his status had changed during the year. This would certainly be the case with Francis of Cyprus, known locally as Francis of Limassol, who became prior provincial in 1334.²⁷ Although it is not specified that the Greek Carnavabus had things explained to him in the "vulgar" tongue, he must have known French well: if we assume that the friars were speaking mainly French during the events of late 1329 and early 1330, this would explain why Carnavabus was able to provide so much direct discourse in his testimony [§§208, 211, 215].

For the most part, the testimonies only differ on small details attributable to different personal experiences and perspectives or to the loss of memory after so many months. Sometimes the tone that Peter de Castro or Arnald de Fabricis took is described in different ways. One witness, Richard the Englishman, may be the Robert who remained with Arnald de Fabricis in the chapterhouse during the initial confrontation. He might then be viewed as potentially hostile to the vicar, and in fact this is the case. Nevertheless, Richard does not contradict so much as supplement from Arnald's perspective the testimony of the other witnesses [§§126-151].

²⁵ Donnino is famous for being the go-between for King Hugh IV of Cyprus and Giovanni Boccaccio. See Boccaccio, *Genealogia deorum gentilium*, Prohœmium and book IV, ch. 13.

²⁶ By early 1327 to at least early 1340, Mark, son of Rolandinus of Parma, was imperial notary and the public scribe of the archbishop: *Cartulary*, nos. 108b and 109a; *Synodicum Nicosiense*, no. L.VIIIc-d.

²⁷ The 1334 General Chapter replaced the previous prior provincial with Francis of Cyprus (*Acta capitulorum generalium*, ed. Reichert, vol. II, p. 227). He is the Francis of Limassol who was the Dominican prior provincial of the Holy Land in 1340, at which time he knew both Greek and Latin: *Synodicum Nicosiense*, no. L.14. At the 1343 General Chapter the prior provincial, perhaps Francis, was relieved of his duties (*Acta capitulorum generalium*, ed. Reichert, vol. II, p. 290).

Early on during the phase of the interrogations, on 9 October, Bishop Mark of Famagusta and Tortosa left his duties as judge delegate and inquisitor because he had to be away from Nicosia on some taxing business of his own, his church, and the Kingdom of Cyprus. He named as subdelegate James of Saint-Prosper, canon of Nicosia, "experienced in both laws" [§§44-45, 52, 275]. James of Saint-Prosper was canon of Nicosia at least from 1326, and by 1340 he was canon of Limassol and official of Nicosia, learned not only in law but also in the Greek language.²⁸ The letter of subdelegation was drawn up in Bishop Mark's house in Nicosia [§53]. Bishop Mark returned to Nicosia and took up his duties again on 24 October for the third and final phase of the inquisition [§275].

The inquisition ended on 25 October. That day the judges proceeded to the opening and publication of the testimonies. Peter de Castro first reserved the right to oppose the witnesses and their statements at the opportune time and place, asking Francis de Salexedo to draw up a public document to this effect [§276]. Having made public the testimonies, the judges asked the defendant if he wanted to place any objections to the witnesses or their testimonies. If so, the judges would give him a copy of the testimonies and assign him a deadline to propose his objections. Peter de Castro said that he intended to travel to the Apostolic See and appear before the pope as soon as possible in order to set things right, since – as he claimed – the pope had been misinformed. Therefore he did not wish to place his objections before the judges at present, but he repeated that he wanted to reserve his right to object to the witnesses and their testimonies at the time and place he wished [§278].

At that point the judges reviewed the proceedings [§§280, 290] and announced their decision. They found Peter de Castro guilty of two of the three accusations, although even these were much toned down: first, entering with armed men the room of the papal nuncio Arnald de Fabricis, while the other nuncio, Peter de Manso, was present; second, imprisoning the nuncio Arnald. Nothing was said about James de Farges' alleged appeal. Peter de Castro was summoned to appear at the papal curia within four months, and the judges told Francis de Salexedo to draw up a public document recording the citation and requested that those present act as attests [§291]. The vicar replied that he accepted the decision and that it was his intention to travel to the papal curia and appear before the pope as soon as

²⁸ *Cartulary*, nos. 108a and 109; *Synodicum Nicosiense*, no. L.14.

possible. He also informed the judges that he intended to go to Famagusta and the other ports of Cyprus in order to find a ship to embark on his journey. Finally he asked the notary, Francis de Saixedo, to prepare for him a public instrument with his reply [§292].

The attests present that day included Dean Elias of Nicosia, Canon of Nicosia James of Saint Prosper, the lawyer Matthew de Pascalibus, the Franciscan provincial minister Frederick of Monte Vice, the Franciscan Friar John de Campania, and four Carmelites: the prior provincial and lector in theology Bernard Poncii, the prior of the Nicosia convent William Guarda, and Thomas Catelani and William Aimerici [§293].²⁹

The Aftermath

Peter de Castro was replaced as vicar at the 1330 Dominican General Chapter, probably because of the scandal.³⁰ Nevertheless, the inquisition does not seem to have settled the matter. Peter de Castro appears to have persuaded Pope John XXII that things had not been handled correctly in Nicosia. Thus on 1 December 1332 Pope John wrote to the bishop of Nice (? = Nitiensis), ordering him to investigate and inform the pope about the crimes allegedly committed by Peter de Castro against the papal nuncios Peter de Manso and Arnald de Fabricis [59059]. The letter has not been published, so we provide an edition (Reg. Aven. 44, ff. 652v-653r [A]; Reg. Vat. 105, f. 386v, no. MCCLXXXX [V]):

Venerabili fratri .. episcopo Nitiensi, salutem etc.

Ad audienciam nostram pervenit quod Petrus de Castro Ordinis Fratrum Predicatorum olim contra dilectos filios Petrum de Manso cantorem ecclesie Burgensis et Arnaldum de Fabricis eiusdem ordinis, tunc in partibus transmarinis Apostolice Sedis nuncios in regno Cipri existentes, multos excessus et alia quamplura enormia dinoscitur commisisse, ac nonnulla indecentia contra personam nostram – non absque magne temeritatis audacia – protullisse in nostram et Apostolice Sedis iniuriam et contemptum. Nos igitur, nolentes talia que liniam correctionis exposcunt – si veritate nitantur – conniventibus oculis [occulis V] pertransire, ac gerentes de tue circumspectionis industria

²⁹ For Elias and Matthew see *Cartulary*, nos. 109 and 113 respectively. For Thomas and William Guarda (Vicar general in early 1329) see Richard, *Chypre*, pp. 36 and 48.

³⁰ *Acta capitulorum generalium*, ed. Reichert, vol. II, p. 197. William de Cesimano was appointed as the new vicar.

in hiis et aliis fiduciam in Domino specialem, fraternitati tue per apostolica scripta committimus et mandamus quatenus, vocatis qui fuerint evocandi, super premissis omnibus et ea tangentibus inquiras simpliciter et de plano sine strepitu et figura iudicii diligentius veritatem; et quecumque super hiis inveneris fideliter in scriptis redacta nobis per tuas patentes [*inv. V*] litteras aut alia publica documenta harum seriem continencia fideliter referre procures; testes autem qui fuerint nominati, si se gratia, odio, vel timore subtraxerint, per censuram ecclesiasticam, appellatione cessante, compellas veritati testimonium perhibere.

Non obstantibus felicitis recordationis Bonifacii VIII, predecessoris nostri, quibus cavetur ne aliquis extra suam civitatem et diocesim nisi in certis exceptis casibus, et in illis ultra unam dietam a fine sue diocesis, ad iudicium evocetur, et de duabus dietis [A 653r] [*editis del. A*] in Consilio Generali, ac aliis quibuscumque constitutionibus a predecessoribus nostris Romanis pontificibus editis, que tue possent in hac parte iurisdictioni aut potestati [*eis del. A*] eiusque libero exercicio quomodolibet obviare; seu si aliquibus communiter vel divisim a Sede Apostolica sit indultum quod interdici, suspendi, vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem; et qualibet alia dicte sedis indulgentia generali vel speciali, cuiuscumque tenoris existat, per quam presentibus non expressam vel totaliter non insertam tue iurisdictionis explicatio in hac parte possit quomodolibet impediri, et de qua cuiusque toto tenore de verbo ad verbum in nostris litteris habenda sit mentio specialis.

Datum Avinione, Kalendis Decembris, anno septimo decimo [XVII A].

Interestingly enough, in this letter the pope no longer enumerates Peter de Castro's alleged crimes, but rather plays it safe in speaking vaguely of "multi excessus" and "alia quamplura enormia." It appears that the vicar's tactics were only partially successful, for clearly the pope was annoyed at the treatment of his nuncios in Cyprus and ordered another investigation. The case required the pope, the inquisitors, the king, and the vicar to balance their support for the Dominican Order's autonomy against papal prerogatives. The vicar decided in favor of his Order, which he himself represented; the pro-Dominican king had to be cautious; the inquisitors – at the end, one was still a Dominican – were rather lenient; and the pope, while he may have granted Peter de Castro a new hearing, seems to have wanted a stronger verdict. Yet if Peter de Castro managed to stretch the new procedure past John XXII's death in late 1334, he may have got off scot free. Unfortunately, we shall probably never know.

The Edition

Original documents actually produced in Cyprus, Frankish Greece, the Latin East, and even Byzantium are extremely rare in comparison with the West.³¹ The inquisition record mentions notaries frequently, at least five by name, and over fifteen separate documents play a role, including at least eight drawn up during the events. Yet only one remains, along with whatever is incorporated in it. Considering this, we have decided to publish the entire text, strictly following the orthography of the manuscript, adding punctuation, titles, and paragraph numbers for convenience. Notations are standard, and we supply words or letters in angle brackets <...>. We write out the abbreviation for Tortosa as “Antheradensis,” but “An-teradensis” is an alternative.

In all, over fifty people were explicitly involved in the incidents and inquisition. Thus, an index of *Dramatis personae*, in alphabetical order, according to paragraphs, should be useful:

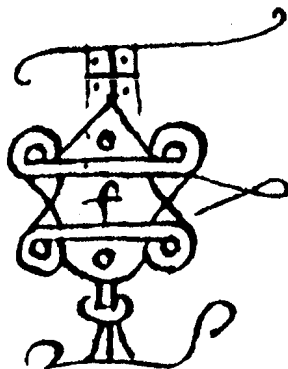
- Alegrinus, OP conversus, witness §§249-59
 Anselm de Silvano, OP, former vicar of province of Holy Land §§123, 234-5
 Arnald de Fabricis, OP, papal nuncio §§6-10, 12-13, 24, 25-7, 31-3, 36-9, 41, 49, 55-9, 61, 63-6, 68-9, 71, 75, 77-8, 81-2, 84, 87-8, 92, 94-6, 98, 99, 101, 103-6, 110-12, 114-18, 120-2, 127, 131-2, 135-6, 138-40, 143-8, 153, 156, 158-61, 163-5, 168-9, 173-5, 177, 179, 181-4, 188-9, 192, 194-5, 197-204, 208-9, 211, 215, 217-20, 222-7, 230, 232-6, 240, 243-4, 251, 254-7, 261-4, 266-7, 271-2, 285, 290-1
 Arnald, master, notary §§224-5, 227, 263, 266 (probably Arnald Bregas of Rieux: Richard, *Chypre*, p. 49, for January 1329)
 Arnald, porter of Nicosia OP convent, witness §§167-86
 Artuxius de Saixedo of Vicenza, late father of Francis de Saixedo §15
 Baldo Spinola, procurator of king of Armenia §232, 234
 Balian de Gloria, subdeacon of Famagusta, summoner §§16-18
 Bernard Poncii, OCarm, lector in theology, prior provincial of Holy Land, attest §293
 Bertolino of Rieti, OP conversus, witness §§119, 152-66
 Carnavabus, Greek servant of Nicosia OP convent, witness §§207-28
 Donnino of Parma, lawyer, witness §§229-40
 Elias Anselm, dean of Nicosia, attest §293.
 Elias, OP §102, 272

³¹ For the situation, see A.D. Beihammer, M.G. Parani, and C.D. Schabel, eds. *Medieval Diplomats in the Eastern Mediterranean 1000-1500*, Leiden 2008, especially the papers by Beihammer and J. Richard.

- Francis de Saixedo of Vicenza, notary public by imperial authority §§1, 15, 276, 291-2
- Francis of Cyprus (or Limassol), OP conversus (future prior provincial), witness §§54-73
- Frederick of Monte Vici, OFM, provincial minister of Holy Land, attest §293
- Garcia de Bacharissa, OP, witness §§74-90
- Geoffrey of Poitiers, OP, attest §§31, 293
- Geoffrey Spanzota of Milan, canon of Nicosia, advocate of Peter de Castro §4
- Gerard of Veyrines, bishop of Paphos, §272
- Hugh IV Lusignan, king of Cyprus (1324-59), §§27, 31, 32, 36, 38, 41, 63, 67, 82, 98, 138, 145, 158, 194, 251, 267
- James de Farges, OP, former prior provincial of Holy Land §§6, 8-9, 25, 28-9, 31, 34, 36-8, 42, 49, 56-9, 72, 75, 77, 79-80, 89, 92, 94, 107, 110-13, 115, 123, 127, 130, 132, 149-50, 153-4, 157, 165, 168-9, 188, 208-9, 211, 215, 221, 224-7, 239-40, 261-2, 266, 273, 285
- James Gascon, OP, Peter de Castro's procurator, witness §§14, 91-108
- James of Saint-Prosper, canon of Nicosia, canon and civil lawyer, judge subdelegate and attest §§44-5, 54, 74, 91, 109, 126, 152, 167, 187, 207, 229, 241, 249, 260, 275, 293
- Johanninus, serf of village for Dominicans (Greek? = Ioannakis?) §266
- John XXII, pope (1316-34), §§2, 6-10, 15, 23-4, 27-9, 32, 41, 45-51, 89, 117, 127, 132, 136, 145, 156, 165, 172, 188, 191, 212, 214, 224, 263, 272, 278, 280-7, 290-2
- John Calhaferius, notary? (= nephew of Peter de Manso?) §266
- John de Campania, OFM, attest §293
- John of Conti, OP, archbishop of Nicosia §§230, 236, 240-1
- John *Ministralis*, OP, witness §§32, 35-43
- John of Savoy, OP conversus at time of events, witness §§31, 36, 57, 63, 109-25, 158-9, 165
- Leo V, king of Armenia (1320-41) §232
- Mark of Parma, notary in service of archbishop of Nicosia, witness §§241-8
- Mark, OP, master of theology, bishop of Famagusta and Tortosa, judge delegate §§1-6, 12-23, 30, 35, 44-5, 47-54, 275-80, 290-1
- Master of Nicosia Hospital of St John of Jerusalem §194
- Matthew de Pascalibus, lawyer, attest §293
- Matthew, OFM, bishop of Beirut, judge subdelegate §§1, 15-23, 30, 35, 54, 74, 91, 109, 126, 152, 167, 187, 207, 229, 241, 249, 260, 276-92
- Nephew of Peter de Manso, notary? (= John Calhaferius?) §170
- Nicolinus of Famagusta, OP, attest §293
- Peter of Aragon, OP §§31
- Peter de Castro, OP, vicar of Dominican province of Holy Land, defendant §§1, 3-5, 7, 11, 17-29, 31-2, 34, 36-9, 42, 49, 55, 59, 63, 72, 75-7, 79, 81-2, 84-5, 92-6, 98-9, 101-2, 110-11, 113, 116-18, 122-

- 3, 127, 129, 132-3, 135, 138, 141, 143-5, 147, 149-50, 153-4, 156, 158, 160, 163, 165, 168-9, 171, 173, 177, 184, 188, 192, 194, 204-5, 208, 210-11, 218-19, 224-7, 230, 232, 234-5, 238, 242-4, 247, 250, 252-3, 257, 261-2, 264, 267, 272-3, 276-80, 285, 290-2
- Peter de Manso, cantor of Burgos, papal nuncio §§6-10, 12-13, 24-5, 31, 36-7, 49, 56-9, 61, 75, 77-8, 81, 92, 95-7, 110-12, 114-16, 127, 131-2, 135-6, 156, 165, 168-9, 173-5, 189, 208-9, 215, 217-18, 224-7, 230, 240, 261-2, 264, 266, 285, 290-1
- Peter of Montegrosso, OP §31
- Peter of Palude, OP, master of theology, patriarch of Jerusalem, judge delegate §§1-6, 12-15, 280-91
- Peter Vitalis, OP §221
- Raymond Saraceni, OP, subprior of Nicosia convent at time of events §§25, 27, 102 (see also Richard *Chypre*, pp. 36 and 48)
- Raymond, master, notary §§ 123, 224-5, 227, 263, 266 (as Raynald in 263 and 266) (probably Raymond Vital of Toulouse: Richard, *Chypre*, pp. 36 and 48, for early 1329)
- Richard the Englishman, OP, witness §§126-51
- Robert the Englishman, OP §§31, 118 (= Richard?)
- Robert of Saint-Denis, OP §§31, 273
- Santorini, bishop of §211
- Simon de Vienna, OP, witness §§260-74
- Thomas Catelani, OCarm, attest §293
- Thomas de Marchia (or Ancona), OP, prior of Nicosia convent at time of events, witness and attest §§25, 30-34, 36, 38, 208, 211, 215, 234, 293
- William Aimerici, OCarm, attest §293
- William Clavel, cleric of Lyons, notary public by papal authority §§1, 2, 15
- William Guarda, OCarm, prior of Nicosia convent, attest §293
- William Zamboni, tailor of Nicosia OP convent, witness §§187-206

THE ACTS OF THE INQUISITION AGAINST PETER DE CASTRO
ASV, Instrumentum Miscellaneum, 4588.



PROLOGUE OF FRANCIS DE SALEXEDO OF VICENZA, NOTARY

[1] In nomine Domini, Amen. Infrascripta acta conscripta sunt per manum Guillielmi Clavelli, Lugdinensis diocesis clerici, notarii publici actorum inquisitionis cepte per venerabiles in Christo patres dominos Petrum, divina providentia patriarcham Ierosolimitanum, et Marchum, permissione divina ecclesiarum Famagustane et Antheradensis episcopum, iudices delegatos seu inquisitores deputatos a Sede Apostolica super certis excessibus commissis, ut dicitur, per fratrem Petrum de Castro, Ordinis Fratrum Predicatorum vicarium in provincia Terre Sancte, videlicet ab anno Domini millesimo trecentesimo trigesimo, die vigesima vii^a mensis Augusti a principio actorum, quod incipit "In Dei nomine, Amen" [§2] usque ad mensem Septembris et diem Mercurii xxvi eiusdem mensis Septembris et usque ad actum illud quod incipit "Die Mercurii" et finit "fideliter adimplere" [§16],¹ transcripta usque illuc et exemplata et in hunc presentem quaternum redacta per me, Franciscum de Salexedo, imperiali auctoritate notarium, de mandato et auctoritate reverendorum in Christo patrum dominorum fratris Marci, permissione divina ecclesiarum Famagustane et Antheradensis episcopi, iudicis delegati predicti, et fratris Mathei, eadem permissione episcopi Beritensis, iudicis subdelegati per venerabilem in Christo patrem et dominum dominum Petrum, patriarcham Ierosolimitanum predictum. Et cetera acta que sequuntur usque ad finem confecta sunt per me, Franciscum de Salexedo, notarium. Quorum quidem actorum tam per predictum Guillelmum notarium quam per me scriptorum tenor per omnia dignoscitur esse talis:

¹ That is, William was the scribe until §14, Francis from § 16.

PHASE I: PRELIMINARIES

PROLOGUE OF WILLIAM CLAVEL, NOTARY, 1330

[2] In Dei nomine, Amen. Infrascripta sunt acta cause inquisitionis cepte ex mandato sanctissimi in Christo patris et domini domini Johannis divina providentia Pape XXII, prout constat per rescriptum domini nostri Summi Pontificis antedicti, per reverendos in Christo patres et dominos dominos Petrum, divina providentia Patriarcham Ierosolimitanum, et Marchum, eadem gratia episcopum Famagustane et Antheradensis ecclesiarum, inquisitores deputatos per dominum nostrum Summum Pontificem memoratum, prout ex forma rescripti colligitur evidenter, conscripta per me, Guilielmum Clavelli, Lugdinensis diocesis clericum,² notarium auctoritate Apostolice Sedis, de mandato et iussione dominorum inquisitorum predictorum, anno Domini millesimo trecentesimo tricesimo, indictione XIII^a, pontificatus sanctissimi in Christo patris et domini nostri domini Johannis divina providentia Pape vicesimisecondi anno quarto-decimo.

PETER DE CASTRO'S FIRST APPEARANCE BEFORE THE COURT: MONDAY, 27 AUGUST

[3] Die Lune XXVII^a Augusti comparuit in iudicio coram reverendis [1v] patribus dominis Petro et Marco, inquisitoribus supradictis, religiosus et honestus vir frater Petrus de Castro, vicarius generalis Ordinis Fratrum Predicatorum in provincia Terre Sancte. Et petiit sibi terminum assignari ad proponendum omnes exceptiones contra rescriptum antedictum. Et dicti domini inquisitores eidem statuerunt terminum trium dierum ad proponendum omnes exceptiones, quascumque proponere, dicere, vel allegare vellet, contra rescriptum et iurisdictionem ipsorum.

PETER DE CASTRO'S SECOND APPEARANCE BEFORE THE COURT: THURSDAY, 30 AUGUST

[4] Die Jovis XXX^a Augusti comparuit predictus frater Petrus vicarius coram predictis dominis inquisitoribus. Et dixit et proposuit quod hucusque advocatum sollicitate perquisivit, quem habere non potuit. Et ideo rogabat instanter predictos dominos inquisitores ut ei darent advocatum, scilicet dominum Goffridinum Spancota, canonicum Nicosiensem, et ipsum cogere deberent ad onus advocationis suscipiendum. Qui domini inquisitores mandaverunt ac expresse preceperunt sub pena excommunicationis quatenus deberet suscipere pro dicto vicario officium advocationis. Qui dominus Goffridinus, volens mandatis dictorum dominorum inquisitorum humiliter obedire, suscepit in se, licet non voluntarie, officium et onus advocationis.

² clericum] clerici MS

PETER DE CASTRO'S EXCEPTIONS: THURSDAY, 30 AUGUST

[5] Eodem die et instanti dictus vicarius obtulit et assignavit in iudicio coram dominis inquisitoribus supradictis exceptiones infrascriptas contra rescriptum. Quarum tenor dignoscitur esse talis:

PRELIMINARIES

[6] In Dei nomine, Amen. Hee sunt exceptiones quas coram vobis reverendis in Christo patribus et dominis dominis Petro, divina providentia patriarcha Ierosolimitano et administratore in spiritualibus et temporalibus Nimociensis ecclesie, et Marcho, eadem providentia Famagustano episcopo, iudicibus a Sede Apostolica deputatis ad informationem suscipiendam super quibusdam excessibus qui ad auditum apostolicum de me, fratre Petro de Castro, provinciali vicario Ordinis Predicatorum in provincia Terre Sancte, dicuntur pervenisse, videlicet cum armatis hominibus accessu hostiliter per me facto – ut asseritur – ad domum in qua habitabant in civitate Nicosiensi domini Petrus de Manso, cantor Burgensis, et frater Arnaldus de Fabricis, sancte Sedis Apostolice nuntii in regno Cipri et partibus transmarinis, et ipsius domus in qua habitabant dicti domini nuntii et nonnulla bona sanctissimi in Christo patris et domini domini nostri Summi Pontificis et Romane Ecclesie, necnon litteras apostolicas et scripta publica et privata tangentia Sedis Apostolice negotia conservabant ac ipsorum dominorum nuntiorum invasione,³ et fratris Arnaldi de Fabricis, nuntii apostolici prefati, in carcere detentione⁴ et relaxationis de carcere coactione,⁵ necnon et fratris Jacobi de Fargis, olim Fratrum Ordinis Predicatorum provincie Terre Sancte provincialis prioris, spre[2r]tis – ut asseritur – et in contemptum deductis appellationibus per ipsum fratrem Jacobum ad sanctissimum in Christo patrem et dominum dominum nostrum Summum Pontificem interpositis, detentione et incarceratione,⁶ super quibus prefatis excessibus idem sanctissimus in Christo pater et dominus dominus noster Summus Pontifex per suorum seriem litterarum vobis reverendis patribus dominis delegatis prefatis et cuilibet vestrum in solidum dicitur commisisse, ut per vos vel alium seu alios super predictis et ea tangentibus informetis, et si premissa vel eorum aliqua repereritis veritate fulciri, quod me personaliter citetis etc., prout plenius et serius in ipsis litteris papalibus seu rescripto dicitur contineri, frater Petrus de Castro, prefatus Ordinis Predicatorum vicarius provincialis in provincia Terre Sancte, proponit,⁷ exhibet, assignat, et deponit in iudicio

³ invasione] invasionem MS (the manuscript switches from ablative to accusative)

⁴ detentione] detentionem MS

⁵ coactione] coactionem MS. Here the text appears confused in that the vicar does not seem to have forcibly released anyone from prison; rather this was the vicar's own counter-charge against Arnald, who has released James.

⁶ detentione et incarceratione] detentionem et incarcerationem MS

⁷ sic MS, which switches back and forth between first and third person singular.

ad defensionem suam super dicta commissione seu commissionibus vobis factis et omnibus aliis que ipsum tangant vel tangere possint in futurum, et informationem vestram, reverendorum patrum in Christo dominorum iudicum delegatorum premissorum, et omnem innocentiam super premissis et quolibet premissorum pro parte sua ostendendam. Et licet, reverendi patres, prout evidenter apparet ex tenore litterarum papalium et rescripti vobis reverendis patribus dominis iudicibus delegatis directorum, opponi posset et deberet per me, fratrem Petrum prefatum de Castro, Ordinis provincie Terre Sancte Fratrum Predicatorum vicarium provinciale prelibatum, tam nomine meo quam nomine tocus Ordinis Fratrum dicte provincie, contra et adversus rescriptum prefatum et litteras papales vobis super premissis et quolibet premissorum directas,⁸ quod nulla fides est dictis litteris seu rescripto adhibenda, quia manifestum continent in constructione peccatum, et est in eis vitium omissionis, dictionum, et orationis, ut apertissime apparet ex tenore ipsarum litterarum et rescripti, ibi cum dicitur: «In quem obsistente» etc. [§§49, 285], tamen, volens ad factum et veritatem facti devenire et innocentiam meam coram vobis reverendis patribus dominis delegatis prefatis super premissis vobis commissis apertissime et evidenter ostendere, solas exceptiones de expressione falsitatis et taciturnitate veritatis, seu de expressionibus falsitatum et taciturnitatibus veritatum et talibus que animum domini nostri Summi Pontificis moverunt ad ea scribenda, concedenda, et vobis committenda – que alias non scripsisset, concessisset, et commisisset, si expressiones falsitatum sanctitati sue suggeste non fuissent et factorum veritates tacite – que exceptiones sunt tales, duxi proponendas:

EXCEPTIONS

[7] In primis quidem dicit, et protestatur, et excipiendo proponit dictus frater Petrus, nomine suo et tocus Ordinis Fratrum Predicatorum provincie Terre Sancte, contra et adversus [2v] rescriptum et litteras papales quod emanarunt propter falsi suggestionem super pluribus evidentibus et manifestis falsis suggestionibus et talibus que animum domini nostri Summi Pontificis induxerunt ad ea scribenda, concedenda, et vobis reverendis patribus dominis delegatis prefatis committenda, que alias non scripsisset, concessisset, et commisisset, prout patet ex tenore ipsarum litterarum et rescripti vobis delegatis prefatis super premissis transmissorum, ibi primo cum dicitur: «Ad nostri apostolatus pervenit auditum quod Petrus de Castro, Ordinis Fratrum Predicatorum vicarius provincialis Terre Sancte, in sue salutis anime dispendium non formidans, cum nonnullis armatis hominibus domum quam inhabitabant in civitate Nicosiensi dilecti filii» etc. [§§49, 285], quia nequaquam verum est, nec unquam verum fuit, nec pro vero invenietur – salva reverentia cuiuscumque contrarium asserentis – quod idem frater Petrus, cum hominibus armatis vel sine armis, per aliquem modum malum

⁸ a.c. MS. The MS seems to have mistakenly corrected this to "directa."

seu ad aliquid malum suspectum accesserit ad aliquam domum civitatis Nicosiensis seu aliquam aliam in qua habitarent dicti dominus Petrus et frater Arnaldus, vel se intromiserit de aliquo facto cum eisdem nuntiis, nisi ad defensionem et tuitionem iuris sui et Ordinis Predicatorum civitatis Nicosiensis infra domum ipsorum fratrum. Et certe unum tale negotium non potuisset in civitate Nicosiensi attemptari sine magno scandalo tocius civitatis et regni Cipri, quia est civitas regalis, et multorum scientia et continentia, sic quod occultum esse non posset, ymmo de necessitate quando commissum fuisset dictum negotium, quod absit, sicuti ad auditum domini nostri Summi Pontificis fuit deductum, vel aliter sic quod malo modo esset commissum, de necessitate sequeretur quod esset evidens, etiam manifestum, in ipsa civitate Nicosiensi, et sic evidens et manifestum quod nulla posset tergiversatione celari. Et quod plus est, dicti dominus Petrus et frater Arnaldus, sicuti manifestum est, in civitate Nicosiensi numquam simul in eodem hospitio habitaverunt. Unde, cum dictum rescriptum et littere papales emanaverint et processerint propter falsi suggestionem premissam, que talis est quod animum sanctissimi in Christo patris et domini domini nostri Summi Pontificis moverit ad id scribendum, concedendum, et committendum, seu ea scribenda, concedenda, et vobis reverendis patribus dominis delegatis prefatis committenda, que alias non scripsisset, concessisset, et commisisset, satis aperte constat quod non valet dictum rescriptum et quod vigore ipsius non sit procedendum.

[8] Item, non recedendo ab exceptione prefata, sed ipsam semper affirmando, dicit et excipiendo proponit dictus frater Petrus, nomine quo supra, contra et adversus rescriptum et litteras papales, quod non procedunt nec vigore earum est procedendum, quia super expressissima falsi suggestionem emanarunt et concessa fuerunt et tali que animum domini nostri Summi Pontificis movit ad id concedendum et scribendum, seu ea vobis reverendis patribus dominis iudicibus delegatis prefatis committenda, que alias non scripsisset, concessisset, et commisisset, ut patet ex tenore ipsarum litterarum et rescripti, in eo quod fuit suggestum et significatum me dictos nuntios, «odii persequendo fomite,» multipliciter molestasse «et in executione negotiorum» domini nostri Summi Pontificis perturbasse etc. [§§49, 285], quia nequaquam [3r] verum fuit vel est – salvo honore cuiuscumque contrarium asserentis – quod dictos nuntios odii fomite persecutus fuero, et in executione negotiorum domini nostri Summi Pontificis perturbaverim, et cum ipsis unquam aliquid facere habuerim, nisi ad defensionem iuris fratrum et Ordinis Predicatorum in domo ipsorum fratrum civitatis Nicosiensis, ubi, propter honorem et tuitionem iuris Fratrum Predicatorum et privilegiorum suorum, ex debito officii tanquam vicarius provincialis Fratrum Ordinis Predicatorum provincie Terre Sancte coactus <sum> super pluribus violentiis per ipsum dominum Petrum et fratrem Arnaldum illatis, videlicet fractione carceris ipsius domus et extractione violenta unius carcerati, videlicet fratris Jacobi de Fargis, de quo fit mentio in rescripto, qui eius exigentibus demeritis secundum iusticiam

regule Fratrum Predicatorum fuerat incarceratus et per ipsos nuntios violenter extractus, et aliis pluribus enormibus violentiis fratribus ipsius domus per ipsos nuntios illatis, obsistere et vim vi cum moderamine inculpate tutele in ipsa domo nostra Fratrum Predicatorum replere. Unde secundum rei veritatem dicere non possunt nec potuerunt quod ego ipsos odii fomite persecutus fuerim et ipsos in executione negotiorum domini nostri Summi Pontificis perturbaverim, sed quod ipsi me et domum et Ordinem Fratrum Predicatorum, propter quam causam et alias premissas et infrascriptas sequitur – et est manifestum – quod rescriptum papale et littere super premissis directe non valent, nec vigore ipsarum est procedendum, ymmo tanquam rescriptum quod ad falsi suggestionem emanavit et plurium falsarum suggestionum est reprobandum et repellendum.

[9] Item, non recedendo ab exceptionibus prefatis, sed ipsas et earum quamlibet semper affirmando, dicit et excipiendo proponit dictus frater Petrus, nomine quo supra, contra rescriptum prefatum et litteras papales premissas, quod non valent, quia propter aliam expressam et manifestam falsi suggestionem emanarunt, ut constat ex ipso rescripto et tenore litterarum ibi cum dicitur: «Necnon prorumpendo in offensam ulterius dicte sedis, dilectum filium Jacobum de Fargis, olim Fratrum Ordinis provincie Terre Sancte eiusdem provinciam priorem, spretis et in contemptum deductis appellationibus quas idem Jacobus ab eodem vicario et contra ipsum ad sedem eandem interposuerat, capi fecit et duro carceri mancipari» etc. [§§49-285], quia – salva reverentia cuiuscumque qui contrarium asserere voluerit et premissa ad audientiam domini nostri Summi Pontificis deduxerit – non est verum quod dictum fratrem Jacobum, spretis et in contemptum deductis appellationibus per ipsum Jacobum interpositis, capi fecerim et duro carceri mancipari, ymmo ante appellationem aliquam per ipsum fratrem Jacobum interpositam fuerat et fuit dictus frater Jacobus – ut cum amaritudine cordis loquar – propter ita enormia delicta secundum iusticiam domus et religionis Fratrum Predicatorum incarceratus. Et quia de carcere violenter fuerat extractus per dictos dominos Petrum de Manso et fratrem Arnaldum nuntios prefatos, vim vi repellendo cum moderamine semper inculpate tutelle, dicto fratre Jacobo numquam exeunte domum Predicatorum civitatis Nicosiensis, immo semper existente in domo ipsorum fratrum, nec unquam appellationem aliquam interponente, ad carcerem redactus fuit, nulla appellatione interposita per ipsum, quam si interposuit idem frater Jacobus, quod absit, numquam [3v] eidem fratri Petro notificata fuit. Unde dictum rescriptum et littere papales per falsi suggestionem emanarunt in eo quod dicitur et asseritur dictum fratrem Jacobum appellasse et post appellationem per ipsum interpositam, spreta et in contemptum deducta dicta appellatione, fuisse duro carceri mancipatum per me, fratrem Petrum, et per falsi suggestionem que movit animum domini nostri Summi Pontificis ad id scribendum, concedendum, et committendum, seu ea, que alias non scripsisset, concessisset, et commisisset. Et sic non valet rescriptum predictum super premissis et quolibet premissorum

directum et littere papales, nec vigore earum est procedendum, sed tanquam per falsi suggestionem impetrata sunt repellenda. Et hec breviter quo ad expressionem falsitatum manifestarum suggestarum propter que concessum fuit rescriptum et littere papales predictae. Ex quibus apertissime demonstratur quod dicte littere papales et rescriptum sunt nullius efficacie et valoris et quod eorum vigore non est in aliquo procedendum.

[10] Item, non recedendo a dictis exceptionibus, sed ipsas et earum quamlibet semper affirmando, dicit et excipiendo proponit dictus frater Petrus, nomine quo supra, contra dictum rescriptum et litteras papales, quod non solum per falsissimas suggestiones prefatas manifestas et evidentes – ut supra premissum est – emanarunt, ymmo et propter tacitam veritatem et propter talem veritatis taciturnitatem seu veritatum que, si fuisset expressa seu fuissent expresse, dominus noster Summus Pontifex dictum rescriptum et litteras papales non concessisset, videlicet violationum privilegiorum Ordini Fratrum Predicatorum concessorum, ut pote fractionis carceris domus fratrum civitatis Nicosiensis, violentiarum fratribus dicte domus civitatis Nicosiensis in domo ipsorum fratrum evidenter et manifeste per ipsos dominos Petrum de Manso et fratrem Arnaldum, nuntios prefatos, et consocios suos et complices factarum, cisme⁹ posite inter fratres dicte domus per ipsum fratrem Arnaldum in pulsando et pulsari faciendo ad capitulum et fratres similiter congregari faciendo ad instantiam suam, asserendo quod ad hoc posse habebat, cum nullum super hoc haberet, licet posse – ut premissum est – se habere assereret ex potestate sibi per dominum nostrum Summum Pontificem viva voce commissa, de qua commissione licet ab eo petitum pluries fuerit ut fidem faceret, numquam fidem fecit. Que omnia et singula et multa alia oltragia suo loco et tempore specificanda si expressissent et ad noticiam domini nostri Summi Pontificis deduxissent dicti domini nuntii, dictum rescriptum et littere papales non emanassent seu processissent. Et sic constat quod non valent, nec vigore eorum est procedendum, sed sunt nullius valoris, tanquam rescriptum et littere papales emanantia et procedentia multis veritatibus tacitis et falsitatibus suggestis et talibus que animum domini nostri Summi Pontificis moverint et verisimiliter movere debuerint ad id scribendum vobis reverendis patribus dominis iudicibus delegatis prefatis, concedendum et committendum super premissis et ea tangentibus, que alias non scripsisset et commisisset idem dominus noster Summus Pontifex.

[11] Quas omnes et singulas exceptiones alternative et coniunctim et divisim dicit et excipiendo [4r] proponit nomine quo supra dictus frater Petrus, protestans quod non astringit se ad probandum nisi quod sufficiat ad intentionem suam relevandam, et quod in omni actu per vos, reverendos patres dominos delegatos prefatos, facto et fiendo de cetero qui ipsum tangat vel tangere possit in futurum, admitti debeat ad legitimam defensionem ut

⁹ I.e., schism.

presentis cause merita partium assertione peraudiant<ur>, et de contentis in rescripto seu litteris papalibus legitimis defensionibus in eis auditis pos<s>itis plenarie informari et id quod in litteris papalibus continetur adimplere.

OTHER SUMMONS AND APPEARANCES

SUMMONS OF PETER DE MANSO AND ARNALD DE FABRICIS: THURSDAY, 30 AUGUST

[12] Eodem die et instanti dicti domini inquisitores statuerunt ac etiam prefixerunt terminum predictis dominis Petro et fratri Arnaldo, nuntiis Apostolice Sedis, ad diem Jovis proxime sequentem ad replicandum contra exceptiones propositas per dominum vicarium antedictum.

APPEARANCE OF PETER DE MANSO AND ARNALD DE FABRICIS: 1 SEPTEMBER¹⁰

[13] Prima die Septembris comparuerunt venerabiles viri domini Petrus de Manso, cantor Burgensis, et Arnaldus de Fabricis, Ordinis Predicatorum, nuntii Apostolice Sedis, coram dominis inquisitoribus antedictis, et dixerunt quod ipsi non intendebant se facere partem in negotio inquisitionis nec promotores esse vel prosecutores inquisitionis predicte, sed rogabant ipsos dominos inquisitores quod mandatum apostolicum adimplerent. Et dicti domini inquisitores dixerunt ipsis dominis nuntiis quod volebant deliberare et deberent, si placeret eis, venire die Jovis ad audiendum responsonem ipsorum. Qui responderunt quod intentionis ipsorum pro dicto negotio coram ipsis ulterius comparere.¹¹

SUMMONS OF JAMES GASCON, DEFENDANT'S PROCURATOR: WEDNESDAY, 6 SEPTEMBER¹²

[14] Die Mercurii sexta mensis Septembris dicti domini inquisitores statuerunt et prefixerunt terminum fratri Jacobo Vasconi, procuratori dicti vicarii, octo dierum pro prima dilatione ad probandum exceptiones per ipsum dominum vicarium in iudicio assignatas.

¹⁰ It is probable that this occurred on Friday, 31 August, as required in §12, and that the scribe, William Clavel, erred in thinking that August had 30 days. Thus in §14 below he mistakenly claims that 6 September is Wednesday, when it fell on Thursday. In §16 the new scribe, Francis de Salexedo, has the day and date correct.

¹¹ The sentence lacks a verb and the genitive "intentionis" does not appear to make sense.

¹² Wednesday fell on 5 September, which is probably correct. See note 10.

PHASE II: INTERROGATIONS

PROLOGUE OF FRANCIS DE SALEXEDO OF VICENZA, NOTARY, 1330

[15] In nomine Domini, Amen. Infrascripta acta scripta et reasumpta sunt per me, Franciscum, condam domini Artuxii de Saalexedo de Vincentia, imperiali auctoritate notarium, de mandato atque licentia reverendorum in Christo patrum et dominorum dominorum fratris Marci, Dei gratia ecclesiarum Famagustane et Antheradensis episcopi, et fratris Mathei, eadem gratia episcopi Beritensis, iudicis subdelegati per venerabilem in Christo patrem et dominum dominum Petrum, divina providentia patriarcham Ierosolimitanum, iudicem delegatum seu inquisitorem deputatum a Summo Pontifice in negotio inquisitionis predicto, anno a Nativitate Domini millesimo trecentesimo trigesimo, Indictione tertia x^a, tempore sanctissimi in Christo patris et domini domini Johannis, divina providentia Pape XXII, pontificatus sui anno quartodecimo. Et ad predictorum cautellam signum meum in principio apposui post [4v] suprascripta acta scripta manu Guillelmi Clavelli, Lugdinensis diocesis clerici, notarii publici auctoritate Apostolice Sedis.

BALIAN DE GLORIA NAMED AS SUMMONER: WEDNESDAY, 26 SEPTEMBER

[16] Die Mercurii vigesima vi^a mensis Septembris dicti domini iudices delegatus et subdelegatus comiserunt de communi consensu officium citationis Baliano de Gloria, subdiacono assisio ecclesie Famagustane, recepto prius ab eo iuramento in presentia mei, notarii supradicti, de exercendo predictum officium citationis fideliter atque bene et citationes et relationes fideliter adimplendo.

SUMMONS OF PETER DE CASTRO: WEDNESDAY, 26 SEPTEMBER

[17] Eodem instanti dicti domini iudices commiserunt et mandaverunt predicto Baliano, nuntio iurato, quod vadat ad locum Fratrum Predicatorum et citet ex parte ipsorum fratrem Petrum de Castro, vicarium generalem Ordinis Fratrum Predicatorum in provincia Terre Sancte, ut die Lune proximo venienti in hora vespertina compareat coram eis per se vel legitimum responsalem ad procedendum in dicto negotio inquisitionis. Alioquin, ipso in termino minime comparente, in dicto negotio procedent quantum de iure fuerit procedendum, eius absentia non obstante.

FIRST APPEARANCE OF PETER DE CASTRO: MONDAY, 1 OCTOBER

[18] Die Lune primo mensis Octobris dictus Balianus, nuntius iuratus, retulit coram dominis episcopis seu iudicibus supradictis se ivisse ad locum Predicatorum et citasse personaliter ex parte ipsorum fratrem Petrum de

¹³ mensis] Septembris *del.* MS

Castro, vicarium Fratrum Ordinis Predicatorum in provincia Terre Sancte, ut dicta die Lune deberet comparere coram dictis iudicibus per se vel legitimum responsalem ad procedendum in negotio inquisitionis prefato.

[19] Predicta die Lune primo mensis¹³ Octobris in hora vespertina comparuit dictus frater Petrus vicarius coram dominis episcopis seu inquisitoribus supradictis. Et dicti domini iudices assignaverunt sibi terminum ad diem Mercurii proximam, in qua dictus frater Petrus hora vespertina deberet comparere coram eis ad audiendum quicquid dicti inquisitores dicere voluerint et ad procedendum in dicto negotio inquisitionis quantum de iure fuerit procedendum.

SECOND APPEARANCE OF PETER DE CASTRO: WEDNESDAY, 3 OCTOBER

[20] Die Mercurii tercio mensis Octobris, comparuit frater Petrus, vicarius prelibatus, in termino sibi assignato ad procedendum in causa inquisitionis predicta. Et quia dominus episcopus Famagustanus erat aliquibus negotiis impeditus, tum etiam quia collega suus non erat tunc presens, prorogavit dictus dominus episcopus terminum ad idem dicto vicario ad diem Veneris hora vespertina.

THIRD APPEARANCE OF PETER DE CASTRO: FRIDAY, 5 OCTOBER

[21] Predicta die Veneris hora vespertina comparuit in iudicio coram dictis iudicibus in loco Fratrum Predicatorum Nicosiensium dictus frater Petrus vicarius. Et interrogatus ab ipsis si placebat ei quod procederetur ad inquisitionem et si volebat respondere, respondit quod ipse erat paratus respondere. Et dicti domini iudices fecerunt sibi legi litteram domini nostri Summi Pontificis et articulos inquisitionis. Quibus lectis, dixit se velle deliberare. Et dicti domini iudices statuerunt ei terminum ad diem crastinum de mane ad deliberandum et respondendum super toto negotio et super articulis dicte inquisitionis et aliis tangentibus negotium inquisitionis eiusdem, super quibus eum interrogare voluerint, recepto prius ab eo [5r] iuramento corporali quod super hiis que in litteris papalibus et articulis continentur et hiis quibus interrogaretur plenam et puram responderet et diceret veritatem.

FOURTH APPEARANCE OF PETER DE CASTRO: SATURDAY, 6 OCTOBER

[22] Die Sabbati sexto mensis Octobris comparuit dictus frater Petrus vicarius coram episcopis seu iudicibus supradictis pro tribunali sedentibus in capitulo Fratrum Predicatorum. Et lectis sibi inquisitione et articulis infrascriptis, respondit ad quemlibet articulum suo sacramento prout in fine cuiuslibet inferius continetur. Quorum quidem inquisitionis et articulorum tenor per omnia talis est:

ARTICLES OF THE INQUISITION AND PETER DE CASTRO'S RESPONSES

PROLOGUE

[23] In Dei nomine, Amen. Hec est inquisitio quam faciunt et facere intendunt ad instructionem et informationem suam reverendi in Christo patres frater Marcus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, iudex seu inquisitor a Sede Apostolica deputatus ad infrascripta una cum reverendo in Christo patre et domino domino fratre Petro, divina providentia patriarcha Ierosolimitano, et frater Matheus, episcopus Beritensis, ab eodem domino patriarcha iudex subdelegatus seu subinquisitor deputatus, contra venerabilem virum fratrem Petrum de Castro, Ordinis Fratrum Predicatorum vicarium in provincia Terre Sancte, volentes mandatis domini nostri Pape et sancte Sedis Apostolice firmiter obedire et formam ipsorum mandatorum, prout et sicut eisdem iniunctum existit, fideliter adimplere, super excessibus infrascriptis quos dictum fratrem Petrum vicarium commisisse ad auditum domini nostri Pape pervenit, sicut in ipsius litteris continetur, ut, dicta informatione recepta, possint procedere ad executionem mandati apostolici secundum formam ipsius.

ARTICLE ONE

[24] In primis quod dictus frater Petrus de Castro, vicarius Ordinis Fratrum Predicatorum in provincia Terre Sancte, cum aliquibus armatis hominibus, ad domum quam inhabitabant in civitate Nicosiensi venerabiles viri dominus Petrus de Manso, cantor ecclesie Burgensis, et frater Arnaldus de Fabricis, Ordinis Fratrum Predicatorum, nuntii Apostolice Sedis, hostiliter accessit, dictamque domum, in qua prelibati nuntii nonnulla bona dicte sedis et litteras apostolicas et alia scripta quam plurima tangentia negotia domini nostri Summi Pontificis conservabant, invasit, nuntios ipsos multipliciter molestando eosque in executione negotiorum apostolicorum plurimum perturbando.

PETER DE CASTRO'S RESPONSE TO ARTICLE ONE

[25] Interrogatus dictus frater Petrus de Castro, vicarius antedictus, per dictos iudices super dicto primo articulo inquisitionis predictae, qui incipit: «In primis» etc., dixit suo sacramento quod numquam scivit nec audivit dici quod dicti domini Petrus de Manso et frater Arnaldus simul habitarent in una domo in civitate [5v] Nicosiensi, nec unquam cum hominibus armatis accessit ad domum quam simul inhabitarent predicti dominus Petrus et frater Arnaldus in civitate predicta. Verum est quod quidam frater Ordinis sui et conventus Nicosiensis nomine frater Jacobus de Fargis, qui, propter culpas multas quas commiserat, de consilio discretorum Ordinis fuerat sententialiter et carceri deputatus, per violentiam fuit extractus de dicto carcere per fratrem Arnaldum de Fabricis dicti Ordinis, contra voluntatem ipsius vicarii et fratrum, reclamante subpriori dicti conventus, et reductus

ad quamdam cameram infra septa domus dicti conventus que concessa erat per fratres predictos ipsi fratri Arnaldo ad inhabitandum. In qua camera ipsum tenebat et defensabat, contra voluntatem dicti vicarii et fratrum conventus et contra privilegia et constitutiones Ordinis predicti. Ad quam cameram dictus vicarius misit priorem et antiquiores fratres dicti conventus ad requirendum dictum fratrem Jacobum a dicto fratre Arnaldo, et finaliter ipsemet vicarius cum aliquibus ex dictis fratribus accessit. Et inventa porta dicte camere clausa et firmata, requisivit rogando, monendo, et precipiendo ipsi fratri Arnaldo quod dictum fratrem Jacobum eidem vicario restitueret. Cui frater Arnaldus, spretis rogaminibus dictorum fratrum ac precaminibus, monitionibus, et preceptis ipsius vicarii, eundem fratrem Jacobum restituere recusavit, asserens se non esse subiectum Ordini nec teneri sibi in aliquo obedire. Quibus ita peractis, dictus vicarius, videns tantam iniuriam et fractionem privilegiorum et constitutionum dicti Ordinis inferri sibi et dicto Ordini, et quod non poterat inducere exortationibus, monitionibus, et preceptis dictum fratrem Arnaldum ad restituendum sibi dictum fratrem Jacobum, de consilio discretorum pensavit adhibere in continenti remedium ut fratrem Jacobum predictum rehabere posset et ipsum reducere in pristinum statum in quo fuerat pro correctione eius, exigentibus culpis et demeritis, mancipatus. Et considerans quod predicta per se non poterat adimplere, ad coadiuvandum et substinendum officium suum imploravit auxilium brachii secularis, a quo habuit aliquos seculares cum quibus ivit ad portam camere predicte in qua dictus frater Jacobus defensabatur, ut dictum est, non hostiliter nec animo iniuriandi nuntiis apostolicis qui in eadem camera erant, sed – semper salvata eorum reverentia – acceperunt dictum fratrem Jacobum, qui sponte, sine aliqua manus impositione clerici vel secularis, ivit ad dictum vicarium, et ipsum reduxerunt ad locum unde fuerat extractus. Et predicta facta fuerunt cum maiori moderamine quo fieri potuerunt et sine aliqua iniuria et lesione dictorum nuntiorum et bonorum et rerum que in dicta camera erant. Et in crastinum dictus frater Arnaldus, videns et considerans quod non bene fecerat et quod tot et tanta perpetraverat contra Ordinem suum et privilegia et consti<tu>tiones ipsius Ordinis, recessit de predicta camera solus et sine socio, et reduxit se ad domum Hospitalis in civitate Nicosiensi cum omnibus rebus et bonis que in dicta camera conservabat.

ARTICLE TWO

[26] Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus, [6r] dictum fratrem Arnaldum de Fabricis Ordinis Predicatorum, Apostolice Sedis nuntium, capi fecit et duro carceri mancipari, contra constitutionem Apostolice Sedis qua cavetur, in summa, ut nullus in nuntios Apostolice Sedis ullam sibi vindicare debeat iurisdictionem quoquomodo, etiam si sit inquisitor heretice pravitatis.¹⁴

¹⁴ *Extravag. Commun.* 5.3.3.

PETER DE CASTRO'S RESPONSE TO ARTICLE TWO

[27] Interrogatus frater Petrus, vicarius prelibatus, per dictos iudices super dicto secundo articulo, qui incipit: «Item, quod postmodum» etc., dixit suo sacramento quod predictum fratrem Arnaldum non fecit capi nec duro carceri mancipari, sed post plures dies, videlicet in crastinum Nativitatis Domini, dictus frater Arnaldus, post multas monitiones et mandata et preceptorum transgressiones et contumacias et sententias excommunicationis in eum latas propter contemptus et contumacias antedictas, gratis et spontanea voluntate venit ad locum Fratrum Predicatorum et intravit ecclesiam dum missarum solempnia agerentur, existente ibidem domino rege. Et prostravit¹⁵ se coram dicto domino rege, postulans ab eodem ut dignaretur intercedere apud vicarium et fratres pro misericordia obtinenda de commissis per eum in offensam Ordinis et religionis. Qui dictus dominus rex, finitis missarum solempnibus, convocavit ad se dictum vicarium et fratres antiquiores domus, presente dicto fratre Arnaldo, et rogavit eos ut amore sui mitius agerent cum eodem, salva Ordinis correctione et disciplina. Dictusque vicarius et fratres, ob reverentiam Sedis Apostolice et etiam volentes precaminibus domini regis complacere, duxerunt dictum fratrem Arnaldum ad capitulum domus predictae, in quo capitulo spontanee vivo vocis oraculo et scripto manu propria facto recognovit se perpetrasse predicta omnia et alia que commiserat contra Ordinem et Ordinis instituta, postulans misericordiam de commissis per ipsum. Hiis peractis, dictus vicarius, de consilio discretorum, ad scandalum removendum deputavit sibi cameram unam pulcriorem et latiore[m] tocius domus, in qua stetit aliquibus diebus cum fratribus sociis et servitoribus quos elegit, sine restrictione cibi vel potus, nulla penitentia sibi iniuncta, sed tantum sibi mandato quod de camera illa non recederet absque voluntate et licentia dicti vicarii et conventus. Verum, quadam die, supervenientibus secularibus multis volentibus introire ad ipsum, timens dictus vicarius ne materia alicuius scandali oriretur, mandavit eis claudi portam dicte camere ne possent ingredi. Quibus recedentibus, confestim iussit cameram aperiri. Postmodum, elapsis aliquibus diebus, ob reverentiam Sedis Apostolice et ad preces domini regis et aliorum prelatorum, fuit totaliter et absolute relaxatus ad exequendum negotia domini nostri Summi Pontificis et Apostolice Sedis, salva correctione domini nostri Summi Pontificis et Ordinis sui predicti. Et quantum est de eo quod in dicto articulo et littera apostolica continetur, quod contra constitutionem dicte sedis ipse vicarius dictum fratrem Arnaldum capi fecerat et duro carceri mancipari, dicit idem vicarius quod numquam ad noti[6v]ciam seu scientiam ipsius pervenit quod dicta constitutio emanasset, licet fratrem Arnaldum predictum non fecerit capi nec duro carceri mancipari, ut superius est relatatum.

¹⁵ sic MS

ARTICLE THREE

[28] Item, quod dictus frater Petrus vicarius, spretis et in contemptum deductis appellationibus quibusdam ad Sedem Apostolicam interpositis per fratrem Jacobum de Fargis, olim priorem provincialem Ordinis antedicti, ab ipso vicario et contra eundem, capi etiam fecit et duro carceri mancipari ipsum fratrem Jacobum, in dicte sedis offensam.

PETER DE CASTRO'S RESPONSE TO ARTICLE THREE

[29] Interogatus dictus vicarius per iudices antedictos super dicto tercio articulo inquisitionis predictae qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., suo sacramento respondit et dixit quod dictum fratrem Jacobum ob eius culpas, de consilio discretorum, ad correctionem Ordinis exercendam carceri mancipari fecit, prout superius dictum est. Sed numquam audivit nec scivit quod ipse frater Jacobus ab ipso vicario et contra ipsum appellaverit ad dominum nostrum Summum Pontificem et Sedem Apostolicam ante incarcerationem predictam, nec etiam in ipsa incarceratione, quoniam ipse absens erat a loco. Nec postea eidem notificatum fuit. Nec dictam incarcerationem fieri fecit in offensam dicte Sedis Apostolice, ad quam non extiterat appellatum, ut dictum est, sed ad correctionem Ordinis exequendam, ut superius continetur.

RESPONSES OF OTHER WITNESSES

THOMAS DE MARCHIA: MONDAY, 8 OCTOBER

[30] Die Lune octavo mensis Octobris comparuit coram supradictis iudicibus frater Thomas de Marchia, Ordinis Fratrum Predicatorum, vocatus in testem. Et delato sibi sacramento, iuravit ad sancta Dei evangelia super toto negotio dicte inquisitionis et articulis eiusdem inquisitionis sibi lectis ac etiam super aliis predictis annexis et dependentibus ab eisdem, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[31] Interogatus dictus frater Thomas, testis iuratus in dicta causa, super **primo articulo** dicte inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., respondit suo sacramento se tantum inde scire, videlicet quod quadam die de mense Decembris dominus Petrus de Manso, cantor ecclesie Burgensis, et frater Arnaldus de Fabricis, Ordinis Fratrum Predicatorum, Apostolice Sedis nuntii, accesserunt ad capitulum Fratrum Predicatorum de Nicosia et fecerunt pulsari campanam per quam convocantur fratres ad capitulum. Et convenientibus fratribus in unum in capitulo, ambo dicti nuntii mandaverunt fratri Petro, vicario predicto, et dicto testi, tunc existenti priore dicti conventus, quod fratrem Jacobum de Fargis dicti Ordinis, incarcerationem per ipsum vicarium pro suis excessibus,

deberent educere de carcere et ipsum representare coram eis, quia volebant inquirere ab eo super aliquibus. Qui responderunt quod non tenebantur eis prima facie obedire, cum essent immediate subiecti Sedi Apostolice et exempti, nisi ipsi ostenderent aliquod privilegium apostolicum ex quo appareret eos habere auctoritatem et potestatem precipiendi eis predicta, et eo ostenso, parati erant statim obedire. Dicti nuntii dixerunt [7r] quod tenebantur eis obedire, et fecerunt legi quoddam scriptum ubi mandabatur eis in virtute obedientie et sub pena excommunicationis quod deberent ipsum fratrem Jacobum relaxare. De quo scripto peccit dictus vicarius copiam a dictis nuntiis, et pluries rogavit ipsum notarium ut daret eis in publicam formam. Et noluerunt eis dare. Demum, excitatis rumoribus inter eos, vicarius mandavit omnibus fratribus in capitulo ibi existentibus quod deberent sequi ipsum vicarium ad ecclesiam. Et ipsi preceperunt eis ne sequerentur eum. Et quantum poterant, prohibebant. Et una pars fratrum secuta fuit ipsum vicarium et alia remansit cum dictis nuntiis. Quorum remanentium in dicto capitulo nomina sunt hec, scilicet fratres Robertus Anglicus, Gaufredus Pitaviensis, Petrus de Aragonia, Petrus de Montegrosso, Robertus de Sancto Dionisio, et aliqui alii de quibus ad presens non recordatur. Et hoc fuit de mane ante prandium. Postmodum quidam conversus, frater Johannes de Sabaudia, requisitus fuit per dictos nuntios ut daret eis clavim dicti carceris. Et cum dare non vellet, dictus frater Arnaldus eam sibi abstulit per violentiam, prout dictus frater Johannes sibi dixit, nam dictus testis non erat presens quando ablata fuit clavim. Sed ipse testis, qui tunc erat prior, interrogavit eum quare dedisset ei clavim, et ipse respondit tanquam priori suo quod sibi ablata fuerat violenter. Tunc dicti nuntii accesserunt ad carcerem et extraxerunt dictum fratrem Jacobum, invito vicario atque priore. Et duxerunt eum ad infirmatorium et dederunt ei comedere carnes ibi, sine licentia vicarii et prioris. Dictusque vicarius una cum priore et aliis fratribus accesserunt ad dominum regem et exposuerunt ei violentiam factam Ordini per nuntios antedictos. Et ostenderunt ei privilegium per quod possunt petere auxilium brachii secularis casu exigente. Et peccerunt ab eo auxilium brachii ipsius contra violentiam antedictam. Et dictus dominus rex, volens servare privilegia eis indulta a Sede Apostolica, ob reverentiam ipsius sedis concessit eis auxilium brachii secularis. Postmodum dictus prior accessit ad cameram ubi erant nuntii prelibati cum fratre Jacobo, quem tenebant ibidem, et benigne rogavit dictos nuntios ut eidem restituerent fratrem Jacobum predictum. Qui nuntii responderunt quod nolebant ei restituere. Iterum, alia vice dictus prior accessit ad cameram cum aliis quampluribus fratribus et monuit et rogavit eos ut deberent eis restituere dictum fratrem Jacobum. Qui nullo modo voluerunt. Postea vicarius personaliter accessit ad dictam cameram et monuit et rogavit eos ut ei restituerent fratrem Jacobum. Qui responderunt quod non erat suus superior, nec tenebantur sibi in aliquo obedire, nec restituerent ullo modo. Videntes finaliter quod non poterant ipsum pacifice rehabere, fecerunt hostium aperiri, et introduxerunt sargentos armatos, et ceperunt predictum fratrem Jacobum, et reduxerunt eum ad carcerem, sine lesione et dampno

bonorum et rerum et scripturarum existentium in camera nuntiorum predictorum.

[32] Interrogatus dictus testis super **secundo articulo** dicte inquisitionis, qui incipit: «Item, quod post[7v]modum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit suo sacramento quod veritas negotii non fuit sicut in articulo continetur, sed sic se habuit, videlicet quod dictus frater Arnaldus, post excessus quos commiserat contra Ordinem et vicarium prefatos, in crastinum exivit dictam cameram et se reduxit ad domum Hospitalis Sancti Johannis in Nicosia, et fecit portari de dicta domo fratrum res et bona omnia que habebat in domo et camera predicta. Et post aliquos dies dictus frater Thomas, et frater Johannes ministralis¹⁶ cum eo, ivit ad dictum fratrem Arnaldum existentem in dicta domo Fratrum Hospitalis. Et eidem dixit et precepit, in virtute obedientie tanquam nuntius vicarii et prior dicti conventus, et ex parte vicarii predicti, quod deberet venire ad dictum vicarium et eius obedientiam, quia si hoc faceret, vicarius faceret sibi misericordiam ita quod contentaretur et essent amici et in pace. Et dictus frater Arnaldus respondit ei quod non iret ad dictum vicarium, quia erat exemptus a iurisdictione ipsius et non tenebatur eidem obedire propter quandam constitutionem papalem, ut asserebat, quam habebat scriptam in quodam libello. Quam constitutionem ipse legit dicto testi et dicebat eam esse "Extravagantem."¹⁷ Et ita reversus fuit dictus testis ad vicarium sine dicto fratre Arnaldo, et retulit sibi omnia ea que fecerat et dixerat cum predicto fratre Arnaldo. Deinde, in die Sancti Stephani in mane, dictus frater Arnaldus venit sponte et sine aliqua violentia ad locum Fratrum Predicatorum in Nicosia. Et supplicavit domino regi existenti in choro ecclesie dum missarum solempnia celebrarentur ut dignaretur intercedere pro ipso penes vicarium et fratres predictos pro misericordia obtinenda ab eis pro ipso. Et dictus dominus rex, finita missa, locutus fuit vicario predicto, et rogavit eum quod faceret misericordiam fratri Arnaldo prefato, salva tamen Ordinis iusticia. Post hec, vicarius et fratres et frater Arnaldus cum eis iverunt ad capitulum, ubi frater Arnaldus dixit se venisse ad obedientiam ipsius vicarii et Ordinis. Et cognovit se commisisse et deliquisse contra ipsum vicarium et Ordinem suum, petens misericordiam ab eo. Et dictus vicarius ipsum absolvit tunc a sententia excommunicationis, prout sibi videtur, quam incurrerat propter eius culpas et excessus. Et fecit legi in audientia ipsius fratris Arnaldi et capituli quasdam constitutiones Ordinis prelibati, ex vigore quarum, propter excessus et culpas commissas per eundem fratrem Arnaldum, ipse meruerat carceri mancipari. Et ipsum fratrem Arnaldum carceri condemnavit in presentia dicti capituli. Tamen idem vicarius, ob reverentiam domini nostri Summi Pontificis et Sedis Apostolice, non fecit ipsum mancipari deputato carceri, sed fecit sibi assignari quandam cameram

¹⁶ Possibly also his name: John Ministralis.

¹⁷ *Extravag. Commun.* 5.3.3.

de pulcrioribus que sint in dicta domo fratrum. Et precepit ei quod deberet esse in dicta camera usque ad mandatum suum. Et concessit ei duos fratres qui essent in societate ipsius die et nocte. Et post aliquos dies, ad preces dicti domini regis, vicarius prefatus relaxavit ipsum fratrem Arnaldum totaliter a dicta camera et precepto suo, prout audivit dictus testis, quia non erat tunc presens quando fuit relaxatus.

[33] Interrogatus si camera predicta in qua [8r] positus fuit frater Arnaldus predictus clausa fuit cum clavi et mansit continue clausa, respondit quod bene fuit clausa, sed non mansit continue clausa, ymmo aliquando manebat aperta et aliquando clausa.

[34] Interrogatus dictus testis super **tercio articulo**, qui sic incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., dixit suo sacramento quod nunquam audivit nec scivit dictum fratrem Jacobum appellasse nec voce nec scripto.

JOHN THE *MINISTRALIS*: MONDAY, 8 OCTOBER

[35] Eadem die Lune VIII mensis Octobris frater Johannes ministralis, Ordinis Fratrum Predicatorum, vocatus in testem in dicta causa, comparuit coram iudicibus supradictis. Et iuravit ad sancta Dei evangelia super toto negotio dicte inquisitionis et articulis ipsius inquisitionis sibi lectis ac etiam aliis predictis anexis et dependentibus ab eisdem, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[36] Interrogatus dictus frater Johannes, testis iuratus in dicta causa, super **primo articulo** dicte inquisitionis, qui incipit: «In primis quod dictus frater Petrus» etc., respondit suo sacramento quod dicti nuntii non habitabant simul in una domo in Nicosia, ut videtur in articulo contineri, sed frater Arnaldus hospitabatur in quadam camera infra septa domus Fratrum Predicatorum, et dominus Petrus de Manso morabatur per se in civitate Nicosiensi. Sed negotium sic se habuit quod quadam die accesserunt dicti nuntii ad locum predictum, et fecerunt pulsari campanam qua convocantur fratres ad capitulum. Et convenientibus fratribus in unum, dicti nuntii pecierunt a vicario quod deberet educere de carcere fratrem Jacobum de Fargis, quia volebant inquirere de aliquibus factis cum ipso. Responsum fuit eis quod non tenebantur eum educere ad mandatum ipsorum, si non ostenderent aliquod¹⁸ mandatum a Sede Apostolica per quod tenerentur obedire mandatis ipsorum. Tunc vicarius surrexit de capitulo et mandavit fratribus in virtute sancte obedientie quod deberent sequi ipsum vicarium, et dictus frater Arnaldus e contrario precepit quod non recederent. Aliqui fratres secuti sunt vicarium, et aliqui remanserunt cum fratre Arnaldo, de quorum remanentium nominibus non recordatur. Tunc frater Arnaldus et

¹⁸ aliud MS

dominus Petrus surrexerunt et invenerunt fratrem Johannem de Sabaudia, qui custodiebat clavem carceris, et petierunt ab eo clavim. Et ipse noluit eis dare. Et frater Arnaldus per violen<tiam> abstulit illi, ut audivit dictus testis a dicto fratre Johanne de Sabaudia. Et aperuit carcerem, et extraxit fratrem Jacobum, et duxit eum ad infirmatorium. Postmodum [8v] in nocte moratus fuit idem frater Jacobus in camera dicti fratris Arnaldi. Et vicarius misit priorem conventus, videlicet fratrem Thomam de Marchia, tunc priorem, ad cameram dicti fratris Arnaldi, existente ibidem domino Petro de Manso, consocio suo. Qui prior rogavit et monuit eos ut deberent ei restituere fratrem Jacobum predictum. Qui noluerunt ei restituere. Tunc habuerunt consilium dicti vicarius et fratres quomodo possent repellere violentiam dicto Ordini et eis illatam, et habito consilio accessit dictus vicarius ad regem et postulavit ab eo auxilium brachii secularis. Et dominus rex, certificatus de privilegiis Ordinis, iussit eis dari auxilium. Iterum, dictus vicarius reversus ad domum rogavit et monuit eos quod sibi redderent fratrem Jacobum, et ipsi noluerunt restituere. Finaliter clientes qui erant cum dicto vicario fregerunt et aperuerunt hostium dicte camere, et ceperunt fratrem Jacobum, et reduxerunt eum ad carcerem, salvis – ut credit – omnibus rebus et bonis que dicti nuntii habebant in camera predicta.

[37] Interrogatus si hostiliter vel causa offendendi dictos nuntios vel dampnum inferendi rebus eorum vel molestandi aut turbandi eos in executione negotiorum apostolicorum accessit ipse vicarius ad cameram dicti fratris Arnaldi, respondit quod non, sed solum causa recuperandi dictum fratrem Jacobum et exercendi Ordinis disciplinam.

[38] Interrogatus dictus testis super **secundo articulo** predictae inquisitionis, qui sic <incipit>: «Item, quod postmodum» etc., respondit suo sacramento se tantum recordari, videlicet quod postquam dictus frater Jacobus fuit reductus ad carcerem, ut supra in proximo articulo continetur, dictus frater Arnaldus recessit de camera et domo dictorum fratrum et ivit ad domum Hospitalis Sancti Johannis Ierosolimitani, que est Nicosie. Et fecit illuc portari omnes res et bona que habebat in camera dictorum fratrum, et stetit per aliquod tempus in domo dicti Hospitalis. Et quodam die ipse testis ivit cum fratre Thoma de Marchia, tunc priore dicti conventus Nicosiensis, ad domum dicti Hospitalis ut ipse prior ex parte vicarii preciperet dicto fratri Arnaldo quod redire deberet ad mandatum ipsius vicarii et obedientiam Ordinis. Si dictus prior locutus fuerit dicto fratri Arnaldo, non bene recordatur. Sed videtur sibi quod per quendam nuntium responsum fuerit dicto priori ex parte fratris Arnaldi quod ipse frater Arnaldus nolebat nec tenebatur ire ad mandatum dicti vicarii nec obedientiam Ordinis, pro eo quod erat nuntius domini Pape. Et procedente tempore, in festo Beati Stephani in mane, existente domino rege in choro ad missam, vidit dictum fratrem Arnaldum intrare chorum et ponere se flexis genibus coram dicto domino rege. Sed quid locutus fuerit ei et quid dominus rex responderit sibi, nescit. Sibi tamen videtur quod dominus rex dixerit ei: «Eatis ad obedientiam Ordinis vestri.» Et interim vicarius dixit dicto testi quod deberet ire cum dicto fratre Arnaldo

ad sacristiam et ipsum associare ibi, et ita fecit usque quod missa finita fuit. Et ipsa finita, vicarius et alii fratres iverunt ad capitulum, et ibi dictus frater Arnaldus recognovit culpas et excessus suos et peccit misericordiam a vicario. Quid fecerit vicarius cum eo non recordatur.

[39] Interrogatus si ipse tulit sententiam carceris in scriptis contra dictum fratrem Arnaldum tunc in dicto capitulo, respondit: videtur sibi quod sic tulerit, tamen non bene recordatur. Scit tamen quod vicarius non fuit exe[9r]cutus sententiam carceris, si tulit, quia non incarceravit ipsum fratrem Arnaldum in carcere conventus, sed ipsum posuit in quadam pulcra camera et eidem deputavit duos socios fratres ad associandum eum.

[40] Interrogatus si dicta camera fuit clausa et clausa manebat continue, respondit quod aliquando clausa et aliquando aperta manebat, et quandoque poterat exire ad viridarium fratrum et infirmatorium dicti conventus.

[41] Interrogatus si aliqua durtia facta fuit eidem fratri Arnaldo seu restrictio cibi vel potus, respondit quod non. Et mansit in dicta camera per aliquos dies. Et postmodum, ad preces domini regis et ob reverentiam Sedis Apostolice, relaxavit eum libere a dicta camera et detentione, ut posset exercere negotia domini Pape.

[42] Interrogatus dictus testis super **tercio articulo** predicte inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit suo iuramento quod nunquam audivit dictum fratrem Jacobum appellasse nec ante incarcerationem nec post.

[43] Interrogatus si predicta dixit amore vel precio aliquo, vel precibus, vel timore, vel odio, respondit quod non, sed pro sola veritate testificatus est secundum ea que scit.

BISHOP MARK OF FAMAGUSTA AND TORTOSA NAMES SUBDELEGATE: TUESDAY, 9 OCTOBER

[44] Die Martis nono mensis Octobris reverendus in Christo pater dominus frater Marcus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, iudex seu inquisitor supradictus, in quibusdam arduis suis et ecclesie sue ac etiam regni Cipri negotiis occupatus, subdelegavit sibi in dicto inquisitionis officio venerabilem virum dominum Jacobum de Sancto Prospero, canonicum Nicosiensem, iuris peritum, per modum et formam contentos in litteris ipsius subdelegationis scriptis manu mei notarii et in publicam formam redactis, sigillatis sigillo dicti domini episcopi. Quarum litterarum tenor per omnia dignoscitur esse talis:

BISHOP MARK'S LETTER OF SUBDELEGATION TO JAMES OF SAINT-PROSPER

[45] Venerabili viro domino Jacobo de Sancto Prospero, canonico Nicosiensi, iuris utriusque perito, frater Marchus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, inquisitor ad infrascripta deputatus una cum venerabili in Christo patre et domino domino fratre

Petro, divina providentia patriarcha Ierosolimitano, per sanctissimum in Christo patrem dominum Johannem Sacrosancte Romane ac Universalis Ecclesie Summum Pontificem, salutem felicem in humane salutis Auctore.

[46] Noveritis nos dudum a sanctissimo domino nostro Papa antedicto litteras recepisse suo sigillo plumbeo sigillatas tenoris et continentie subsequentis:

LETTER OF POPE JOHN XXII TO PATRIARCH PETER AND BISHOP MARK: 12 MAY 1330

[47] Johannes episcopus, servus servorum Dei, venerabilibus fratribus <Petro> patriarche Ierosolimitano et <Marco> episcopo Famagustano, salutem et apostolicam benedictionem.

[48] Et si Sedes Apostolica provocetur quorumlibet excessibus transgressorum, illis tamen irritatur vehementius qui a personis religiosis, per quas honorari deberet mandatorum observantia,¹⁹ in ipsius sedis contemptum et contumeliam committuntur.

[49] Nuper siquidem ad nostri apostolatus pervenit auditum quod Petrus de Castro, [9v] Ordinis Fratrum Predicatorum vicarius in provincia Terre Sancte, sedem eandem²⁰ offendere in sue salutis anime dispendium non formidans, cum nonnullis armatis hominibus domum quam inhabitabant in civitate Nicosiensi dilecti filii Petrus de Manso, cantor ecclesie Burgensis, et Arnaldus de Fabricis Ordinis predicti, memorate sedis nuntii per nos dudum ad partes transmarinas pro certis nostris et Ecclesie Romane negotiis destinati, hostiliter accedere dictamque domum, in qua prelibati nuntii nonnulla bona nostra et eiusdem Ecclesie necnon litteras apostolicas et scripta publica et privata tangentia dicta negotia conservabant, invadere non expavit, nuntios ipsos, quos honorare et confovere pro nostra et dicte sedis reverentia tenebatur, odii persequendo fomite, molestando multipliciter et in executione negotiorum huiusmodi perturbando; demumque, dictum Arnaldum, in quem obsistente constitutione nostra olim edita, per quam districtius duximus inhibendum ut nullus ordinarius, aut inquisitor heretice pravitatis, seu quivis alius contra officiales aut nuntios Apostolice Sedis procedere absque nostra speciali licentia presumeret quoquomodo, ex tunc decernendo nichilominus quicquid in contrarium attemptari contingeret irritum et inane, necnon et, prorumpendo in offensam ulterius dicte sedis, dilectum filium Jacobum de Fargis, olim fratrum eiusdem Ordinis dicte provincie provincialem priorem, spretis et in contemptum deductis appellationibus quas idem Jacobus ab eodem vicario et etiam contra ipsum ad sedem eandem interposuerat, capi fecit et duro carceri mancipari.

¹⁹ observantiam MS

²⁰ eandem *s.l.* MS

[50] Nos itaque, tot et tam enormes excessus nolentes – sicut etiam nec debemus, si relatis in hac parte suffragetur veritas – relinquere incorrectos, fraternitati vestre per apostolica scripta committimus et mandamus quatinus vos vel alter vestrum per vos vel alium seu alios, super predictis et ea tangentibus summarie, simpliciter, et de plano ac sine strepitu et figura iudicii informantes, si ea vel eorum aliqua repereritis veritate fulciri, prefatum vicarium peremptorie citare curetis ut infra quatuor mensium spatium post citationem predictam apostolico conspectui personaliter se presentet super predictis responsurus et facturus quod suadebit iusticia et prout demeruit recepturus. Diem vero citationis et formam et quicquid super predictis duxeritis faciendum nobis per vestras litteras harum seriem continentes fideliter rescribere nullatenus omittatis.

[51] Datum Avinione, III Idus Maii, pontificatus nostri anno quarto-decimo.

[52] Unde, cum nos pro quibusdam nostris et ecclesie nostre ac etiam regni Cipri arduis negotiis a civitate Nicosiensi presentialiter absentare contingat, ex quo ad predictae inquisitionis officium in presentiarum intendere comode non valemus, de circumspecta prudentia atque industria vestra [10r] plenam in Domino fiduciam obtinentes, in predicta causa et inquisitionis officio vobis tenore presentium committimus vices nostras donec, comoditate captata, eas ad nos duxerimus revocandas. In quorum omnium evidens testimonium sigillum nostrum presentibus litteris duximus apponendum.

[53] Datum in domo nostra Nicosiensi, anno Domini millesimo trecentesimo trigesimo, die nona mensis Octobris.

RESPONSES OF OTHER WITNESSES (CONTINUED)

FRANCIS OF CYPRUS: TUESDAY, 9 OCTOBER

[54] Eadem die Martis VIII mensis Octobris frater Franciscus de Cipro, conversus Ordinis Predicatorum, vocatus in testem in dicta causa comparuit coram reverendo in Christo patre domino fratre Matheo, Dei gratia episcopo Beritensi, iudice subdelegato seu subinquiretore predicto, et domino Jacobo de Sancto Prospero, canonico Nicosiensi, iudice subdelegato per reverendum in Christo patrem dominum fratrem Marchum, episcopum Famagustanum et Antheradensem. Et iuravit ad sancta Dei evangelia super toto negotio predictae inquisitionis et eius articulis sibi lectis seriatim et expositis in vulgari ac etiam aliis predictis annexis et dependentibus ab eisdem, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

²¹ in introitu camere] in introitu camere *exp.* MS

[55] Interrogatus dictus testis super **primo articulo** dicte inquisitionis, qui incipit: «In primis, quod frater Petrus de Castro» etc., respondit suo sacramento quod ipse vicarius personaliter accessit ad cameram quam inhabitabat frater Arnaldus de Fabricis, Apostolice Sedis nuntius, et ab eo requisivit pluries quam quater fratrem Jacobum de Fargis, qui fuerat extractus per ipsum fratrem Arnaldum et dominum Petrum de Manso de carcere per violentiam. Et cum dictus frater Arnaldus nolere sibi restituere dictum fratrem Jacobum, finaliter iussit vicarius predictus clientibus armatis, quos habebat secum, ut frangerent portam camere predictae. Qua aperta, ceperunt fratrem Jacobum predictum et reduxerunt eum ad carcerem.

[56] Interrogatus si intulerunt violentiam dictis nuntiis vel rebus eorum, respondit quod non, sed evaginaverunt gladios in introitu camere,²¹ credentes aliquos armatos esse intus qui vellent repugnare, tamen nullum percusserunt.

[57] Interrogatus quis extraxerat fratrem Jacobum de carcere, respondit quod dominus Petrus de Manso et frater Arnaldus abstulerunt violenter clavim carceris de cingulo fratris Johannis de Sabaudia et aperuerunt et extraxerunt fratrem Jacobum de dicto carcere.

[58] Interrogatus, quando extraxerunt eum, quo duxerunt, responderunt²² quod ad infirmatorium conventus. Et dictus frater Jacobus legit, in presentia ipsorum nuntiorum et aliquorum fratrum et familiarium domus, de quorum nominibus non recordatur, quandam cartam seu scripturam, sed quid contineretur in dicta scriptura nescit. Postea predicti nuntii duxerunt eum ad cameram in qua morabatur dictus frater Arnaldus.

[59] Interrogatus si hostiliter accessit dictus vicarius et animo iniuriandi dictis nuntiis cum dicta gente ad cameram illam, respondit quod non, sed tantum causa recuperandi fratrem Jacobum predictum, qui tenebatur per dictum fratrem Arnaldum in camera predicta contra [10v] voluntatem dicti vicarii et conventus, et recuperato²³ dicto fratre, nichil ulterius fecerunt.

[60] Interrogatus de perturbatione negotiorum apostolicorum, respondit se nichil scire.

[61] Interrogatus si dominus Petrus de Manso erat tunc cum dicto fratre Arnaldo in eadem camera, respondit quod sic, sed non habitabat ibi simul cum eo.

[62] Interrogatus qualiter scit predicta, respondit quia vidit et presens fuit omnibus supradictis.

[63] Interrogatus dictus testis super **secundo articulo** predictae inquisitionis, qui sic incipit: «Item, quod postmodum» etc., respondit suo sacramento quod quadam die, videlicet in festo Beati Stephani proxime preteriti,

²² sic MS

²³ recuperato] recuperanto MS

frater Arnaldus predictus venit per se et non ductus ad locum predicatorum. Verum est quod vicarius pluries miserat pro eo ut veniret ad obedientiam Ordinis, quod facere recusavit. Et genuflectavit²⁴ se coram domino rege, petens ab eo misericordiam. Postea ipsemet intravit sacristiam et in continenti precepit dictus vicarius ipsi testi et fratri Johanni de Sabaudia quod deberent eum custodire in sacristia. Et precepit dictus vicarius quod dictus frater Arnaldus duceretur ad quandam cameram pulchram et latam, precipiens eidem quod non deberet inde recedere sine licentia sua. Verumtamen non fuit ei clausa camera super eum de die, sed de nocte nescit si claudebatur. Verum est quod quando veniebant seculares qui vellent secum loqui, ponebantur duo custodes ne aliqui ingrederentur dictam cameram.

[64] Interrogatus ad quid fuit ductus ad cameram illam, respondit: ut esset ibi arestatus propter excessus commissos et violentias illatas Ordini.

[65] Interrogatus si poterat loqui cui vellet, respondit quod non, quia fuit ei prohibitum per vicarium ex eo quod erat excommunicatus propter violentiam illatam Ordini.

[66] Interrogatus si facta fuit sibi restrictio cibi vel potus, respondit quod non.

[67] Interrogatus si erat durus carcer, respondit quod non erat durus carcer, ymmo erat quedam pulchra camera que fuerat edificata in dicto conventu pro domino rege.

[68] Interrogatus quot diebus mansit ibi, respondit quod nescit.

[69] Interrogatus qualiter fuit relaxatus, respondit se nescire.

[70] Interrogatus quomodo scit predicta, respondit quia presens erat omnibus supradictis et vidit.

[71] Interrogatus si scit fuisse intimatum dicto vicario per fratrem Arnaldum quod dictus frater Arnaldus esset exemptus a iurisdictione sua propter aliquam constitutionem domini nostri Pape, respondit se nescire.

[72] Interrogatus dictus testis super **tercio articulo**, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit suo sacramento quod numquam audivit ipsum fratrem Jacobum appellasse.

[73] Interrogatus si predicta retulit precio aliquo recepto propter hec vel precibus, vel amore, vel timore, vel odio, respondit quod non, sed pro sola veritate dixit ea que dixit.

GARCIA DE BACHARISSA: TUESDAY, 9 OCTOBER

[74] Eadem die Martis VIII Octobris comparuit coram dictis iudicibus subdelegatis frater Garcias de Bacharissa, Ordinis Predicatorum, vocatus

²⁴ "genuflectit" in §136.

in testem in dicta causa. Et iuravit ad sancta Dei evangelia super toto negotio predictae inquisitionis et articulis sibi lectis ac etiam aliis predictis annexis et dependentibus ab eisdem, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore. [11r]

[75] Interrogatus dictus frater Garcias, testis iuratus, super **primo articulo** sepedictae inquisitionis, qui sic incipit: «In primis quod frater Petrus de Castro» etc., respondit suo sacramento quod quadam die dominus Petrus de Manso et frater Arnaldus accesserunt ad capitulum Fratrum Predicatorum Nicosiensium et fecerunt pulsari campanam solitam qua convocantur fratres ad capitulum. Et convenientibus fratribus, proposuit dominus Petrus in capitulo quomodo indigebat fratre Jacobo de Fargis pro aliquibus negotiis, qui detinebatur in carcere. Et vicarius respondit: «Ego deliberabo et statim respondebo vobis.» Et dixit fratribus quod sequerentur eum ad ecclesiam. Aliqui secuti sunt eum et aliqui remanserunt cum fratre Arnaldo. Et dum vicarius rediret, volens respondere nuntiis, dictus frater Arnaldus, non expectata responsione ipsius, ivit versus carcerem, precipiens fratribus quod sequerentur eum. Et abstulit violenter clavim carceris fratri Johanni de Sabaudia. Et tunc aperuerunt dicti nuntii carcerem, et extraxerunt fratrem Jacobum predictum, et conduxerunt eum ad cameram in qua morabatur frater Arnaldus predictus. Postea, post completorium, misit vicarius aliquos fratres ad dictam cameram ut dicti nuntii dimitterent sibi fratrem Jacobum. Qui noluerunt sibi mittere dictum fratrem.

[76] Interrogatus si dictus vicarius ivit ad cameram predictam cum armatis hominibus, respondit quod sic.

[77] Interrogatus si hostiliter vel animo iniuriandi dictis nuntiis accessit ad dictam cameram, respondit quod non, sed tantum causa recuperandi dictum fratrem Jacobum.

[78] Interrogatus si dominus Petrus de Manso erat tunc in eadem camera cum dicto fratre Arnaldo, respondit quod sic, sed non habitabat ibi in eadem camera neque domo.

[79] Interrogatus si fecerunt vel fecit dictus vicarius aperiri portam dicte camere per dictos homines armatos, respondit quod sic, et accepit dictum fratrem Jacobum.

[80] Interrogatus quo duxerunt eum, respondit: ad quendam locum dicte domus in quo incluserunt eum.

[81] Interrogatus si dictus vicarius perturbavit nuntios in executione negotiorum apostolicorum, respondit quod nescit.

[82] Interrogatus dictus testis super **secundo articulo** dicte inquisitionis, qui incipit: «Item, quod postmodum» etc., respondit quod non vidit dictum fratrem Arnaldum capi. Verum est quod in festo Beati Stephani venit per se ipsum gratis dictus frater Arnaldus et prostravit se coram domino rege, qui erat in choro ecclesie. Et dominus rex dixit sibi: «Vadatis ad Ordinem

et obedientiam ipsius.» Et postea, in fine misse, rex rogavit vicarium ut faceret gratiam dicto fratri Arnaldo amore suo, et si non in toto, saltem in parte. Et tunc fuit positus in quadam camera pulchra et regali ad pisces, carnes, et ova, et habuit socios quos voluit.

[83] Interrogatus si dicta camera stabat clausa, respondit quod nescit.

[84] Interrogatus si preceptum fuit sibi per vicarium quod non exiret de dicta camera sine licentia ipsius, respondit quod nescit, tamen vidit aliquando ipsum euntem per ortum et locum fratrum.

[85] Interrogatus si vicarius precepit fratribus ne loquerentur cum eo, respondit quod sic.

[86] Interrogatus si positi fuerunt custodes ad cameram illam, respondit quod nescit.

[87] Interrogatus qua de causa et ad quid positus fuit in dicta camera, respondit: ut esset arestatus ibidem propter aliqua que commiserat.

[88] Interrogatus si habebat liberum arbitrium eundi quo vellet, respondit quod non sine voluntate vicarii. [11v]

[89] Interrogatus super **tercio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus, spretis» etc., si scit vel audivit unquam dictum fratrem Jacobum de Fargis appellasse contra dictum vicarium, respondit quod nescit, nec audivit eum appellare, sed audivit a quibusdam fratribus – quorum nomina ignorat – quod dictus frater Jacobus appellaverat ad dominum Papam antequam extractus fuisset de carcere per nuntios suprascriptos. Et postea audivit dici ab aliquibus fratribus – quorum etiam nomina ignorat – quod renuntiaverat appellationi.

[90] Interrogatus si predicta retulit precio, vel precibus, timore, amicitia, vel odio, respondit quod non, sed pro sola veritate.

JAMES GASCON: TUESDAY, 9 OCTOBER

[91] Predicta die Martis frater Jacobus Vasco, Ordinis Predicatorum, vocatus in testem, comparuit coram dictis iudicibus subdelegatis. Et iuravit ad sancta Dei evangelia super toto negotio predictae inquisitionis et articulis ipsius et aliis predictis annexis, quibus dicti iudices eum interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[92] Interrogatus dictus testis iuratus super **primo articulo** dicte inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit quod numquam vidit dictum vicarium ire ad domum quam inhabitarent dicti nuntii in villa Nicosie. Sed verum est quod dictus vicarius ivit ad cameram in qua morabatur frater Arnaldus in conventu Fratrum Predicatorum Nicosiensem et requisivit ab eo ut restitueret sibi fratrem Jacobum de Fargis, quem extraxerat de carcere et detinebat in dicta camera. Et frater Arnaldus noluit sibi dare. Tunc vicarius cum clientibus

introivit dictam cameram et ipsemet cepit fratrem Jacobum et reduxit eum ad eundem locum ubi prius erat.

[93] Interrogatus si dicti clientes erant armati, respondit quod non quod viderit.

[94] Interrogatus si hostiliter accessit dictus vicarius ad cameram illam, respondit: non, sed tantum causa recuperandi dictum fratrem Jacobum.

[95] Interrogatus si aliquam iniuriam vel dampnum intulit dictis nuntiis vel rebus existentibus in dicta camera, respondit quod non.

[96] Interrogatus si perturbavit nuntios predictos in executione negotiorum apostolicorum, respondit quod non.

[97] Interrogatus si dominus Petrus de Manso erat tunc in dicta camera, respondit quod sic, sed non habitabat ibi.

[98] Interrogatus super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit vera non esse in articulo comprehensa. Sed verum est quod die Sancti Stephani frater Arnaldus per se venit ad locum Predicatorum et prostravit se coram domino rege, petens ut intercederet pro ipso penes vicarium. Et finita missa, rex, convocatis fratribus, rogavit vicarium ut faceret misericordiam et iusticiam dicto fratri Arnaldo. Postea dictus frater Arnaldus venit ad capitulum et ibi dixit culpas suas. Et dixit, «Quicquid feci, feci de capite meo et non ex parte Pape.» Postea ductus fuit ad quandam pulcram cameram.

[99] Interrogatus si mandatum fuit sibi per vicarium quod non recederet de dicta camera sine licentia sua, respondit quod sic.

[100] Interrogatus si dicta camera manebat clausa, respondit quod non.

[101] Interrogatus si facta fuit sibi restrictio cibi vel potus, respondit quod non.

[102] Interrogatus si positi fuerunt aliqui custodes ex patre vicarii ad dictam cameram, respondit quod sic, videlicet frater Raimundus Saraceni, tunc subprior, et frater Elias.

[103] Interrogatus si²⁵ poterat ire quo volebat, respondit: [12r] non extra locum, sed bene per viridarium et locum, quia vicarius iam revocaverat dictum preceptum. Et post x dies fuit relaxatus dictus frater Arnaldus.

[104] Interrogatus si dictus frater Arnaldus fuit sententialiter condemnatus carceri in capitulo dicti conventus, respondit quod sic, sed postea dicta sententia non fuit executioni mandata.

²⁵ vicarius *add.* MS

²⁶ Type of wine unknown to editors.

[105] Interrogatus si aliqua facta fuerunt dicto fratri Arnaldo propter que deberet reputari durus carcer, respondit quod non, quia omni die comedeat bonas galinas et capones et bonum vinum maroa²⁶ bibeat.

[106] Interrogatus qua de causa et ad quid positus fuit in dicta camera, respondit: ut esset arestatu*s* ibi propter excessus quos commiserat.

[107] Interrogatus super **tercio articulo** dicte inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit quod numquam scivit nec audivit dictum fratrem Jacobum appellasse, nec ante incarcerationem neque post.

[108] Interrogatus si predicta retulit precio, vel precibus, timore, amicitia, seu amore, vel odio, respondit quod non, sed pro sola veritate.

JOHN OF SAVOY: WEDNESDAY, 10 OCTOBER

[109] Die Mercurii decimo mensis Octobris, comparuit coram supradictis iudicibus subdelegatis frater Johannes de Sabaudia, Ordinis Predicatorum, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio predicte inquisitionis et super articulis eius sibi lectis ac etiam aliis predictis annexis, quibus dicti iudices eum interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[110] Interrogatus dictus frater Johannes, testis iuratus, super **primo articulo** dicte inquisitionis, qui sic incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit quod idem frater Petrus de Castro cum aliquibus fratribus venit ad cameram in qua erant dominus Petrus de Manso et frater Arnaldus infra septa domus Fratrum Predicatorum Nicosiensium conventus. Et requisivit ut restituerent sibi fratrem Jacobum de Fargis, quem extraxerant de carcere et detinebant ibi. Et cum nole<re>nt restituere nec aperire portam camere, precepit vicarius predictus clientibus armatis quos habebat secum ut frangerent hostium dicte camere, qua aperta, fecit capi fratrem Jacobum et reduxit eum ad unum carcerem.

[111] Interrogatus a²⁷ quibus fuerat idem frater Jacobus extractus de carcere, respondit quod dominus Petrus de Manso et frater Arnaldus, Apostolice Sedis nuntii, fuerunt in capitulo dicti conventus et pecierunt fratrem Jacobum de Fargis, qui erat in carcere, ex gratia primo, postea ex parte domini Pape. Et cum vicarius nole<re>t eis dare, exiverunt, capitulum et pecierunt et preceperunt ex parte domini Pape et sub pena excommunicationis dicto testi ut eis daret clavim dicti carceris. Et ipse testis respondit eis quod non erat ausus dare. Et frater Arnaldus accepit eam de corigia sua.

[112] Interrogatus si violenter abstulit eam, respondit quod ipse testis, elevatis brachiis, dixit, «Ecce clavim, sed eam non audeo vobis dare.» Et

²⁷ a s.l. MS

tunc frater Arnaldus iniecit manum ad zonam²⁸ ipsius et accepit eam. Et dicti nuntii cum familia sua aperuerunt carcerem, et eduxerunt fratrem Jacobum, et duxerunt eum ad cameram [12v] in qua morabatur dictus frater Arnaldus.

[113] Interrogatus si hostiliter accessit dictus vicarius ad dictam cameram, respondit se nescire, tamen credit quod venerit tantum causa recuperandi dictum fratrem Jacobum.

[114] Interrogatus si dederunt da<m>pnum vel iniuriam intulerunt dictis nuntiis et bonis et rebus que erant in dicta camera, respondit quod nescit.

[115] Interrogatus qui erant tunc in dicta camera cum dicto fratre Arnaldo, respondit quod dominus Petrus de Manso cum duobus valetis et quatuor notariis et cum dicto fratre Jacobo.

[116] Interrogatus si dictus vicarius perturbavit ipsos nuntios in executione negotiorum apostolicorum, respondit quod sic disturbavit, videlicet fratrem Arnaldum.

[117] Interrogatus qualiter, respondit quia quando frater Arnaldus venit ad locum Fratrum Predicatorum pro misericordia postulanda, vicarius fecit eum duci ad quandam cameram fortem et magnam, et ipse testis de mandato dicti vicarii clausit cameram illam cum clavi et dedit clavim dicto vicario, et ideo credit quod perturbaverit negotia domini Pape.

[118] Interrogatus super **secundo articulo** dicte inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., suo sacramento respondit quod vicarius fecit dictum fratrem Arnaldum duci a duobus fratribus, videlicet ab ipso teste et fratre²⁹ Roberto Anglico, ad quandam cameram pulcram et bonam, quia venerat ad petendum misericordiam a domino rege et a vicario et Ordine. Et vicarius fecerat eum custodiri in sacristia usque ad recessum regis post missam completam.

[119] Interrogatus si camera illa stabat continue clausa, respondit quod non de die, sed bene claudebatur de nocte a duobus fratribus, videlicet ab ipso teste et fratre Bertholino, qui custodiebant dictam cameram.

[120] Interrogatus ad quid positus fuit ibi, respondit: ut esset ibi arestatus.

[121] Interrogatus quanto tempore stetit arestatus ibidem, respondit quod plus quam quindecim diebus.

[122] Interrogatus si ille locus erat durus carcer, respondit quod frater Petrus, vicarius predictus, non reputabat durum carcerem, nec ipse testis

²⁸ conam MS

²⁹ fratre] Bertolino, qui custodiebat dictam cameram *vacat* MS

credit quod esset durus carcer, nisi in tantum quia prohibitum erat sibi loqui cum aliquo et alii secum. Et quidam peregrini veniebant petendo absolutio-
nem ab eo et non poterant sibi loqui. Et tamen erant aliqui alii fratres <ar>restati qui erant in durioribus cameris.

[123] Interrogatus super **tercio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit suo sacramento quod quando frater Jacobus de Fargis extractus fuit de carcere per dictos nuntios, audivit propriis auribus eum viva voce appellare et jussit de hoc fieri instrumentum per Magistrum Raimundum ante secundam incarcerationem. Sed dixit quod post xv dies audivit quosdam fratres dicentes dicto fratri Jacobo: «Revoca! Revoca appellationem, etiam quia vicarius faciet tibi misericordiam.» Et tunc revocavit dictus frater Jacobus appellationem ipsam in manibus dicti vicarii, presentibus dicto teste et fratre Anselmo de Silvano et aliis fratribus <de> quorum nominibus non recordatur.

[124] Interrogatus qualiter scit predicta, respondit quia presens interfuit omnibus et vidit.

[125] Interrogatus si predicta retulit precio, vel precibus, timore, amicitia, vel odio, respondit quod non, sed pro sola veritate. [13r]

RICHARD THE ENGLISHMAN: FRIDAY, 12 OCTOBER

[126] Die Veneris duodecimo dicti mensis Octobris comparuit coram supradictis iudicibus subdelegatis frater Ricardus Anglicus, Ordinis Fratrum Predicatorum, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio predictae inquisitionis et articulis ipsius sibi lectis et aliis anexis et dependentibus a predictis, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[127] Interrogatus dictus frater Ricardus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., respondit suo sacramento quod dictus frater Petrus de Castro vicarius introduxit aliquos armatos in claustrum Fratrum Predicatorum Nicosiensium. Et ipsis ibi expectantibus, idem vicarius misit aliquos fratres dicti Ordinis ad cameram fratris Arnaldi de Fabricis et domini Petri de Manso, nuntiorum Sedis Apostolice, acceptam ex parte domini nostri Pape, ut ipsi redderent fratrem Jacobum de Fargis, condempnatum³⁰ carceri per ipsum vicarium et diffinitorem Ordinis. Ipsi responderunt quod habebant ex parte domini nostri Pape aliqua per eum inquirere secundum quandam decretalem «De falsariis»³¹ allegatam per eos, et eo peracto negotio, ipsum redderent indilate. Predictus quidem vicarius, isti responsioni non acquiescens,

³⁰ condepnatam MS

³¹ Perhaps "Ad falsariorum," a decretal or constitution issued by Innocent III, found in the *Liber Extra*: X 5.20.7.

sed cum fratribus ad dictam cameram procedens, predictum fratrem Jacobum ab eis requisivit. Quibus respondentibus ut prius, et inhihentibus ex parte domini nostri Summi Pontificis quod cameram non tangerent, et non obstantibus persuasionibus fratrum propter scandalum imminens, ad ipsam cameram homines armatos induxit et portam frangi precepit. Qui, complentes eius preceptum, cameram intraverunt, et predictum fratrem Jacobum violenter extraxerunt, et ipsum iussu predicti vicarii ad carcerem Ordinis deduxerunt.

[128] Interogatus qualiter scit predicta, respondit quia vidit et presens fuit.

[129] Interogatus si hostiliter vel quo animo accessit dictus vicarius ad cameram, respondit quod suum non est iudicare de animo.

[130] Interogatus quo conduxerunt dictum fratrem Jacobum, respondit: ad alium locum quam esset prius.

[131] Interogatus si dominus Petrus de Manso et frater Arnaldus habitabant ambo in dicta camera, respondit quod bene tunc habitabant, tamen non continue, nec vidit dominum Petrum morantem ibi alia nocte quam illa.

[132] Interogatus quis extraxerat fratrem Jacobum de priori carcere, respondit quod frater Arnaldus et dominus Petrus fecerunt ad capitulum pulsari. Et congregatis fratribus in eodem capitulo, requisiverunt predictum vicarium quod eis daret fratrem Jacobum de Fargis, ut per eum possent inquirere aliqua que circumstabant mandatum papale. Ipso respondente non debere eis tradere, predicti nuntii preceperunt notario ut faceret eis instrumentum de predicta negatione. Facta autem altercatione inter predictos nuntios et vicarium, preceperunt nuntii ut articulos quos habebat dictus notarius legeret contra vicarium. Et sic contentione suscitata inter eos, precepta volabant ex parte utriusque: nuntii ex parte domini nostri Pape precipiebant fratribus ut eis obedirent, vicarius econtra ut sibi obedirent. Facta longa concertatione, dispersi sunt fratres. Et tunc frater Arnaldus una cum predicto domino Petro ad ministrum predicti fratris Jacobi accesserunt et frater Arnaldus clavem carceris a predicto ministro [13v] recepit et hostium carceris aperuit. Si ipsi extraxerunt eum vel non, nescit. Sed audivit dici quod unus notarius qui erat cum dictis nuntiis ipsum vocavit et ipse exivit.

[133] Interogatus qua hora vicarius accessit ad dictam cameram et fecit frangi portam, respondit quod determinate nescit de hora, sed fuit inter primam campanam et secundam, ut extimat.

[134] Interogatus si aliqua bona vel littere papales erant in dicta camera, respondit quod audivit dici quod sic.

[135] Interogatus si perturbavit nuntios in executione negotiorum apostolicorum, respondit quod in quantum detinuit fratrem Arnaldum eos a negotiis papalibus impedivit.

[136] Interrogatus si dicti nuntii protestati fuerunt tunc quod ibi in camera illa esset thesaurus domini Pape, respondit quod ipse audivit propriis auribus fratrem Arnaldum protestantem, «Hic est thesaurus et bona et scripture domini Pape.»

[137] Interrogatus si datum fuit aliquod dampnum rebus vel bonis ibi existentibus, respondit quod nescit nec audivit.

[138] Interrogatus super **secundo articulo** dicte inquisitionis, qui sic incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit quod die Sancti Stephani idem frater Arnaldus venit de domo Hospitalis ad ecclesiam Fratrum Predicatorum et genuflexit se coram domino rege existente in choro dicte ecclesie, preces effundendo ut ipse pro eo fratres rogaret. Et rex rogavit vicarium pro eo. Et vicarius precepit ipsum ad sacristiam duci. Et peracta missa et rege recedente, de consilio aliorum ad quandam cameram predictum fratrem Arnaldum duci precepit.

[139] Interrogatus qui duxerunt eum, respondit quod fratres aliqui dicti Ordinis.

[140] Interrogatus si posuerunt manus in eum, respondit quod non.

[141] Interrogatus si camera illa fuit clausa, respondit: bene scit quod vicarius illam fecit claudi, sed si clavim retinuit vel alteri dedit, nescit.

[142] Interrogatus si mansit continue clausa, respondit se credere firmiter quod non fuerit continue clausa.

[143] Interrogatus si vidit fratrem Arnaldum unquam cameram predictam exire, respondit quod sic, et quod vidit eum ire per ortum de licentia vicarii, sine qua non poterat exire.

[144] Interrogatus si vicarius fecit ipsum duro carceri mancipari, respondit quod in tantum putat ipsum duro carceri mancipatum in quantum non potuit et sub precepto habuit ut nisi de licentia vicarii non exiret nec fratribus colloqui prout vellet.³² Sed nullam aliam duriciem habuit, neque de ferris neque de restrictione cibi vel potus quod sciat vel audiverit.

[145] Interrogatus si fuit sententialiter condemnatus carceri per vicarium, respondit quod sic, et dimissus postea de consilio fratrum et ad preces domini regis, nam dictus vicarius retulit in capitulo qualiter dominus rex rogaverat ipsum vicarium ut relaxaret ipsum ad hoc ut posset exercere negotia domini Pape. Et fecit de hoc dictus dominus rex fieri publicum instrumentum de dicto suo qualiter et quando rogaverat dictum vicarium super ipsa relaxatione. Sed tamen vicarius dimisit eum sub pena carcerali iudicanda secundum beneplacitum maiorum Ordinis.

³² The meaning is clear, but the grammar and syntax are poor.

[146] Interrogatus quanto tempore stetit in dicta camera ita arestatus, respondit quod nescit.

[147] Interrogatus si scit quod ad noticiam vicarii pervenerit illa constitutio de qua fit mentio in litteris apostolicis, respondit se nescire, sed dixit quod bene audivit fratrem Arnaldum qui dixit in capitulo vicario, «Vos non habetis potestatem super me,» sed utrum allegaverit constitutionem, ignorat.

[148] Interrogatus ad quid positus fuit frater Arnaldus predictus in dicta camera, respondit: ut esset ibi arestatus et incarceratus. [14r]

[149] Interrogatus dictus testis super **tercio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., suo sacramento respondit quod audivit a fratribus quibusdam – <de> quorum nominibus non recordatur – quod frater Jacobus appellavit ad Sedem Apostolicam quando carcerem exivit, notario presente et aliis, non tamen audivit suis auribus dictum fratrem Jacobum appellare.

[150] Interrogatus si scit quod ad noticiam vicarii pervenerit de hac appellatione emissa prout audivit dici a dictis fratribus, respondit: non asserit quod sic, sed credit, quia secundum relata fratrum – <de> quorum nominibus non recordatur – dictus vicarius fecit dictum fratrem Jacobum mutari de loco superiori ad inferiorem et appellationem revocari, non quod dictus testis viderit predicta, sed audivit sic dici a dictis fratribus.

[151] Interrogatus si predicta retulit precio, vel precibus, timore, vel amicitia, seu amore, vel odio, respondit quod nequaquam, sed pro sola veritate predicta omnia dixit.

BERTOLINO OF RIETI: FRIDAY, 12 OCTOBER

[152] Die Veneris XII mensis Octobris comparuit coram supradictis iudicibus subdelegatis frater Bertolinus de Ricto, Ordinis Predicatorum conversus, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio predictae inquisitionis et articulis ipsius sibi lectis et expositis in vulgari ac etiam aliis anexis et dependentibus a predictis, quibus eum dicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[153] Interrogatus dictus frater Bertolinus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit se vidisse homines armatos intrantes locum Fratrum Predicatorum et audivit rumorem magnum et ictus. Et postea dictum fuit sibi portam camere in qua stabat frater Arnaldus esse fractam causa extrahendi fratrem Jacobum de Fargis, qui erat in dicta camera. Et vidit dictus testis fratrem Jacobum predictum captum a dictis hominibus reduci ad carcerem. Qui frater Jacobus extractus fuerat de carcere per dictum fratrem Arnaldum – ut audivit, quia hoc non vidit ipse testis.

[154] Interrogatus si hostiliter accessit dictus vicarius ad cameram illam, respondit quod non, nec animo dampnificandi, sed tantum causa recuperandi dictum fratrem Jacobum.

[155] Interrogatus si in dicta camera erant aliqua bona vel scripture domini Pape, respondit quod sic, videlicet coffani et casse et alia massaricia.

[156] Interrogatus si vicarius ipse perturbavit supradicto<s> nuntios in executione negotiorum apostolicorum, respondit quod nescit.

[157] Interrogatus si in pristinum carcerem reductus fuit idem frater Jacobus vel in alium, respondit quod in alium.

[158] Interrogatus dictus testis super **secundo articulo** predictae inquisitionis, qui incipit:³³ «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit quod die Sancti Stephani vidit fratrem Arnaldum de Fabricis predictum intrare ecclesiam Fratrum Predicatorum, domino rege ibi existente. Et postea de choro ivit ad sacristiam sponte, et multi fratres secuti fuerunt eum. Et vidit unum fratrem conversum, videlicet fratrem [14v] Johannem de Sabaudia, stare super porta sacristie. Et credit quod stabat ibi causa custodiendi fratrem Arnaldum, tamen nescit pro certo.

[159] Interrogatus quo ivit frater Arnaldus quando recessit de sacristia, respondit quod non vidit, quia remansit in choro, sed audivit dici quod fuit ductus ad quandam cameram bonam. Et postmodum per aliquos dies dictus testis fuit datus custos et ad serviendum dicto fratri Arnaldo. Et aliqui fuerant dati ante eum, videlicet frater Johannes de Sabaudia, et unus frater presbiter qui secum diceret officium.³⁴

[160] Interrogatus si fuit mandatum dicto fratri Arnaldo quod non exiret dictam cameram sine licentia vicarii, respondit quod bene poterat exire ad infirmatorium, sed non ad claustrum et aliam partem conventus, <et>³⁵ prohibitum fuit sibi ex parte vicarii ne loqueretur cui vellet.

[161] Interrogatus si dictus frater Arnaldus fuit duro carceri mancipatus, respondit: non videtur sibi quod fuerit durus carcer, quia camera erat pulcra et lata et non fiebat sibi restrictio cibi vel potus.

[162] Interrogatus si dicta camera stabat continue clausa, respondit quod, postquam ipse testis datus fuit custos, non stetit clausa de die, sed sic de nocte. De constitutione de qua fit mentio in litteris papalibus dixit se nichil scire.

[163] Interrogatus ad quid positus fuit in dicta camera frater Arnaldus predictus, respondit: ut esset ibi arestatus usque ad voluntatem vicarii.

³³ qui incipit *iter*. MS

³⁴ et unus... officium] qui secum diceret officium et unus frater prebiter *a.c.* MS

³⁵ et] ex MS

[164] Interrogatus quanto tempore stetit in dicta camera, respondit quod non est bene certus de tempore, sed videtur sibi quod usque ad unum mensem.

[165] Interrogatus dictus testis super **tercio articulo** dicte inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit quod ipse audivit dici ab aliquibus fratribus, scilicet fratre Arnaldo de Fabricis, et fratre Johanne de Sabaudia, et aliis <de> quorum nominibus non recordatur, quod dictus frater Jacobus appellaverat ad dominum Papam. Et vidit ipse testis fratrem Jacobum predictum stantem cum fratre Arnaldo et cum domino Petro de Manso et cum notario scribente ab una parte infirmatorii dicti conventus. Nescit quid tunc faciebat, sed dictum fuit sibi postea quod appellabat, tamen non bene recordatur si illa die vel alia dictum fuerit sibi.

[166] Interrogatus si predicta retulit precio aliquo, vel precibus, timore, vel odio, vel amore, respondit quod nullo modo, sed tantum pro sola veritate predicta omnia dixit.

ARNALD THE PORTER: SATURDAY, 13 OCTOBER

[167] Die Sabbati XIII^a mensis Octobris comparuit coram supradictis iudicibus subdelegatis Arnaldus, portarius conventus Fratrum Predicatorum Nicosiensium, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis et articulis ipsius sibi lectis et expositis in vulgari ac etiam aliis annexis et dependentibus a predictis, quibus eum iudices predicti interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[168] Interrogatus dictus Arnaldus testis iuratus super **primo articulo** predicte inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit quod quadam die ante terciam vidit quod dominus Petrus de Manso et frater Arnaldus de Fabricis descenderunt ad capitulum Fratrum Predicatorum et fecerunt pulsari campanam capituli per quendam [15r] notarium, qua pulsata, fratres convenerunt ad capitulum. Nescit quid faciebant nisi quod audiebat rumorem. Deinde dominus Petrus et frater Arnaldus predicti exiverunt, et iverunt versus infirmariam, et extraxerunt fratrem Jacobum de Fargis de carcere, qui stetit cum ipsis nuntiis loquens in infirmaria. Et dicti nuntii miserunt dicendo ipsi testi per eorum vicarium quod si vicarius veniret ad domum, qui iam recesserat, deberet ipse testis dicere eidem vicario quod deberet venire ad loquendum cum eis, et sic pluries dicendo miserunt.

[169] Interrogatus quid loquebantur ad invicem frater Jacobus et dicti nuntii, respondit: nescit nisi quod dictus frater Jacobus legebat quandam litteram in qua quid contineretur ignorat. Demum dictus vicarius venit ad domum in sero dicto completario cum quibusdam sargentibus bene armatis et paratis, et dimisit eos in claustro. Et misit duos vel tres fratres ad cameram in qua erant dicti nuntii et frater Jacobus predictus cum eis ut ipsi sibi resti-

tuerent fratrem Jacobum, qui venire deberet ad capitulum. Et dicti nuntii noluerunt reddere. Et sic postea, vicario loquente cum fratre Arnaldo intus existente et respondente, sargentibus dixerunt, «Ibimus?» Et vicarius respondit, «Sic.» Tunc ipsi omnes processerunt ad hostium et fregerunt ipsum. Et vidit ipse testis quod quatuor vel v sargentibus eduxerunt dictum fratrem Jacobum extra cameram et duxerunt eum ad unum carcerem.

[170] Interrogatus qui erant tunc in dicta camera cum fratre Arnaldo, respondit quod dominus Petrus de Manso. Et audivit dici quod tres notarii et nepos domini Petri de Manso.

[171] Interrogatus si hostiliter vel quo animo accessit idem vicarius ad dictam cameram, respondit quod ipse vicarius venit iratus, et vocavit sargentibus, et ascendit ad cameram faciens fieri predicta.

[172] Interrogatus si erat ibi thesaurus vel bona domini Pape, respondit: credit quod sic.

[173] Interrogatus si vicarius perturbavit nuntios ipsos in executione negotiorum apostolicorum, respondit quod sic, quia incarceravit et arestavit fratrem Arnaldum per tres edomadas et plus, ita quod non potuit exequi negotia Sedis Apostolice.

[174] Interrogatus si frater Arnaldus et dominus Petrus habitabant simul, respondit quod non, quia dominus Petrus in villa Nicosiensi et frater Arnaldus in dicta camera habitabant, excepto quam illa nocte.

[175] Interrogatus si facta fuit iniuria nuntiis vel da<m>pnum aliquod datum rebus eorum que erant in dicta camera, respondit se nescire, quia non intravit cameram.

[176] Interrogatus qualiter scit predicta, respondit quia vidit et predictis presens fuit.

[177] Interrogatus dictus testis super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit quod in die Sancti Stephani vidit dictum fratrem Arnaldum in sacristia dicti conventus, et postea vidit eum in quadam camera.

[178] Interrogatus si illa camera stabat clausa, respondit quod sic de nocte, sed de die aperta, et duo fratres custodiebant eum in dicta camera.

[179] Interrogatus si ista camera fuit deputata sibi pro carcere vel custodia, respondit quod stetit ibi arestatus et incarceratus, tamen vidit aliquando eum exeuntem de dicta camera, sed semper cum custodia.

[180] Interrogatus si illa camera erat durus carcer, respondit quod nescit.

[181] Interrogatus si facta fuit sibi restrictio cibi vel potus, respondit quod non, quia habere poterat quicquid volebat ad comedendum et [15v] bibendum.

[182] Interogatus si vidit eum in dicta camera, respondit quod sic, pluribus viginti vicibus.

[183] Interogatus si habebat ferramenta vel alias duricies, respondit quod non.

[184] Interogatus si scit vel audivit dici quod ad noticiam vicarii pervenerit quod frater Arnaldus esset exemptus a iurisdictione ipsius vicarii, respondit se nichil scire.

[185] Interogatus super **tercio articulo** dicte inquisitionis, qui incipit: «Item quod dictus frater Petrus vicarius, spretis» etc., respondit se nichil scire quantum ad effectum appellationis.

[186] Interogatus si predicta retulit odio, vel amore, vel precio aliquo recepto, vel timore alicui, respondit quod non, sed pro sola veritate.

WILLIAM ZAMBONI: SATURDAY, 13 OCTOBER

[187] Eadem die Sabbati tercia x^a predicti mensis Octobris comparuit coram supradictis iudicibus subdelegatis Guilielmus Zamboni, sartor conventus Fratrum Predicatorum Nicosiensium, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis predicte et super articulis ipsius sibi lectis et declaratis et expositis in vulgari ac etiam super aliis annexis et dependentibus a predictis meram et plenam dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[188] Interogatus dictus testis iuratus super **primo articulo** inquisitionis, qui sic incipit: «In primis quod dictus frater Petrus de Castro» etc., respondit suo sacramento quod quadam die ipse erat in una parte dicti conventus et faciebat servicium suum. Et audiens quendam rumorem, ascendit superius ad teraciam claustris et invenit quod sargentibus armatis intraverant cameram fratris Arnaldi et extraxerunt fratrem Jacobum de Fargis. Nescit quo duxerunt eum, sed credit quod ad carcerem. Et audivit propriis auribus quod frater Arnaldus prohibebat eis ne irent super eum, quia ibi erat thesaurus et bona domini Pape.

[189] Interogatus qui erant tunc in dicta camera cum fratre Arnaldo, respondit quod dominus Petrus de Manso et aliqui familiares fratris Arnaldi.

[190] Interogatus quis duxit sargentibus ad dictam cameram, respondit quod nescit.

[191] Interogatus si in dicta camera erant bona et scripture tangentes negotia domini Pape, respondit: credit quod sic.

[192] Interogatus si fecerunt iniuriam dictis nuntiis vel da<m>pnum dederunt rebus que erant in dicta camera, respondit se nescire.

[193] Interogatus si vicarius perturbavit nuntios dictos in executione negotiorum apostolicorum, respondit se nescire.

[194] Interrogatus super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus, vicarius prelibatus,» respondit quod in crastinum Nativitatis Domini, frater Arnaldus venit cum domino rege et cum magistro Hospitalis ad ecclesiam Fratrum Predicatorum. Et dicta missa, fratres locuti fuerunt cum domino rege, sed nescit que verba. Et vidit dictum fratrem Arnaldum in sacristia, et postea vidit eum in quadam camera, non tamen vidit eum duci de sacristia ad cameram.

[195] Interrogatus si camera in qua vidit eum erat tunc clausa, respondit quod non, tamen vidit aliquando eam clausam, dicto fratre Arnaldo existente intus, prout credit.

[196] Interrogatus ad quid deputata fuit sibi dicta camera, respondit: credit quod ad carcerem, nam et aliquando vidit alios fratres ibi incarceratos.

[197] Interrogatus quot diebus [16r] stetit ibi, respondit se nescire.

[198] Interrogatus qua de causa positus fuit ibi, respondit prout audivit a fratribus: propter excessus aliquos quos commiserat.

[199] Interrogatus si habebat durum carcerem, respondit: non credit, sed tamen vidit fratres aliquos custodientes cameram ne posset exire.

[200] Interrogatus si facta fuit sibi restrictio cibi vel potus, respondit quod nescit.

[201] Interrogatus si prohibitum fuit sibi ne aliqui loquerentur eidem nec ipse aliis, respondit quod sic.

[202] Interrogatus quomodo scit predicta, respondit quia audivit sepe fratres prohibentes eidem testi ne deberet appropinquare camere predictae quia prohibitum erat ut nullus loqueretur dicto fratri Arnaldo.

[203] Interrogatus qualiter fuit relaxatus, respondit quod nescit.

[204] Interrogatus si scit quod frater Arnaldus denunciaverit vel ad noticiam ipsius vicarii pervenerit quod ipse frater Arnaldus esset exemptus a iurisdictione vicarii propter aliquam constitutionem, respondit quod nescit.

[205] Interrogatus dictus testis super **tercio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit se nichil scire.

[206] Interrogatus si predicta retulit precio, vel precibus alicuius, vel timore, vel odio, vel amore, respondit quod non, sed quod sola veritate.

CARNAVABUS: SATURDAY, 13 OCTOBER

[207] Die Sabbati predicta tertia decima mensis Octobris comparuit coram supradictis iudicibus subdelegatis Carnavabus, Grecus, servitor predicti conventus Fratrum Predicatorum, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis predictae et super

articulis ipsius sibi lectis, expositis, et declaratis ac etiam super aliis anexis et dependentibus a predictis, quibus eum prefati iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[208] Interrogatus dictus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., respondit quod ipse testis erat tunc in camera illa simul cum domino Petro de Manso et fratre Arnaldo et fratre Jacobo de Fargis, quando vicarius venit cum armatis hominibus accedens ad dictam cameram. Et frater Thomas de Anchona dixit, «Aperiat is ianuam!» Et frater Arnaldus dixit, «Ego non aperiam portam, quia nescio que sint iste gentes.» Et dixit, «Defendo vobis ex parte domini Pape et ex parte regis Cipri ne frangatis ianuam, quia hic est thesaurus, scripture, et bona domini nostri Pape.» Tunc fregerunt portam et ceperunt dominum Petrum de Manso et fratrem Arnaldum per pectus. Et postea ceperunt fratrem Jacobum de Fargis per caput, per pedes, et manus, et straxinaverunt eum extra cameram, et duxerunt eum ad carcerem. Qui frater Jacobus fuerat in carcere et extractus fuerat per fratrem Arnaldum.

[209] Interrogatus si dictus frater Arnaldus ipsum extraxerat violenter, respondit quod dictus frater Arnaldus et dominus Petrus invenerunt custodem carceris, qui habebat clavim, et ipsam petiverunt ab eo. Et dictus custos respondit quod non auderet eis dare absque licentia vicarii. Et tunc dominus Petrus et frater Arnaldus preceperunt duobus suis notariis, quos habebant ibi, ut acciperent sibi clavim. Qua accepta, fecerunt carcerem aperiri, et extraxerunt dictum fratrem Jacobum, et duxerunt eum ad dictam cameram [16v] fratris Arnaldi.

[210] Interrogatus si hostiliter vel quo animo accessit dictus vicarius ad cameram cum predictis hominibus, respondit se nescire.

[211] Interrogatus si vidit quod frater Jacobus tunc appellaret quando extractus fuit de dicta camera fratris Arnaldi, respondit quod sic, quia quando vicarius introivit cameram, frater Jacobus, in presentia dicti vicarii et episcopi Sancte Herine³⁶ et fratris Thome de Marchia, legit quandam cartam quam habebat in manibus. Et ipse testis propriis auribus audivit ipsum fratrem Jacobum dicentem, «Feci appellationem meam ad dominum Papam.»

[212] Interrogatus si in camera illa erant bona aliqua domini Pape, respondit quod sic, quia erat tota plena.

[213] Interrogatus que bona, respondit, «Anapi et poti argentei, et libri, et denarii multi.»

³⁶ = Santorini. His name is unknown. Cf. G. Fedalto, *La chiesa latina in oriente* II, Verona 1976, p. 198.

[214] Interogatus qualiter scit quod erant domini Pape bona illa, respondit, «Quia quis frater Predicator, nisi foret prelatus, habet tot denarios et tantum argenti?»

[215] Interogatus si fecerunt iniuriam nuntiis predictis, respondit quod, quando illi homines ingressi fuerunt dictam cameram, ceperunt per pectus fratrem Arnaldum et dominum Petrum de Manso cum cultellis nudis in manibus, nescientes quis esset frater Jacobus. Et frater Thomas de Marchia dixit, «Aliquis istorum non est ille,» et tunc dimiserunt eos.

[216] Interogatus si da<m>pnum illatum fuit rebus illis papalibus, respondit quod nescit.

[217] Interogatus si dominus Petrus predictus habitabat in dicta camera cum fratre Arnaldo, respondit quod non, sed illa nocte fuerat hospitatus in dicta camera.

[218] Interogatus si vicarius disturbavit eos in executione negotiorum apostolicorum, respondit quod nescit.

[219] Interogatus dictus testis super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., respondit quod quadam die, videlicet in festo Sancti Stephani, qui est die statim sequenti post Nativitatem Domini, vidit fratrem Arnaldum de Fabricis intrantem per se, non ductum, ecclesiam Fratrum Predicatorum, et postea ivit in sacristiam. Et duo fratres conversi venerunt ex parte vicarii ad arestandum eum. Et duxerunt eum ad unam cameram. Et duo fratres custodiebant eum ibi die et nocte. Et dicta camera stabat in die aperta et nocte clausa.

[220] Interogatus si frater Arnaldus habuit durum carcerem, respondit quod non.

[221] Interogatus ad quid fuit deputata sibi dicta camera, respondit: pro carcere, quia etiam aliqui alii fratres iam fuerant incarcerati ibi, videlicet frater Petrus Vitalis et frater Jacobus de Fargis, quos ipse testis ibi viderat incarceratos.

[222] Interogatus si prohibitum fuit dicto fratri Arnaldo ne alicui loqueretur nec alii sibi, respondit quod sic.

[223] Interogatus qualiter scit hoc, respondit quia pluries prohibitum fuit eidem testi ne accederet ad dictam cameram, quia prohibitum erat ut nulli³⁷ vel ne aliquis loqueretur sibi nisi custodientes eum.

[224] Interogatus dictus testis super **tercio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit quod, quando idem frater Jacobus de Fargis fuit extractus primitus de carcere

³⁷ nullus MS

per dictos nuntios, vidit ipsum ante hostium infirmarie legentem unam cartam coram domino Petro de Manso et fratre Arnaldo et duobus notariis, videlicet Magistro Arnaldo et Magistro Raimundo, et appellante<m> a predicto vicario ad dominum Papam.

[225] Interrogatus quomodo scit quod appellabat, respondit quia dictum fuit sibi per notarios illos quod ipse appellabat, et postea vidit eum appellantem [17r] in camera fratris Arnaldi, sicut in primo articulo dictum est.

[226] Interrogatus si scit quod ad noticiam vicarii pervenerit de appellatione predicta, respondit quod sic, quia notarii domini Petri et fratris Arnaldi iverunt ad vicarium et retulerunt ei in capitulo quod frater Jacobus ab eo appellaverat.

[227] Interrogatus quomodo scit hoc, respondit quia ipse audivit dictos nuntios ambos precipientes dictis notariis ut annuntiarent dicto vicario de dicta appellatione, sed tamen non audivit quod dicti notarii dixerunt vicario.

[228] Interrogatus si predicta retulit precio, vel precibus, vel timore, vel odio alicuius, vel amore, respondit quod non, sed predicta omnia testificatus est pro sola veritate, in quantum scivit.

DONNINO OF PARMA: MONDAY, 15 OCTOBER

[229] Die Lune quintodecimo dicti mensis Octobris dominus Doninus de Parma, iuris peritus, vocatus in testem comparuit³⁸ coram supradictis iudicibus subdelegatis. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis predictae et articulis ipsius ac etiam annexis et dependentibus a predictis, quibus eum predicti iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[230] Interrogatus dictus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro » etc., suo sacramento respondit se tantum inde scire, videlicet quia vidit quoddam publicum instrumentum in quo continebatur prout in dicto articulo continetur, quod quidem instrumentum prefati nuntii pecierunt in formam publicam transferri et autenticari. Cui publicationi auctoritatem interposuit vicarius domini archiepiscopi Nicosiensis. Et aliud dixit se nescire nisi per auditum.

[231] Interrogatus a quibus audivit, respondit: a dictis nuntiis et familiaribus suis.

[232] Interrogatus super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus» etc., dixit de constitutione illa de qua fit mentio in dicto articulo se nichil

³⁸ coram MS

³⁹ executionis MS (a.c.?)

scire nisi postquam rescriptum huiusmodi fuit dominis iudicibus presentatum. De incarceratione et clausura dicti fratris Arnaldi, dixit se tantum scire quod ipse testis quadam die accessit ad locum Predicatorum pro negotiis illustris domini regis Armenie et invenit dictum fratrem Arnaldum ad partem aliquam sequestratum. Qui frater Arnaldus, cum requisitus esset per dominum Baldum Spinola, procuratorem dicti regis, ut negotium sibi commissum per Sedem Apostolicam executioni³⁹ debite demandaret, respondit quod exequi non poterat ex eo quod cameram in qua erat inclusus exire non poterat, asserens se indebite dicto carceri mancipatum, vicario dicti loci tunc presente ex adverso respondente quod indebite et iniuste non tenebatur inclusus, sed suis demeritis exigentibus ibi fuerat sequestratus. Et aliud dixit se nescire.

[233] Interrogatus qualiter scit ista, respondit quia ipsemet erat presens tunc et audivit propriis auribus de ore fratris Arnaldi verba predicta.

[234] Interrogatus quibus aliis presentibus, respondit: domino Baldo Spinola, et fratre Anselmo de Silvano, et dicto vicario, et etiam prout sibi videtur fratre Thoma de Marchia.

[235] Interrogatus si dictus frater [17v] Arnaldus fuit per vicarium sententialiter condemnatus carceri, respondit quod audivit a dicto fratre Anselmo de Silvano quod sic.

[236] Interrogatus in quo loco invenit dictum fratrem Arnaldum supradicta verba dicentem, respondit: in quadam camera spatiosa dicte domus, ad quam consueverat ire dominus archiepiscopus Nicosiensis quando spatiando visitabat locum Predicatorum.

[237] Interrogatus si visum fuit sibi quod esset durus carcer, respondit quod suum non est de hoc decernere, sed iudicis, quia satis designavit eis locum. De aliis nescit.

[238] Interrogatus super **tertio articulo** inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit se nichil scire nisi de auditu.

[239] Interrogatus quid audivit, respondit: audivit quod frater Jacobus de Fargis fuit carceri mancipatus post quandam appellationem interpositam ad Sedem Apostolicam.

[240] Interrogatus a quibus audivit, respondit: a dictis nuntiis, qui dicebant se interfuisse appellationi, et a quibusdam fratribus eiusdem Ordinis, sociis domini archiepiscopi, qui dicebant se audivisse ab aliis. Utrum in offensam Sedis Apostolice, ignorat.

MARK OF PARMA: MONDAY, 15 OCTOBER

[241] Predicta die Lune xv mensis Octobris comparuit coram supradictis iudicibus subdelegatis Marcus de Parma, notarius, valetus domini archiepiscopi Nicosiensis, vocatus in testem. Et iuravit ad sancta Dei

evangelia super toto negotio predicte inquisitionis et articulis ipsius sibi lectis ac etiam super aliis annexis et dependentibus a predictis, quibus eum iudices predicti interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[242] Interogatus dictus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit se nichil penitus scire.

[243] Interogatus super **secundo articulo** inquisitionis, qui incipit: «Item, quod postmodum» etc., respondit suo sacramento quod audivit dici quod dictus vicarius tenebat ipsum fratrem Arnaldum arestatum, et ipse testis vidit aliquando eum in claustro interiori dicti conventus Fratrum Predicatorum. Et audivit tunc dici quod non poterat exire claustrum propter mandatum vicarii.

[244] Interogatus si fuit sententialiter condemnatus ad carcerem, respondit quod sic, quia ipse testis presens fuit prolationi sententie et rogatus tanquam notarius per predictum vicarium facere publicum instrumentum de dicta sententia data contra dictum fratrem Arnaldum.

[245] Interogatus in quo loco data fuit hec sententia, respondit quod in capitulo Fratrum Predicatorum Nicosiensium, in presentia capituli et conventus congregatorum ibi ad sonum solite campane dicti capituli.

[246] Interogatus de verbis sententie vel de mente verborum, respondit quod condemnavit eum tanquam rebellem, fugitivum, et inobedientem carceri.

[247] Interogatus si vicarius fuit executus dictam sententiam, respondit quod nescit nisi ut supra dixit.

[248] Interogatus super **tercio articulo**, dixit se nichil omnino scire.

ALEGRINUS: MONDAY, 15 OCTOBER

[249] Die Lune predicta xv dicti mensis Octobris comparuit coram supradictis iudicibus subdelegatis frater Alegrinus, Ordinis Fratrum Predicatorum conversus, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis predicte et articulis ipsius sibi lectis, expositis, et declaratis ac etiam super aliis predictis annexis et dependentibus ab [18r] eisdem, quibus eum prefati iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[250] Interogatus dictus frater Alegrinus testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., respondit suo sacramento quod tunc, quando ista dicuntur facta fuisse, non erat in Nicosia sed erat in conventu Famagustano.

[251] Interogatus dictus testis super **secundo articulo** predicte inquisitionis, qui incipit: «Item, quod postmodum» etc., respondit quod

quadam die, cuius bene non recordatur, vidit fratrem Arnaldum in sacristia conventus predicti, et duo fratres custodiebant eum ibi. Et recedente domino rege de ecclesia, completa missa, audivit quod fuit ductus ad quandam cameram, non tamen vidit eum duci, sed bene vidit eum in dicta camera.

[252] Interrogatus ad quid deputata fuit sibi illa camera, respondit quod non bene sciret iudicare si ad carcerem, sed fuit sibi deputata ne posset ire quo vellet sine mandato vicarii.

[253] Interrogatus si ipse testis fuit unquam custos dicte camere, respondit quod numquam ex mandato vicarii, sed aliquando accidit quod frater conversus qui custodiebat ibi, volens ire ad aliqua servicia, sibi dixit quod custodiret ibi pro eo ex parte vicarii.

[254] Interrogatus quot diebus stetit in dicta camera ipse frater Arnaldus, respondit quod non bene recordatur.

[255] Interrogatus si facta fuit sibi restrictio cibi vel potus, respondit: credit quod non, et si facta fuisset, credit quod scivisset.

[256] Interrogatus si scit vel quod ad noticiam vicarii pervenerit vel frater Arnaldus eidem vicario dixerit quod esset exemptus a iurisdictione ipsius propter aliquam constitutionem, respondit quod audivit dici pluries in conventu, non tamen recordatur a quibus, quod frater Arnaldus dixerat quod vicarius non habebat aliquam iurisdictionem in eum, quia erat exemptus.

[257] Interrogatus si frater Arnaldus fuit carceri sententialiter condemnatus, respondit se nescire nisi in tantum quia, quando fuit relaxatus, vicarius dixit: «Relaxo vos ut eatis ad faciendum negotia que habetis agere, tamen non remitto vobis penitentiam.» Et frater Arnaldus respondit: «Ergo ego sum adhuc in carcere.»

[258] Interrogatus super **tercio articulo**, respondit quod nichil scit nec vidit, quia erat tunc in Famagusta quando illa dicuntur evenisse.

[259] Interrogatus si predicta dixit et testificatus fuit pro precio aliquo, vel precibus aliquorum, vel timore, vel amore, vel odio, respondit quod non, sed pro sola veritate respondit et dixit supradicta, prout scivit.

SIMON DE VIENNA: WEDNESDAY, 17 OCTOBER

[260] Die Mercurii decimo VII dicti mensis Octobris comparuit coram supradictis iudicibus subdelegatis frater Simon de Vienna, Ordinis Predicatorum, vocatus in testem. Et iuravit ad sancta Dei evangelia super toto negotio inquisitionis supradicte et articulis ipsius sibi lectis ac etiam super aliis annexis predictis et dependentibus ab eisdem, quibus eum predicti

⁴⁰ cum s.l. MS

iudices interrogaverint, meram et puram dicere veritatem, remotis precio, precibus, timore, odio, et amore.

[261] Interrogatus dictus frater Simon testis iuratus super **primo articulo** inquisitionis, qui incipit: «In primis quod dictus frater Petrus de Castro» etc., suo sacramento respondit quod ipse [18v] vicarius accessit cum⁴⁰ hominibus armatis ad cameram fratris Arnaldi, que est infra septa domus Fratrum Predicatorum, domino Petro de Manso existente tunc in dicta camera, tamen non habitabat ibi continue. Et cum prius misisset fratres ad rogandum ipsos nuntios ut redderent sibi fratrem Jacobum de Fargis, et ipsemet vicarius pluries rogasset eos, et ipsi nole<re>nt red<d>ere, iussit dictus vicarius frangi hostium dicte camere. Et intravit cameram cum predicatis armatis hominibus et fecit capi fratrem Jacobum predictum. Verum est quod ipse dixit clientibus, «Non capiatis fratrem Arnaldum, quia ille non est, sed capiatis istum,» videlicet fratrem Jacobum, nam clientes volebant capere fratrem Arnaldum. Et fecit dictum fratrem Jacobum duci ad carcerem.

[262] Interrogatus si hostiliter vel quo animo accessit dictus vicarius, respondit: non credit quod iverit ad nocendum nuntiis, sed tantum causa recuperandi fratrem Jacobum fugitivum.

[263] Interrogatus si frater Arnaldus protestatus fuit quod ibi essent bona et thesaurus domini Pape, respondit quod ipse audivit propriis auribus fratrem Arnaldum sic protestantem: «Hic est thesaurus, bona, et scripture domini nostri Pape.» Et quando intraverunt dicti homines cameram, invenerunt notarios, videlicet Magistrum Arnaldum et Rainaldum, legentes quasdam scripturas factas in papiro, et ipsas⁴¹ vidit ipse testis. Tamen quid contineretur in eis nescit, sed credit quod erant protestationes et appellationes.

[264] Interrogatus si dictus vicarius perturbavit dictos nuntios in executione negotiorum apostolicorum, respondit quod nescit nisi in quantum arestavit fratrem Arnaldum, quia durante arestatione non potuit frater Arnaldus prosequi dicta negotia.

[265] Interrogatus de die et mense quo hec fuerunt, respondit: non bene recordatur, sed de hora dicit quod fuit tarde, post completorium.

[266] Interrogatus qui erant tunc in dicta camera cum dicto fratre Arnaldo, respondit quod dominus Petrus de Manso et Magistri Arnaldus et Rainaldus, notarii, et frater Jacobus predictus, et Johannes Calhaferius, et Johanninus servus casalis.

[267] Interrogatus dictus testis super **secundo articulo** sepedicte inquisitionis, qui sic incipit: «Item, quod postmodum dictus frater Petrus de Castro, vicarius prelibatus,» respondit quod frater Arnaldus de Fabricis in

⁴¹ ipsos MS

festo Sancti Stephani venit sponte ad locum Fratrum Predicatorum, et salutavit dominum regem, et recomendavit se sibi. Et dominus rex recomendavit eum fratribus et rogavit pro eo. Postea ductus fuit dictus frater Arnaldus in sacristiam. Non vidit ipse testis eum quando venit in ecclesiam, sed in sacristia vidit eum et fuit locutus ei diucius. Et postea ipse testis recessit de conventu. Quid factum fuerit de dicto fratre Arnaldo nescit, sed postea, quando rediit, invenit ipsum esse in una camera in qua potuit libere intrare, et intravit. Et post quatuor vel v dies clausurunt portam camere et predictus vicarius precepit in virtute sancte obedientie quod nullus loqueretur eidem fratri Arnaldo nisi de licentia sua. Nichilominus dedit ei servitorem quem peciit, videlicet fratrem Elyam, qui iacebat in camera cum eo, et de nocte eos includebant.

[268] Interogatus si continue stetit clausa camera, respondit quod sic de nocte, sed in die stabat aperta.

[269] Interogatus si illa camera erat durus carcer, respondit quod non, quia erat quedam pulcra camera et lata.

[270] Interogatus si camera illa fuit sibi deputata ad carcerem, respondit quod ad detentionem, prout credit, nec fuit sibi facta aliqua restrictio cibi vel potus.

[271] Interogatus si fuit aliquid gravamen factum in persona dicti fratris Arnaldi, respondit quod nescit, nec credit.

[272] Interogatus si scit quod ad noticiam vicarii pervenerit de constitutione illa domini Pape propter quam vicarius non haberet potestatem supra dictum fratrem Arnaldum, respondit [19r] quod audivit fratrem Arnaldum allegantem illam constitutionem et ostendit ipsi testi principium constitutionis illius in uno parvo libello. Nec credit quod ibi esset tota illa constitutio, maxime cum quesiverit eam a domino episcopo Paphensi.

[273] Interogatus dictus testis super **tercio articulo** dicte inquisitionis, qui incipit: «Item, quod dictus frater Petrus vicarius, spretis» etc., respondit quod ipse audivit dici a dicto fratre Jacobo quod ipse appellaverat ad dominum Papam. Et hoc fuit in cella fratris Roberti de Sancto Dionisio, ubi dictus frater Jacobus locutus fuit cum dicto teste et fratre Roberto predicto. Non tamen audivit ipsum appellantem. Quantum est de carcere, dicit quod vicarius fecit eum tradi duro carcere, immo durissimo.

[274] Interogatus si predicta retulit odio, vel amore, vel precibus aliquorum, vel si aliquid recepit ut predicta diceret, vel si timore alicuius, respondit quod nullo predictorum, sed tantum pro sola veritate retulit et respondit secundum ea que scivit.

PHASE III: CONCLUSION OF THE INQUISITION**BISHOP MARK OF FAMAGUSTA AND TORTOSA RETURNS: WEDNESDAY, 24 OCTOBER**

[275] Die mercurii vigesimoquarto dicti mensis Octobris reverendus in Christo pater dominus frater Marchus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, iudex delegatus seu inquisitor supradictus, cum ad presens esset in civitate Nicosiensi et in officio inquisitionis predictae nunc satis comode intendere posset, volens a modo ad executionem dicti officii personaliter intendere, subdelegationem et vices suos, quas venerabili viro domino Jacobo de Sancto Prospero, canonico Nicosiensi utriusque iuris perito, commiserat in dicto officio, ad se ipsum totaliter revocavit.

OPENING AND PUBLICATION OF TESTIMONIES: THURSDAY, 25 OCTOBER

[276] Die Jovis vigesimoquinto mensis Octobris predicti frater Petrus de Castro, Ordinis Fratrum Predicatorum vicarius in provincia Terre Sancte, constitutus in presentia reverendorum in Christo patrum dominorum fratris Marchi, episcopi Famagustani et Antheradensis predicti, et fratris Mathei, episcopi Beritensis, iudicum supradictorum, intelligens quod ipsi domini iudices volebant procedere ad aperturam dictorum testium receptorum et examinatorum in inquisitione predicta contra ipsum fratrem Petrum per eosdem iudices facta, ante dictam aperturam et publicationem dixit et protestatus fuit quod salvum esset sibi ius opponendi et dicendi tam contra personas ipsorum testium quam contra dicta ipsorum, quod quidem ius sibi reservabat opponendum et prosequendum locis et temporibus oportunis. Et rogavit me, Franciscum, notarium actorum predictorum, quod sibi de dicta protestatione facerem publicum instrumentum.

[277] Eodem die et hora dicti domini iudices, admissa protestatione dicti vicarii, processerunt ad aperturam et publicationem dictorum testium predictorum. Et ipsa dicta seu attestaciones aperuerunt et publicaverunt, et pro apertis et publicatis haberi voluerunt et iusserunt.

PETER DE CASTRO'S RESPONSE: THURSDAY, 25 OCTOBER

[278] Eodem instanti predicti domini iudices, post dictam aperturam et publicationem, [19v] interrogaverunt predictum fratrem Petrum vicarium ibidem presentem si volebat et intendebat aliquid obicere tam contra personas ipsorum testium quam contra dicta eorum, quod⁴² facerent eidem tradi copiam dictarum attestacionum et ad obiciendum quicquid vellet competentem terminum assignarent. Et dictus frater Petrus in continenti eisdem respondit. Et dixit quod iamdiu proposuerat ad Sedem Apostolicam proficisci et domini nostri Summi Pontificis se conspectui presentare quam

⁴² Perhaps better: "dicentes quod."

cicius comode posset ad exonerandum et excusandum se secundum Deum et veritatem de hiis de quibus est dominus noster Summus Pontifex contra ipsum, contra Deum et veritatem, per aliquos informatus. Nolens quantum est in se impedimentum aliquod prestare quominus predicta possit prosequi et adimplere, quantum ad presens non intendit coram vobis, dictis dominis iudicibus, aliquid obicere contra personas dictorum testium nec contra dicta ipsorum. Sed ipsum ius obiciendi contra personas et dicta testium predictorum proponendum et prosequendum loco et tempore debitis reservabat, non intendens propterea iuri suo in aliquo derogare.

SUMMARY OF PROCEEDINGS: THURSDAY, 25 OCTOBER

[279] Predicta die Jovis domini iudices supradicti citaverunt fratrem Petrum de Castro, vicarium prelibatum, per modum et formam inferius anotatam.

EARLY STAGES: BISHOP MARK OF FAMAGUSTA AND TORTOSA AND PATRIARCH PETER OF JERUSALEM

[280] Cum nos, frater Marcus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, a sanctissimo in Christo patre et domino domino Johanne, divina providentia Sacrosancte Romane ac Universalis Ecclesie Summo Pontifici, iudex delegatus ad infrascripta una cum venerabili in Christo patre et domino domino fratre Petro, Dei gratia patriarcha Ierosolimitano, ut patet per litteras ipsius domini nostri Summi Pontificis dicto domino patriarcha et nobis directas, quarum litterarum tenor et forma superius in actis nostris plenarie continetur, volentes – ut tenebamur – mandatum apostolicum in ipsis litteris contentum exequi reverenter, accessimus ad locum Fratrum Predicatorum de Nicosia in quo excessus in dictis litteris contenti dicuntur fuisse commissi. Et cum adinvicem tractaremus de modo et forma procedendi in dicto negotio, frater Petrus de Castro, vicarius predictus, intelligens nos velle procedere contra eum ad informationem habendam de excessibus memoratis, comparuit coram nobis et nobis quasdam exceptiones in scriptis obtulit, quarum tenor per omnia in actis huius nostri processus plenarie continetur. Deinde, cum dictus dominus patriarcha intenderet – et pararet se ad transfretum – se conspectui eiusdem domini nostri Summi Pontificis presentare,⁴³ asserens se propterea non posse intendere ad executionem mandati apostolici predicti, reverendo in Christo patri fratri Matheo, eadem gratia episcopo Beritensi, in dicto negotio comisit totaliter vices suas per eius litteras in publicam formam reductas, tenoris et continentie infrascripte.

⁴³ Perhaps better: "intenderet se conspectui eiusdem domini nostri Summi Pontificis presentare, et pararet se ad transfretum..."

LETTER OF PATRIARCH PETER OF JERUSALEM NAMING BISHOP MATTHEW OF BEIRUT
SUBDELEGATE: 11 SEPTEMBER

[281] Reverendo in Christo patri ac domino domino fratri Matheo Ordinis Minorum, Dei [20r] gratia episcopo Barutensi, frater Petrus Ordinis Predicatorum, permissione divina patriarcha Ierosolimitanus, et inquisitor ad infrascripta deputatus una cum reverendo in Christo patre et domino domino fratre Marco, permissione eadem Famagustane et Antheradensis ecclesiarum episcopo, per sanctissimum in Christo patrem et dominum dominum Johannem, Sacrosancte Romane ac Universalis Ecclesie Summum Pontificem, salutem in Eo Qui pro nostra omniumque salute misericorditer elegit Ierosolimis crucifigi.

[282] Paternitati vestre tenore presentium innotescat <nos> dudum a sanctissimo domino nostro Papa antedicto litteras recepisse suo sigillo plumbeo sigillatas tenoris et continentie subsequenter:

LETTER OF POPE JOHN XXII TO PATRIARCH PETER AND BISHOP MARK: 12 MAY
1330

[283] Johannes, episcopus servus servorum Dei, venerabilibus fratribus <Petro> patriarche Ierosolimitano et <Marco> episcopo Famagustano, salutem et apostolicam benedictionem.

[284] Et si Sedes Apostolica provocetur quorumlibet excessibus transgressorum, illis tamen irritatur vehementius qui a personis religiosis, per quas honorari deberet mandatorum observantia, in ipsius Sedis contemptum et contumeliam committuntur.

[285] Nuper siquidem ad nostri apostolatus pervenit auditum quod Petrus de Castro, Ordinis Fratrum Predicatorum vicarius in provincia Terre Sancte, sedem eandem offendere in sue salutis anime dispendium non formidans, cum nonnullis armatis hominibus domum quam inhabitabant in civitate Nicosiensi dilecti filii Petrus de Manso, cantor ecclesie Burgensis, et Arnaldus de Fabricis Ordinis predicti, memorate Sedis nuntii per nos dudum ad partes transmarinas pro certis nostris et Ecclesie Romane negotiis destinati, hostiliter accedere, dictamque domum, in qua prelibati nuntii nonnulla bona nostra et eiusdem Ecclesie necnon litteras apostolicas et scripta publica et privata tangentia dicta negotia conservabant, invadere non expavit, nuntios ipsos, quos honorare et confovere pro nostra et dicte sedis reverentia tenebatur, odii persequendo fomite, molestando multipliciter et in executione negotiorum huiusmodi perturbando; demumque dictum Arnaldum, in quem obsistente constitutione nostra olim edita, per quam districtius duximus inhibendum ut nullus ordinarius aut inquisitor heretice pravitatis seu quivis alius contra officiales aut nuntios Apostolice Sedis procedere absque nostra speciali licentia presumeret quoquomodo, ex tunc decernendo nichilominus quicquid in contrarium attemptari contingeret irritum et inane, necnon et, prorumpendo in offensam ulterius dicte sedis,

dilectum filium Jacobum de Fargis, olim Fratrum eiusdem Ordinis provincialem dicte⁴⁴ provincie priorem, spretis et in contemptum deductis appellationibus quas idem Jacobus ab [20v] eodem vicario et etiam contra ipsum ad sedem eandem interposuerat, capi fecit et duro carceri mancipari.

[286] Nos itaque, tot et tam enormes excessus nolentes – sicut etiam nec debemus, si relatis in hac parte suffragetur veritas – relinquere incorrectos, fraternitati vestre per apostolica scripta committimus et mandamus quatinus vos vel alter vestrum per vos vel alium seu alios, super predictis et ea tangentibus summarie, simpliciter, et de plano ac sine strepitu et figura iudicii informantes, si ea vel eorum aliqua repereritis veritate fulciri, prefatum vicarium peremptorie citare curetis ut infra quatuor mensium spatium post citationem predictam apostolico conspectui personaliter se presentet super predictis responsurus et facturus quod suadebit iusticia et prout demeruit recepturus. Diem vero citationis et formam et quicquid super premissis duxeritis faciendum nobis per vestras litteras harum seriem continentes fideliter rescribere nullatenus omittatis.

[287] Datum Avinione, III Idus Maii, pontificatus nostri anno quartodecimo.

[288] Unde, cum nos pro quibusdam negotiis arduis ad eundem dominum nostrum Summum Pontificem et dictam Sedem Apostolicam et ad partes ultramarinas oporteat proficisci, ita quod ad cognitionem et decisionem cause predictae necnon officii⁴⁵ inquisitionis explendi nobis in hac parte commissi intendere comode non valemus, de circumspectione atque industria vestra plenam in Domino fiduciam obtinentes, tenore presentium committimus causam et officium inquisitionis antedictam audiendam, cognoscendam, et fine debito terminandam, subdelegantes necnon etiam committentes vobis in hac parte totaliter vices nostras prout et sicut a domino nostro Summo Pontifice habemus in mandatis. In quorum omnium testimonium sigillum nostrum presentibus litteris duximus apponendum.

[289] Datum Nicosie, in domo Fratrum Predicatorum, anno Domini milesimo trecentesimo tricesimo, die undecima mensis Septembris.

LATER STAGES: BISHOPS MARK OF FAMAGUSTA AND TORTOSA AND MATTHEW OF BEIRUT

[290] Postea vero nos, iudices delegatus et subdelegatus predicti, intendere volentes ad executionem supradicti mandati, ad predictum locum Fratrum Predicatorum accessimus et dictum fratrem Petrum vocari fecimus coram nobis. In eius presentia legi fecimus litteras apostolicas antedictas et articulos per nos formatos, super quibus inquirere intendebamus ad

⁴⁴ dicte *s.l.* MS

⁴⁵ An accusative is perhaps missing.

plenariam informationem de contentis in ipsis. Et ipsum, tactis sacrosanctis évangeliis, iurare fecimus de contentis in ipsis litteris et articulis plenam et meram dicere veritatem. Et eius dictum recepimus, et in scriptis per nostrum notarium iuratum redigi mandavimus in dictis nostris actis. Deinde processimus ad testium examinationem, quorum attestaciones sub eorum sacramento deposite in predictis actis nostris seriatim plenius continentur. Et cum vellemus ad aperturam et publicationem dictarum attestacionum procedere, dictus frater Petrus in nostra presentia constitutus dixit et protestatus fuit quod salvum esset sibi et reservatum ius opponendi et dicendi tam contra personas quam contra dicta testium predictorum. Qua protestatione admissa, attestaciones predictas aperuimus et publicavimus et ipsas pro apertis et publicatis haberi iussimus. Post quam aperturam et publicationem interrogavimus fratrem Petrum predictum ibidem presentem et intelligentem si volebat aliquid opponere et dicere contra personas et dicta testium prefatorum, quod⁴⁶ nos eidem faceremus tradi copiam de attestacionibus antedictis. Qui frater Petrus respondit quod, cum ipse iam [21r] proposuerat, quam cicius posset, Sedem Apostolicam visitare et domini nostri Summi Pontificis se conspectui presentare, et credens ibi veritatem invenire plenariam, se excusare intendebat secundum veritatem et Deum, Qui est ipsa Veritas, de relatis contra ipsum eidem domino nostro Summo Pontifici, de quibus videtur esse contra veritatem quamplurimum informatus, ideo nolebat dictum negotium hic protrahere nec elongare, sed ius quod sibi competit opponendi et dicendi contra personas dictorum testium et dicta eorum proponere et prosequi suis loco et tempore intendebat. Et ideo in protestatione sua sibi dictum ius reservabat. Cui protestationi adhuc adherebat et eam in quantum poterat confirmabat. Quibus attestacionibus et dicto predicti fratris Petri diligenter per nos inspectis et examinatis, quia per ipsas attestaciones et dictum nobis constitit, informatione habita super hiis, quod dictus frater Petrus vicarius prelibatus aliquos de excessibus contentis in eisdem litteris ipsius domini nostri Summi Pontificis commisit – videlicet invasionem cum armatis hominibus domus seu camere quam inhabitabat frater Arnaldus de Fabricis, Ordinis Fratrum Predicatorum, Apostolice Sedis nuntius in partibus cismarinis, domino Petro de Manso eiusdem collega simul cum eo tunc in dicta camera existente, et insuper predictum fratrem Petrum vicarium carceri mancipasse fratrem Arnaldum nuntium prelibatum – eundem fratrem Petrum invenimus fore citandum secundum mandatum apostolicum nobis in hac parte decretum. Et ideo ipsum fratrem Petrum in nostra presentia constitutum citare curavimus et citavimus sub forma infrascripta, in presentia et testimonio plurium fide dignorum ibidem per nos specialiter convocatorum et congregatorum, quorum nomina inferius describuntur.

⁴⁶ Perhaps better: "dicentes quod."

CONCLUSION

JUDGES' DECISION

[291] Nos, frater Marchus, permissione divina ecclesiarum Famagustane et Antheradensis episcopus, a sanctissimo in Christo patre et domino domino Johanne, divina providentia Papa xxii^o, delegatus ad infrascripta una cum venerabili in Christo patre et domino domino fratre Petro, Dei gratia patriarcha Ierosolimitano – ut constat <et> in litteris ipsius domini nostri Summi Pontificis nobis super hoc directis et presentatis et vobis, fratri Petro de Castro, Ordinis Fratrum Predicatorum vicario in provincia Terre Sancte, lectis plenius continetur –, et frater Matheus, eadem gratia episcopus Beritensis, subdelegatus in hac parte a predicto domino patriarcha – prout per eius patentes litteras suo sigillo munitas et in publicam formam redactas evidenter apparet –, quia tanquam filii obedientie processimus ad executionem mandati apostolici in dictis litteris contenti et inquisitionem fecimus diligenter ad nos plenarie informandos de contentis in litteris memoratis, per quam inquisitionem nobis constat et informati sumus vos, fratrem Petrum de Castro, vicarium predictum, comisisse aliquos de excessibus contentis in litteris apostolicis antedictis – videlicet invasionem cum armatis hominibus <domus> seu camere quam inhabitabat frater Arnaldus de Fabricis, Ordinis Predicatorum, Apostolice Sedis nuntius in partibus cismarinis, domino Petro de Manso eiusdem [21v] collega eum eo simul tunc in dicta camera existente – et insuper vos, fratrem Petrum vicarium predictum, carceri mancipasse fratrem⁴⁷ Arnaldum nuntium prelibatum, ideo, exequentes dictum mandatum apostolicum reverenter, auctoritate apostolica qua fungimur in hac parte, vos, fratrem Petrum de Castro predictum, presentem et audientem peremptorie citamus ut infra quatuor mensium spatium post presentem citationem apostolico conspectui vos personaliter presentetis super predictis responsurus et facturus quod suadebit iusticia et mandatis domini nostri Summi Pontificis humiliter pariturus. Et rogamus vos omnes qui estis hic presentes ut sitis testes de citatione predicta et vos, Franciscum de Saixedo notarium, ut de ipsa citatione nobis faciatis publicum instrumentum.

RESPONSE OF PETER DE CASTRO

[292] Et dictus quidem vicarius, audita et intellecta citatione predicta, ipsam reverenter acceptavit, dicens quod ipse erat in intentione et proposito eundi ad Romanam Curiam et domini nostri Summi Pontificis se conspectui presentare quam cicius comode potuisset ad excusandum se coram ipso, qui est veritas in terris, de hiis que contra veritatem eidem domino nostro Pape contra ipsum relata extiterant. Et ex quo in mandatis acceperat presentare se conspectui apostolico, illud quam cicius comode poterit adimplere curabit, notificans ex nunc dictis dominis iudicibus quod volebat ire Famaguste et

⁴⁷ fratrem] nu *del.* MS

ad alios portus regni Cipri causa inveniendi navigium in quo posset comode transfretare, ut mandatum dictorum dominorum iudicum, quod apostolicum reputat, toto posse et opere adimpleret. Et rogavit me, Franciscum notarium, ut de responsione predicta facerem sibi publicum instrumentum.

WITNESSES TO THE DECISION AND CITATION: THURSDAY, 25 OCTOBER

[293] Nomina autem testium qui interfuerunt citationi supradicte et aliis factis per dictos iudices in supradicta die Jovis vigesima v^a mensis Octobris sunt hec, videlicet venerabiles viri dominus Elias, decanus ecclesie Nicosiensis; et domini Jacobus de Sancto Prospero, canonicus Nicosiensis, Matheus de Pascalibus, iuris periti; item, fratres Fredericus de Monte Vici, minister Fratrum Minorum in provincia Terre Sancte, et Johannes de Campania, eiusdem Ordinis; item, fratres Bernandus Poncii, lector sacre pagine, prior provincialis Fratrum Ordinis Beate Marie de Monte Carmeli in provincia Terre Sancte, Guilielmus Guarda, prior conventus Nicosiensis, Thomas Catelani et Guilielmus Aimerici, omnes eiusdem Ordinis; item, fratres Thomas de Marchia, Guilielmus de Flaciano, et Nicolinus de Famagusta, omnes Ordinis Fratrum Predicatorum.