

Propositions, which he thought might be subservient to his purpose of Establishing a Roman Monarchy, & especially with respect to the Matter of Benefices, and the Episcopal Power, and for enlarging the Cognizance of Cause, and the Ecclesiastical Jurisdiction, whom he in Imitation of those two Great Emperours, ordered a New Code to be composed; and having repeated all the other Rescripts, he would have his Book to be Called the Decretals, and to have the force and Authority of Law, in which there is Much More Contained Concerning the Management of Law suits, than the Edification of Souls,

Sec. 1.
These Letters, which in the first Ages of the Bishops of the Most Holy See wrote to the fathers of the Church to Ask their opinion Concerning the Doctrine and Discipline of the Church, were Called Decretal Epistles. In a Costa Comment. in Decretal Greg. 9 pag. 1. But after ward the Roman Pontiff, as head of that Church, having raised himself above the Patriarchs and Bishops, and therefore taking More Authority upon him than all the Rest, assumed to himself alone that privilege of sending his Letters to the fathers and Bishops, who had recourse to him for Consulting about the Affairs of their Churches; and these Letters being increased to a Considerable Number, were Confirmed in the Synod of 70 Bishops held in Rome in the Year 499. In the Pontificate of Gelasius, and thereby required the same Authority with the Canons that had been Established in Councils. But in the time of Charles the Great, a Mighty favourer of the Roman Pontiff, these Decretals Acquiring Much More Force, they began to be separated from the Canons, and were thought sufficient of themselves for regulating the Doctrine and Discipline of the Church, without being Confirmed by Councils or Synods. Whence the Popes established their Authority the More, and their Number grew Much Greater, so that it was thought necessary to Collect them into one body, and thereby introduced a New Pontifical Law, leaving the Canons of the Councils to shift for themselves, Baluz. in Prefat. Ant. Augustini Dialogos 52.

The first Collection of these Decretals, distinct from the Canons, was made by Bernardus Cixa Prefect of Navarre, and afterwards Bishop of Gaonday, who Disposed the Decretals of the Popes Under Certain titles, beginning from Lucius 3 down to Pope Celestin 3 whose Pontifical began in the Year 1191. Antonius Augustinus Published them, and gave them the first place Among the other Collections of the Ancient Decretals. In this thirteenth Century there appeared another Collection, of which Gilbertus, Alanus, and Giovanni Gallensis are said to be Authors. These Imitating Bernardus, Collected the Decretals of those popes who lived after Bernardus; but Giovanni Excelled the other two, by Making More ample Collections, Mastrocht Jur. Canon. 298. The third is owing to Bernardus Compostellanus, who Collected it from the Registers of Innocent third the Most Learned and the Greatest Decretal Maker, and it was Called the Roman Guido. Pancrol lib. 3 cap. 5. Mastrocht Loc. Cit. n. 349.

All these Collections being Made by Private Authority, were of no force when Quoted in the Courts or elsewhere, whence of Necessity recourse was to be had to the Archives of the Church of Rome to give them Authority. For which Reason the Romans begged of Innocent third that of his own Authority he would be pleased to order a New Collection to be Made. Innocent granted their Request, and gave the Charge of Doing it to Pietro Benvenuto his Notary, who finished it in the Eleventh Year of Innocent's Pontificate 1210, and it was the first Collection of the said Pontificium that was Made by Public Authority, Mastrocht n. 349. There was another Collection Made in the Year 1215 in which were Added all the Decretals and Rescripts that had been issued out during the five Years taken up with the Latter Council Under the same Pope. Afterward in the Year 1227 Gregory IX successor to Honorius 3 Innocent's successor, but Gregory 9 successor to Honorius 3, with Design to Eclipse the fame of his predecessors by a New and More ample Collection caused it to be suppressed, and it was never Published till of late when Innocentius Cironius caused it to be printed with his own Most Learned Notes in Ghent in the Year 1645. Mastrocht n. 354.