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Dictionary of Sigla and Abbreviations to and in Law Books before 1607

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Contents

Foreword	vii
Preface	ix
Introduction	xi
Part I Methods of Citation	
A. Citations in the Later Middle Ages, by Hermann Kantorowicz	3
B. The Manner of Citing the Sources by <i>Partes, Leges,</i> <i>Capitula, etc.</i> , by R. Feenstra and G. Rossi	17
C. Extract from Notes on English Legal Abbreviations, by J. H. Baker	22
Part II Sigla and Abbreviations	
A. General Comments and Explanation	27
B. Sources and Their Abbreviations Used in Section C, Column 4	30
C. Dictionary of Sigla and Abbreviations	33
D. Men with Similar Names	140
Part III Glossary of Name Variations and Terms	151
Index	163

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Foreword

To write a foreword to a dictionary which will prove indispensable to researchers in medieval civil, canon, and English law is a rare privilege. When the author is an already distinguished scholar who nonetheless is yet at the outset of his career, respect for his work is mingled with humility. For Hamilton Bryson, after completing his book, *The Equity Side of the Exchequer* (Cambridge University Press, 1975), turned to a task which many wished done but none wished to do. Scholars throughout the world will for many years to come be grateful to him for undertaking and bringing to completion so important a work. His individual, exacting labor lightens the load of all.

ALAN WATSON
Professor of Civil Law
University of Edinburgh

Preface

THIS dictionary of identifications is a list of suggestions of possibilities to be used as a checklist. It was compiled as much for those just beginning the study of legal history as for specialists who may run across an unfamiliar citation outside of their periods of specializations. The scope of this work includes Roman law, medieval civil, canon, and customary law on the continent, and the common law of England up to 1607. It can only be a beginning, but as more information comes to hand a supplement or a second edition may be issued.

It is a pleasurable duty and an honor to thank the Max-Planck-Gesellschaft for a very generous stipendium which supported this project, and I owe much to the director and all of the members of the Max-Planck-Institute for European Legal History in Frankfurt-am-Main for their hospitality, encouragement, and advice, especially Frau E. Dietz, Dr. G. Dolezalek, Dr. L. Fowler, Dr. E. Holthöfer, Dr. H. Mohnhaupt, Dr. J. M. Scholz, Dr. P. Weimar, Dr. W. Wilhelm, Dr. A. Wolf, and Professor H. van de Wouw. Also I would like to thank Professor U. Nicolini of Milan, Professor R. Feenstra of Leyden, Professor G. Rossi of Bologna, and Dr. J. H. Baker of Cambridge for allowing me to print their works as a part of my introduction and to acknowledge the kindness of Mrs. H. Kantorowicz in giving me permission to use her husband's article and helping me with the translation.

After having been so generously helped by such eminent sources from so many countries, I can only hope that my work will in turn be of service to the international community of legal scholars.

Introduction

TODAY, thanks to fantastic technological progress, medieval legal manuscripts and early printed law books are circulating throughout the world in the form of microfilms, photocopies, and photographically reproduced books. The use of these uncritical editions requires a certain amount of editorial work on the part of every reader, and one of the major problems in using medieval and early modern legal literature is the deciphering of the abbreviations which abound therein. The handbooks of Cappelli,¹ Martin,² and others are usually sufficient for the understanding of the abbreviated Latin. However, there exists no comparable collection for the abbreviated citations of authorities. Sella made two small collections of sigla which he published in Italian journals.³ These are now difficult to find, and, when they are available, they are physically inconvenient to use. Therefore I have gathered together here, in what is hoped will be found to be a convenient handbook, sigla and abbreviations to and in law books up to 1607.

Since the purpose of this handbook is to provide a convenient reference work to legal citations, the first section includes information as to the standard methods of citing the great legal collections. For the beginner these references are as baffling as the sigla. This information has been already thoroughly sorted out: the medieval continental material by H. Kantorowicz, the modern standard references by Professor R. Feenstra and Professor G. Rossi, and the older English ref-

¹A. Cappelli, *Dizionario di Abbreviature Latine ed Italiane* . . . (Milan, 1899, etc.).

²C. T. Martin, *The Record Interpreter* . . . (London, 1892, etc.); 2d ed. repr. (Baltimore, 1969).

³P. Sella, 'Sigle di Giuristi Medievali, in *Ispiecie dello Studio Bolognese, Tratte dai Codici Vaticani*, *L'Archiginnasio*, vol. 27, pp. 177-203 (1932); P. Sella, 'Nuove Sigle di Giuristi Medievali,' *Studi e Memorie per la Storia dell'Università di Bologna*, ser. 1, vol. XII, pp. 161-175 (1935).

erences by Dr. J. H. Baker. By including this work, my book will be a more complete reference work for deciphering the old citations. Rather than paraphrase the work of these scholars, refer to them in footnotes, and pretend that the results are my own, I believe it to be more honest and fair to make straightforward translations and copies of these works.

My translation from the German of Professor Kantorowicz has been relatively free, but care has been taken to add and to omit nothing of substance. In those cases where there is no special technical English word, I have kept the term in Latin in order to avoid confusion with the current nontechnical meaning of the word, for example *titulus*, *paragraphus*, etc. The brackets in the text enclose my own remarks; those in the footnotes, the comments of Professor Coing and Professor Immel. My footnotes are referred to by letters rather than numerals.

The form of the word *siglum*, a type of abbreviation, has not been entirely settled so as to be free from doubt. The more modern authorities⁴ treat it as being neuter and in the second declension. I have preferred these to the older, more numerous dictionaries⁵ which list it as belonging to the first declension. A second problem arises in that all of the examples of the use of the word and most of the dictionaries give it only in the plural. Apparently the stricter form of the singular should be *sigillum*.⁶ However, since *sigillum* already has several other meanings, the most common of which is a seal, I have followed H. Heumann and E. Seckel⁷ and rendered the singular as *siglum*. It is believed that confusion will thereby be avoided and clarity will prevail.

⁴C.1.17.2.22; C.1.17.1.13: P. Krueger, 13th ed., Berlin, 1963; Const. Omnem, 8: T. Mommsen and P. Krueger, 19th ed., Berlin, 1966; C. Longo, 'Vocabolario delle Costituzioni Latine di Giustiniano,' *Bullettino dell'Istituto di Diritto Romano* (Rome, 1898), p. 503; also S. Schardius, *Lexicon Iuridicum* (Cologne, 1600), p. 857.

⁵E.g. A. Berger, 'Encyclopedic Dictionary of Roman Law,' *Trans. of the Am. Philosophical Soc.*, New Ser., vol. 43, part 2 (Philadelphia, 1953), p. 706; E. Brinckmeier, *Glossarium Diplomaticum*, 1856-63 ed. (repr. Aalen, 1961), vol. 2, p. 548; C. du F. du Cange, *Glossarium Mediae et Infimae Latinitas*, ed. of 1883-87 by D. P. Charpentier, G. A. L. Henschel, L. Favre (repr. Graz, 1954), vol. 7, p. 479; B. P. Vicat, *Vocabularium Juris Utriusque* (Paris, 1759), vol. 3, p. 385.

⁶E.g. K. E. Georges, *Ausführliches Lateinisch-Deutsches Handwörterbuch*, 11th ed. by H. Georges (Basel, 1962), vol. 2, p. 2659; Menge-Güthling, *Enzyklopädisches Wörterbuch der lateinischen und deutschen Sprache* 14th ed. (Berlin, 1963), vol. 1, p. 697.

⁷H. Heumann and E. Seckel, *Handlexikon zu den Quellen des römischen Rechts*, 10th ed., (Jena, 1907; repr. Graz, 1958), p. 540.

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In such a work as this completeness is out of the question; the
 variations used are almost infinite. However, it is hoped that this
 dictionary will suggest answers or at least possibilities and that, if
 further search is required, time and effort may be saved and the way
 be smoothed.