Victoria, McPherson Library, Doc. Lat. 3
Acc. 2015-016
Notarial document recording procurement agreement between Petrus de Mathamala and Arnaldus Barnesii
Spain (Barcelona) 19 January 1424

Manuscript on parchment, roughly 530mm x 330mm, with 37 lines of Latin written in a cursive documentary hand of the first quarter of the fifteenth century. Unevenly trimmed and badly damaged. Torn around edges, especially at top and right, with two parchment patches over holes, the smaller of which extends from the top edge into the fourth line of text; the larger (90mm in height) disrupts lines 3-11. Some text and part of notarial countersignature at bottom edge lost due to trimming; general staining and discoloration throughout due to water and mold, some wormholes. The document was acquired rolled but is now housed flat; patterns of wear and creasing suggest that it was once folded quite small. A later cursive hand on the verso identifies the text as a notarial procurement: "Procura" and "Procura not(ari)al res."

Origin: Spain (Catalonia, Girona and Barcelona)
Provenance: Acquired for University of Victoria Special Collections in 2014 by University Librarian Jonathan Bengtson. Purchased from Monte Cristo Rare Books.
Signatories: Arnaldus Barnesii and Petrus de Mathamala
Witnesses: Arnaldus de Mathamala, Johannes Puyol, Johannes ça Roupa, Martinus Thomas, Petrus de Montecatheno, Jacobus Vitalis
Notaries: Petrus de Podio, Johannes Serra
Dates: 21 March 1416 (notarization) and 19 January 1424 (document)
Places: Barcelona, Girona, Cassà de la Selva (Caciano de Silva), Matamala, Montcada (Montecatheno), Llagostera (Locustaria)
Decoration: Large initial "N" decorated with small face

Partial Transcription (lines 1-17 continuous plus eschatols, ultraviolet light used to decipher some faded and damaged text):

[1] Nouerint vniu(er)si Q(uo)d Ego arnaldus barnesii [[h(abi)tator]] cellarie de Caciano de silua dioc(esis) Gerunde(ns)ii p(ro)curator ad infrasc(ri)pta p(er)agenda petri de matha[[mala]] [[******]]catoris d(ic)te cellarie nu(n)c u(er)o Ciu[[***]] [[bar]]ch(ino)ne ut Constat cu(m) p(u)blico / **[2]** instra(ment)o s(er)iey sequentis Nouerint vniv(er)si Q(uo)d Ego petrus de mathamala olim cellarie de Caciano de silua dioc(esis) Gerunde(ns)ii nu(n)c uer(o) h(abi)itator et ciuis [[******]] Confidens ad plenu(m) de fide indust(ri)a et legalitate v(est)ri arnaldi barnesii d(ic)te / **[3]** cellarie Gratis et ex c(er)ta sci(enci)a Constituo et ordino c[[*****]]de arnaldu(m) barnesii hiis p(re)sente(m) (et) honus hui(us)modi in uos spont(em) suscipiente(m) p(ro)curat[[ore(m)]] meu(m) certu(m) (et) sp(eci)alem et ad infrasc(ri)pta gen(er)a[[lem It]]aq(ue) sp(eci)alitas gen(er)alitati / **[4]** no(n) deroget u(el) econtra uidelicet ad petendu(m) exigen[[dum

reci]]pie(n)du(m) (et) habendum(m) p(ro) me (et) no(m)i(n)e m(e)o om(ne)s (et) sing(u)las an(n)uas pension(e)s censualiu(m) mortuor(um) (et) violarior(um) et in ca(s)u luicionis p(re)cia eor(um)de(m) et om(ne)s alias quascu(m)q(ue) / **[5]** p(e)c(cu)nie qua(n)titates que michi f(ac)iu(n)t et p(re)stantur ac fier[[*******]]m seu debentur ac debebuntur seu a me seu a me detine(n)tur et detinebu(n)tur p(er) quasuis vniu(er)sitat(e)s com(m)u(n)itates corpora collegia et sing(u)lar(e)s p(er)sonas in dioc(esis) Gerunde(ns)ii q(ui)busuis / **[6]** racionibus iuribus titulis sue causis quocu(m)q(ue) no[[mine]] [[******]] [[***]]uas quascu(m)q(ue) p(ro)inde Comissas (et) Comite(n)das accusandu(m). Et ip(s)as seu p(ar)te ear(um) michi contingente(m) et salariu(m) nuncii seu p(ro)curatoris stipula(n)tu(m) dari et solui / **[7]** et om(ne)s (et) sing(u)las mission(e)s et expensas hor(um) [[****]] [[****]] fiendas petendu(m) et recipiendu(m) Et apochas fines cession(e)s absolucion(e)s (et) diffinicion(e)s gracias lexias composicion(e)s transaccion(e)s (et) auine(n)cias facien- / **[8]** dum et f(ir)mandum Et quecu(m)q(ue) instr(ument)a et sc(ri)pturas [[*****]] [[*****]] (et) facient(e)s restituendu(m) et canc(e)llandu(m) seu restitui et canc(e)llari consentiendu(m) (et) iubendu(m) sentencias ex(ecu)c(i)o(n)is et int(er)dicti inde latas et suscipias p(u)blicari / **[9]** faciendu(m) et illos qui in eas inciderint vitari [[******]] [[*****]]s Et quoscu(m)q(ue) ad tene(n)du(m) hostagia obligatos require(n)du(m) (et) mone(n)du(m) quat(uor) dicta hostagia teneant infra ti[[***]]us et in locis ac modis (et) formis intra / **[10]** quod et in q(ui)bus teneri conue(n)tu(m) extitit et p(ro)mis[[*****]] [[******]]execucion(e)s co(m)pulsion(e)s forcias dist(ri)ctus et ena(n)tame(n)ta in p(er)sonis et bonis quoru(m)q(ue) michi obligator(um) require(n)du(m) (et) ficii faciendu(m) iux(ta) mentem / **[11]** s(er)iem et tenore(m) instr(ument)or(um) (et) sc(ri)pturar(um) p(ro) inde f(a)c(t)or(um) et f(irma)tar(um) Et [[p(ro)]] hiis et racio(n)e seu occasio(n)e eor(um) et ecia(m) al(ia) in q(ui)buscu(m)q(ue) Curiis et Cora(m) quibuscu(m)q(ue) officialib(us) iudicibus et p(er)sonis tam ecc(les)iasticis q(ue) secularibus co(m)- / **[12]** parendis Et de iure m(e)o docendu(m) Querelas (et) querimo(n)ias expone(n)du(m) Et contra me expositas et expone(n)das audiendu(m) deliberation(e)s (et) acordia petendu(m) et obtine(n)dum et eas et ea concedi consentiendum / **[13]** iusq(ue) sup(er) bonis meis f(ir)mandu(m) que p(ro) inde obligare possitis Necnon agendu(m) Responde(n)du(m) excipiendu(m) p(ro)ponendu(m) et replicandu(m) lib(e)llos artic(u)los posicion(e)s denu(n)ciacion(e)s peticion(e)s (et) dema(n)das dandu(m) p(ro)dure(n)- / **[14]** dum et offendu(m) Et oblatis seu offendis ex adu(er)so Respondendu(m) lites quascu(m)q(ue) contesta(n)du(m) et contestari perendu(m) de Calu(m)p(n)ia et aliter in anima(m) mea(m) iurandu(m) et ex adu(er)so iurari pete(n)dum et videndu(m) Testes instr(ument)a / **[15]** et alia p(ro)bacionu(m) gen(er)a in iudicio et extra iudiciu(m) p(ro)ducendum et p(u)blicari faciendu(m) in testes et eor(um) d(ic)to et alia in modu(m) p(ro)bacionis ex adu(er)so p(ro)ducta et p(ro)ducenda dicendu(m) et obiciendu(m) iudices notarios (et) loco ut / **[16]** susp(e)ctos recusandu(m) et causas suspicionis allegandu(m) et p(ro)bandu(m) de iudicibus notariis (et) locis conueniendu(m) Crimi(n)a (et) deffectus (et) alia oppone(n)du(m) disputa(n)du(m) allegandu(m) Renu(n)cia(n)du(m) (et) co(n)cludendu(m) in causa Et / **[17]** om(n)ia alia faciendu(m) que in litem fieri Requira(n)tur (et) que instr(ument)a causar(um) postulant et Requiru(n)t Sentencias cui(us)cu(m)q(ue) gen(er)is sint audiendu(m) ap(ro)pbandu(m) et emologandu(m)

[lines 28-29]
Actu(m) est hoc barch(ino)ne vicesi(m)a prima die martii an(n)o a nat(iuitate) d(omi)ni millesi(m)o Quadringentisi(m)o sextodecimo Si+num petri de mathamala p(re)dicti Qui hec laudo (et) f(ir)mo. Testis hui(us) rei sunt Iohan(n)es / puiol pilliparius et arnaldus de mathamala barberius cives barch(ino)ne. Sig+num mei petri de podio auc(torita)te Regia not(ar)i p(u)blici barch(ino)ne Qui hec sc(ri)psit et clausit.

[lines 33-35]
Act(um) est hoc in villa seu sellaria Caciano decima nona die Ianuarii an(n)o a nat(ivitate) d(omi)ni millesi(m)o Quadri(n)gentesi(m)o vicesimo / Quarto Si+num arnaldi barnesii p(re)d(ic)ti Qui d(ic)to p(ro)curatorio no(m)i(n)e hec laudo (et) f(ir)mo. / Testes huius rei sunt Ve(n)erabilis Iohan(n)es ça roupa m(er)cator civis Gerunde et Marti(nus) Thomas h(ab)itator d(ic)ti t(er)mini de Caciano de silva.

[lines 36-37]
Sig+num mei Iohan(n)is S(er)ra not(ar)i p(u)blici subscritura auc(toritat)e m[[***]]um nobilis †ciu†ri domini petri de montecatheno d(omi)ni Baronie de locustaria a ven(er)abile et discreto Iacobo Vitali p(u)blico d(ic)te baronie not(ario) / [[******** *******]] / Qui (pre)dictis vna cu(m) p(re)no(m)inatu(m) testibus int(er)fui hec sc(ri)psi Cum literis in raso positis in xix[a] linea vbi d(icitu)r obtine(n)du(m) ac (pre)sentandu(m) et clausi.

Partial transcription and description by Owen Hann and Shawna Laursen, as part of coursework for a manuscript studies class with Dr. Adrienne Williams Boyarin (ENGL), April 2015.

Select Works Consulted

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