

So soon as Gratians Decretum (which makes the first part of the Canon Law) appeared, it was favourably received. The Canonists taught it publicly in Academies, its Authority was great in the Courts of Justice; and in a short time abundance of Commentaries were made upon it. But Gratians Decretum falling short of raising the papal Authority to the highest pitch, as was some time expected from it; the Decretals succeeded the Decretum.

2<sup>d</sup>. Decretals are the popes Letters Rescripts or Edicts Deciding Controversies in ecclesiastical Affairs. Which at their first getting the Authority of ecclesiastical Decrees, were recorded in the Books of the Canons of Councils. But after publication of Gratians Decrees, several Collections of Decretals separately one after another by themselves were made at different Times, leaving the Canons of Councils to shift for themselves.

At Lenth Raimond of Ponnafort a Dominican Fryer descended of the Royal Line of Arragon Chaplain to Gregory 9 by that popes order, did in Imitation of Justinians Code about the year 1230 reduce all the Decretals before that Time into a volume consisting of five Books, sum'd up in this order, Index, Judicium, Clerus, sponsalia, Crimen. Which makes the second part of the present Body of the Canon Law. These Decretals are signified by X or Extra because they are placed without or after Gratians Decree. As the ancient Glossators upon Gratians Decree, in citing the Canons thereof add the word supra to signify that such Canons are in a Book older than the Decretals. oft times the capitulum or Canon is promised to the Title, which Terms are promiscuously used, tho' for the most part the Canon in the Decree, and the capitulum in the Decretals, is cited. Where a Text is simply quoted by c. or cap. without the sign X, or extra, the citation is understood to refer to this Book. It is cited thus c. cum contingat 36. X de officio potestatis. Jud. delegati. or thus c. 36. extra de officio potestatis. etc.

When this work of the Decretals was done and published, there was no part in Europe where Gregory had any power or Interest that did not greedily receive it; and the professors every where not only taught it, but made large Commentaries upon it. But I cannot sufficiently admire John Chifflet, when in his Apology for Raimond he utters this railing Expression: That he could not trip or make any escapes in dressing up the Decretals, being he was so familiar with his Tutor Angel, that he was frequently excited by him to observe the stated hours of prayer. For not only the Title of the Book, but also the Notes of the Roman Correctors subjoined to the Canons in a different character, and marginal References, show that it wanted to be reformed. It was in the pontificate of Gregory 13 that the Decretals were reformed and restored according to the ancient collections of Decretals, and the pontifical Registers wherein every pope used to cause record his own Decretals at large, which by the Collectors were mostly cut short and maim'd in sundry particulars. The most correct Edition of these Decretals of Gregory 9 is that published by poshus and Franciscus pitheus. From the pontifical Registers were afterwards compiled these five volumes of papal Constitutions under the Title of Bullarium Romanum. Bull is an apostolical Rescript most in use by popes both in Affairs of Justice and Grace answering to the Edicts Letters patents & provisions of secular princes. The word Bull is derived from the Seal appended to the Rescript called Bulla a drop or Bubble, because the Seal protruded like a Bubb, & looked a Bubble of water. The pope chose to have his Seal of Lead as the more lasting. If Bulls be Letters of Grace, the lead is hung on silk threads; if they be Letters of Justice and Execution, the lead is hung by a copper cord. A Bull is properly a signature enlarged, what the Letter comprehends in a few, the former dilates and amplifies not in more matter, but only in clauses of ceremony and Style. Again a Bull is wrote on parchment, whereas a simple signature is on paper.

See the Bull  
See the Bull

3<sup>d</sup> When besides the Decretal Epistles contained in pope Gregorius collection, some had had after modes come out from him and other popes, unless the authority was questioned, Boniface 8 advanced to the papal Chair in the year 1294 (who is said by some to be a Fox, reputed as a Lyon & died as a dog) to remove all matter of such controversy, employed three Cardinals to compile another Book of Decretals. The first of these Books answering in matter respectively to the other parts, viz the first to the first Book of Gregorius Collection, the second to his second, third to the third, which is a third part of the Canon Law. At which Boniface called to be published, about the year 1299 and to be added to Gregorius volume under the Title of the sixth Book of Decretals.

This Book is cited in the same manner as the former with the Addition of in 6. as cap. de possessione 3 de Rescript. in 6. or c. de possessione 3 de Rescript. in 6. or cap. 4 X de Roy. Jur. in 6. It is of equal Authority with those, Boniface Epist. prof. Lib. Decretal. Tho' it was never received in France, either for that it lessens the Royals, and Rights of the Gallican Church; or perhaps because of the Curians that happened to sit with Philip the Fair King of France, and pope Boniface was treated his former with the last violence.

It is to be observed, that all the Books of Decretals contain many things derogating from the more ancient Ecclesiastical Discipline contained in Justinians Decretum: For there is much more therein pertinent to the purpose of Establishing a Roman Monarchy, or an absolute and unlimited power in the popes with respect to nominating to or collating Benefices, Ecclesiastical Jurisdiction, and the management of Law-suits, than touching the Edification. Which gave rise to the common saying, That humane Affairs have been in a bad state ever since Decretal Acts accesserunt: that is since the Decretals were added to the Decretum.

4<sup>th</sup> Clement 5 who condemned the Knights Templars, and by Advice of the French Cardinals removed his seat to Avignon 1306 (called by the Italian Cardinals from its continuing there 70 years, The Babylonish Captivity) compiled a Collection of his own Decretals distinguished into five Books; that the popes of Avignon might not be short of the popes of Rome. which collection was corrected finished and published after his death under the Title of Clementines from his name, by pope John 22, who, after two years vacancy of the Papacy, being allowed to name a successor to Clement, named him self. These Clementines are cited in the same manner as the constitutions in the first Book of the Decretals, by putting in Clementine. for in 6. Thus cap. Quibus 2 de Appell. in Clementine. This is a fourth part of the Canon Law.

5<sup>th</sup> pope John 22 ambitious to partake of his predecessors glory, collected some Decretals, which he (in Imitation of the Imperial Constitutions of Justinian and Henry extant in the Body of the civil Law after the Books de Fendis) called Extrabagants of John 22. These bear the Name of Extrabagants, because extra Corpus Juris Canonici quasi vagantur. They likewise got the Name of Joannina, Cujac. in cap. 4 de spons. de Malraun. These are distinguished into Books and Titles according to the order observed in the Decretals, and cited by mentioning first the capitulum, then the Title and lastly the name of the Extrabagant thus: cap. unde illi. & obed. in Extrab. Joan. 22. and make a 5th part of the Canon Law. That pope was thought to be the Author of the Rules of the Chancery. He contributed the scandalous Annals and other artful devices for raising up Riches. Having calculated most of his constitutions, especially the Canon Execrabilis, for drawing Gain to himself, he amassed so much Gold, that he left in the public Treasury at his death 22 millions.

6<sup>th</sup> The six Extrabagants of John 22 were followed by another private collection of Decretals of the same and other popes whose the Author is unknown, called common Extrabagants, for that they are not the constitutions of one, but of several popes; and to distinguish

See the Bull