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Bullae Papae Pius IV: Sicula bonis agricula.... dated 7th February 1567.

- Latin version in: Laerzio Cherubini, Angelo Maria Cherubino. Magnum bullarium romanum, a Pio Quarto vsque ad Innocentium IX. P. Borde, L. Arnaud & C.I. Rigaud, Lyon, 1673, vol.2, p.204-212
- English translation by Stephen L. Jones, PhD – commissioned by Chev Prof. M. Ross

Declaratio, reformatio, & reuocatio plurimarum gratiarum, immunitatum, & priuilegiarum Militiæ Hospitalis S. Lazari Hierosolymitani hæcenus à Summis Pont. concessarum. XXVIII.

*Huic Militiæ, quæ Regulam S. August. proficitur, ut habetur sup. in const. 1. Alex. IV. Cum à nobis. multa priuilegia elargitus est Clem. IV. in const. 2. Cum dilecti sup. & const. 5. Venerabilibus. & plerique alij Pont. necnon Pius IV. alia plurima indulta dederunt, ut in ipsius Pij IV. const. 95. Inter assiduas.*

Eandem Militiam Greg. XIII. vniuit Militiæ S. Mauritij martyris nuper institutæ per Emanuelem Philibertum Ducem Sabandiæ, eiusque perpetuo regimini subiecit, ut in ipsius Greg. const. 6. Christiani. & const. 7. Pro commissa. Et postremo paucis additis hæc approbavit Clem. VIII. in const. 102. Decet.

PIVS EPISCOPVS, &c. Edita An. D.  
1567.

*Ad futuram rei memoriam.*

**S**icuti bonus agricola, qui largiorem ex agro quem Causa huius reformationis priuilegiarum Militiæ S. Lazari. scolit, prouentum colligere cupit, temporum vices sollicitus obseruat, & positis in eo plantis, non semper irriguos riuos, aut pinguem limum admonet, sed collectum quandoque humorem deducit, ac nimiam ramorum lætitiã cohibet, & ne vires frustra effusæ euanescant, ferro comprimit. Ita nos agri Dei nostri culturæ, ipso fauente, fidelibus studiis incumbentes, Hospitalis S. Lazari Hierosolymitani, eiusque Militiam, feracem sane, vti speramus, inter cæteras huius agri plantam, pridem à complutibus prædecessoribus nostris, ac nobismetipsis indulgentiis excultam, ne forte inutili frondium sylua luxuriet, resectis, ac veluti putatis ramis sterilibus, intra ordinem ponere, atque ad meliorem & vtiliorem cultum (habita horum temporum ratione) reducere cupimus, ut tandem in se collectis viribus & tanquam radicibus solo altius

altius adactis, firmitus persistens, suaues, atque vberes fructus domino perferet.

*Pius IV. mul-  
ta d. Militia  
privilegia ap-  
probatis, &  
alia concessit,  
vt in eius co-  
stit. cit. in  
rubr.*

§. 1. Dudum etenim, postquam fel. rec. Pius Papa IV. prædecessor noster, institutionem, erectionem, necnon translationem Hospitalis & Militiæ huiusmodi, ac quamplurima privilegia, indulta, facultates, licentias, exemptiones, libertates, indulgentias, gratias, & alia à diuersis Romanis Pontificibus prædecessoribus nostris, tunc suis, dicto Hospitali, eiusque Magistro, & Conuentui, ac Fratribus etiam per modum communicationis, & extensionis, in genere & in specie concessa, necnon statuta, vsus, & consuetudines in eisdem Hospitali, & Militia edita, & introducta, Apostolica auctoritate, Motu proprio, & ex certa scientia, ac de Apostolicæ auctoritatis plenitudine, confirmauerat & approbauerat, ac etiam innouauerat, & insuper alia multa concesserat, eaque omnia ad Hospitalale S. Lazari, quod in ciuitate Capuana, etiam tunc consistebat, extenderat, ipsumque Hospitalale & eius membra & pertinentias, aduersus suppressiones, extinctiones, vniones, & alias dispositiones quascumque, de illis per rec. mem. Innocentium VIII. & Pium II. ac forsan alios Rom. Pontifices, ac etiam consistorialiter factas in pristinum, quo ante illas erant, statum restituerat, ac plenarie reintegrauerat, decernens inter alia, ea tanquam ex causa onerosa concessa, & restituta, & facta, reuocari, limitari, vel alterari, ac sub reuocationibus, limitationibus, alterationibus, generalibus vel specialibus, si forte fierent, comprehendi non posse.

*Hic etiã Pont.  
illa confirma-  
uit in quadã  
eius bulla,  
quam hic uti  
otiosam non  
posui.*

§. 2. Nos quoque in ipso statim Pontificatus, ad quem diuino afflante Spiritu vocati sumus, initio, eadem omnia ipsiusque Pij IV. prædecessoris literas super eis expeditas, paribus motu, scientia, plenitudine, & auctoritate confirmauimus, approbauimus, & innouauimus, ac similibus clausulis & decretis muniuimus, quibusdam tamen limitationibus & restrictionibus adiectis, quas hic quoque pro repetitis esse volumus, prout in prædictis literis ac quadam cedula, Motu proprio, & manu nostra signata plenius continetur.

*Nunc autem  
insistit de cau-  
sis illa refor-  
mare volens.*

§. 3. Verum postea expertitam multa sic concessa, non tantum ipsis Hospitali & Militiæ incrementum, quantum aliis cupiditatem afferre, illorum vero vsus, & dispensationem tum periculo iis ipsis quibus concessa sunt, tum oneri nobis fore. Ac propterea volentes illis modum, & normam, ac certos demum limites statuere, illorumque omnium, necnon prædictarum, & quarumcumque præterea literarum & cedularum, similiumve scripturarum, quæ inde confectæ sunt, tenores, continentias, & formas, pro plene & sufficienter expressis habentes, Motu proprio, & ex certa scientia nostra, ac de Apostolicæ potestatis plenitudine, ad Dei gloriam, & publicam vtilitatem, manentibus erectione, institutione, ac translatione, necnon restitutione, & reintegratione dictorum Hospitalis & Militiæ, ac illarum approbatione prædictis, quas, prout hæcenus factæ sunt, prout tamen iuris fuerit ratas habemus in præmissis, vt præfertur concessis, confirmatis, & innouatis & tenore præsentium sic perpetuo statuimus & ordinamus.

*Firmas reman-  
ere declarat  
reintegratio-  
ne, translatio-  
ne & restitu-  
tione d. Militi-  
æ, & Hospi-  
talis.*

§. 4. Omnia & singula dictis Hospitali, Magistro Conuentui, & Militibus, à prædictis & aliis quibuscumque Romanis Pontificibus ante ipsum Pium IV. prædecessorem concessa, eatenus dumtaxat confirmata esse, & ceteri, quatenus temporibus eiusdem Pij IV. ante factam ab eo illorum confirmationem prædicta obseruabantur, & in vsu erant, atque alienis iuribus, siue ex præscriptione, siue alias quocumque titulo legitime quæ sitis, detrimentum, aut præiudicium non inferant.

*Concessiones  
ante Pij IV.  
confirmas, quan-  
tenus tunc of-  
fens in vsu,  
& nemini  
præiudica-  
rent.*

§. 5. Ex his vero, quæ ab ipso Pio IV. concessa sunt, atque ex statutis ordinatis, & decretis ab eodem, erga illa quibuscumque, non alia vlla, neque aliter omnino valida esse, aut ipsis Hospitali, Magistro, Conuentui, & Militiæ licere, quam infra scripta, & cum moderationibus, reductionibus, limitationibus & imitationibus, tam in prædicta cedula, Motu proprio, & manu nostra signata positis, quam infra scriptis. Reliqua autem omnia & singula, necnon illa concernentia, confirmationes, literas, & alia supra dicta, & inde secuta quæcumque reuocamus, cassamus, irritamus, & annullamus, ac viribus omnino euacuamus, ac reuocata, cassata, irrita & nulla, ac sine

*Conclusiones  
Pij IV. hic non  
continet re-  
uocari, & con-  
tinetas limitari,  
& vt hic se-  
quuntur.*

vitibus semper fore, neque in iudicio aut extra iudicium extendi, vel etiam allegari, neque cuiquam suffragari, neque pro eis, aut secundum ea quicquam statui, ac iudicari, neque præsentibus de intentionis nostræ, aut alio defectu impugnari, neque earum reuocationem, moderationem, vel reductionem, aut aduersus ea restitutionem, aliave iustitiæ, aut gratiæ remedia, impetrari, aut etiam motu, scientia, & plenitudine similibus, etiam consistorialiter, concedi, aut concessis quempiam vti posse; & ita per quoscumque iudices, etiam ad id specialiter delegatos, etiam causarum Palatii Apostolici Auditores, & S. R. E. Cardinales, sublata eorum cuiuslibet quavis aliter interpretandi & iudicandi auctoritate, interpretari & iudicari debere, ac quicquid secus quavis auctoritate scienter vel ignoranter contigerit attentari, irritum & inane decernimus.

§. 6. Non obstantibus præmissis, ac quibusvis clausulis & decretis, etiam mentes dictorum prædecessorum attestantibus, & quantumvis validis & firmis in dictis concessionibus, confirmationibus, & literis, sub quavis exquisita verborum formula appositis, necnon de iure quæsito non tollendo, aliisque constitutionibus & ordinationibus Apostolicis, dictique Hospitalis etiam iuramento simili, confirmatione, aut quavis alia firmitate roboratis, statutis & consuetudinibus, etiam immemorabilibus, naturis, vsibus, stabilimentis, cæterisque contrariis quibuscumque.

*Quibuscum-  
que non ob-  
stantibus.*

§. 7. Volumus autem quod Magister & Conuentus, ac Milites præfati, nobis & successoribus nostris Romanis Pontificibus, ac Sedi Apostolicæ, vbi, ac quoties vocati, aut requisiti fuerint, contra quoscumque Romanæ Ecclesiæ hostes, vel rebelles armati inseruire, atque opem & auxilium præstare suis impensis teneantur.

*Et cum con-  
dicio quod  
hac Militiæ  
obsequium S. R.  
E. semper pa-  
rasa esse debeat  
contra eius  
hostes.*

*Ea vero que Magistro, Conuentui, & Militia præfatis licere, ac manere permittimus, sunt que sequuntur, videlicet.*

*Indulta con-  
cessa sunt in-  
frascripta.*

§. 8. Quod dilecto filio Ioannoto Castilioneo moderato & pro tempore existente magno Magistro, cedente, vel etiam apud eandem Sedem decedente, seu magnum Magistratum alias quomodolibet etiam per liberam resignationem in nostris, vel nostrorum successorum pro tempore existentium Romanorum Pont. manibus, dimittente, vel amittente, & illo quouis modo vacante, Conuentus eiusdem Militiæ (si tamen tunc firmam Sedem in aliquo certo loco, ibi auctoritate, & de licentia dictæ Sedis, ante vacationem huiusmodi constitutam habuerint, & illic regerint) in simul ibidem congregati, alium magnum Magistrum, iuxta eiusdem Religionis, & Militiæ stabilimenta, de consensu sui Protectoris, edita vel edenda, quæ Concilio Trid. minime sint, contraria, eligant: ita tamen quod eiusdem electionis confirmationem intra tres menses à die quo facta fuerit, ab eadem Sede petere omnino debeant, alioquin electio ipsa nulla sit, & electo aliquod ius non tribuat, sed Magistratus ipsius omnimoda dispositio ad dictam Sedem eo ipso deuoluatur.

*Electio Ma-  
gri Magistri  
spectat ad Re-  
lig. sed confir-  
matio à Sede  
Apostol. obit-  
neatur infra  
tres menses,  
alias ad eam  
deuoluta sit.  
Hodie M. Ma-  
gister est per-  
petuo Dux Sa-  
baudia, vt in  
rub. nosant.*

§. 9. Quodque idem Magister pro tempore existens, & Conuentus, principalem ipsius Militiæ Sedem, ad quemcumque locum, etiam maritimum, eis visum, consulta prius Sede Apost. & ab ea licentia & facultate obtenta, transferre, habitumque suum regularem, ac etiam Crucem, etiam si de suis antiquis habitu, cruceque appareat, vel non appareat, in eum meliorem, qui sibi videbitur modum (citra tamen aliarum Militiarum, & Religionum præiudicium) reformare, in toto vel in parte, immutare, vel stabilire, ac innouare, regulamque, stabilimenta, & statuta dictæ Religionis & Militiæ, de consensu sui Protectoris, & aliorum Fratrum, vel defensorum, instituire & reformare, seu de nouo condere, cedere, & illas ac illa corrigere & mutare (dummodo licita & honesta, nec eidem Concilio contraria existant) toties quoties voluerint.

*M. Magist. &  
Conuentus, de  
licentia Sedis  
Apost. princi-  
palem locum  
transferre, ac  
habiti regul.  
& statuta re-  
formare possit.  
Hodie locus  
Principalis est  
Ciuitas Sa-  
baudia, vt in  
const. Gregor.  
XIII. cit. in  
rubr.*

§. 10. Necnon idem Ioannottus, & pro tempore existens magnum Magister, quæcumque, quodcumque, & qualiacumque simplicia dumtaxat beneficia Ecclesiastica de iure patronatus laicorum, ex fundatione & dotatione existentia, & personale seruitium, in Cathedralibus &

*M. Magister  
potest insti-  
tuere oblata  
qualiacumque  
simplicia be-  
nefic. de iure  
patro.*

laicorum in Collegiatis non requirentia (accedente tamen consensu Commendas patronorum, de quorum iuribus eis, vt præfertur, ex fundatione & dotatione competentibus, per publica documenta, non autem alia probationum genera, coram pro tempore existentibus Vicario nostro in Vrbe in spiritualibus generali, & Auditori Curie caufarum Camera Apostolicæ, vocatis quorum interest, legitime constet, & sine præiudicio ea obtinentium, & ipsis cedentibus vel decedentibus) in Præceptorias, Commendas, Capellas, aut Ecclesias ipsorum Hospitalis, & Militiæ, perpetuo erigere & instituire, dictæque suæ Militiæ perpetuo incorporare, applicare, & appropriare; ac illarum fundatoribus & dotoribus, iurpatronatus, & præsentandi dictis Magistro & Conuentui, vel eorum deputato personas idoneas, ac Præceptorias, domos, capellas, seu Ecclesias, & Hospitalia huiusmodi pro tempore vacantia, perpetuo præseruare, seu etiam reseruare & concedere, & sic à patronis præsentatos, iuxta stabilimenta dictæ Religionis, Ordinariorum locorum, & quorumvis aliorum consensu minime requisito, in illis instituire, ac alias illa conferre, & de eis prouidere possint: ita tamen, quod debitus diuinus cultus per personas idoneas etiam si dicti Ordinis fuerint, ab Ordinario approbandas in eisdem exerceatur. Quodque confirmatio erectionis & institutionis Præceptoriarum, Commendarum, Capellarum, aut Ecclesiarum pro tempore sic erectarum, ac illarum incorporationis, applicationis, & appropriationis, necnon iurispatronatus ad illas reservationis, & concessionis huiusmodi, si citra, infra quatuor, si vero ultra montes beneficia huiusmodi consistant, infra sex menses à die quo factæ fuerint, à Sede Apostol. impetrari debeat, alias illæ & inde secuta quæcumque, nulla & irrita, nulliusque roboris vel momenti existant; ac beneficia huiusmodi in eorum pristinam naturam restituta esse censeantur, & ab eadem Sede impetrari possint.

*Hospitalia & alia loca quæcunque Hospitali S. Lazari censeantur esse subiecta, quæ non per vniuersitates aut alias Ecclesiasticas personas, sed per ipsos fratres rogantur, qui eisdem Hospitali aliquo censu per Magistrum, Consensu & definitores imponendo singulis annis respondeant.*

§. 12. Necnon quod Hospitalia, Leprosariæ, & alia loca quæcumque, tam in Alma Vrbe, quàm in aliis quibuscumque terris, dominis, & locis, sub inuocatione S. Lazari leproforum hætenus fundata, constructa, erecta, & instituta, & quæ in posterum fundari, construi, erigi, & institui contigerit, etiam si per Magistrum, Conuentum, & Fratres huiusmodi recepta, aut possessa non possint, vbi villo vnquam tempore fuerit, sit, vel erit Hospitalitas leproforum seu infirmorum S. Lazari nuncupatorum, de qua legitime coram locorum Ordinariis constet, etiam si iurispatronatus laicorum sint, cum omnibus vnionibus, annexionibus, incorporationibus & applicationibus, illis pro tempore factis, Militiæ & Hospitali S. Lazari huiusmodi, subiecta & incorporata, & ad ius & proprietatem, ac omnimodam dispositionem, institutionem, & collationem, moderni & pro tempore existentis magni Magistri & Conuentus eorundem, iuxta ipsius Militiæ, seu Religionis stabilimenta (saluo tamen iure patronatus) pertinere censeantur, prout alia etiam dictæ Religionis, seu Militiæ Hospitalia, Capellæ, Oratoria, beneficia & loca, spectant & pertinent, illaque per d. Militiæ Fratres, (non autem per alias Ecclesiasticas aut sæculares personas, etiam ciuitatum, terrarum, oppidorum, & villarum, Communitates vel Vniuersitates) regi & gubernari, & in signum recognitionis superioritatis dicti Hospitalis de aliquo rationabili canone, seu censu per Magistrum & Conuentum, & Definitores generalis Capituli dicti Hospitalis imponendo, singulis annis respondere debeant, sine alicuius præiudicio, & dummodo in illis hospitalitas debita seruetur, & cultus diuinus nullatenus diminuat, ac in illorum fundatione vel dotatione secus non fuerit ordinatum.

*Præseruatio iurisdictionis Ordinariorum & contributio pro Seminariis.*

§. 13. Saluis tamen legitimis titulis, & præscriptionibus, & salua iurisdictione Ordinariorum, tam ea quæ de iure communi eis competit, quàm quæ ex decretis dicti Concilij Tridentini eisdem est attributa; præterquam in iis casibus, in quibus Concilium prædictum expresse exemit, & exceptis Religionem S. Io. Hierosolymitani, in quibus & hæc S. Lazari Religio, postquam tamen in aliquo certo loco firmam Sedem Conuentualem habere cœperit, & ibi Magister & Conuentus præfati resederint, pariter excepta & exempta sit & esse censeatur, excepta taxatione pro Seminariis instituendis.

§. 14. Et insuper Milites, ac Presbyteri & Capellani Hospitalis, & Militiæ S. Lazari huiusmodi, nunc & pro tempore existentes, ac eorum singuli, etiam coniugati, qui cum vnica tantum, & virgine matrimoniū contraxerint, vnâ vel plures pensiones annuas vsque ad summam quingentorum ducatorum auri de Camera nouorum super quorumvis Cathedralium etiam Metropolitan. & aliarum Ecclesiarum, ac etiam Mensarum, etiam Patriarchalium, Archiepiscopaliū, & Episcopaliū, necnon etiam Monasteriorum, etiam Consistorialium, Prioratum Canoniceatum, & præbendarum, dignitatum, personatum, administrationum, & officiorum, aliorumque beneficiorum Ecclesiasticorum, cum cura & sine cura, sæcularium, & quorumvis Ordinum regularium, qualitercumque qualificationum fructibus, redditibus, prouentibus, iuribus, obuentibus, & emolumentis, ac distributionibus quotidianis, alias canonice sibi assignatas vel assignandas, vel loco pensionum annuarum, omnes & singulos, ac quoscumque similes fructus, redditus, & prouentus, iura, obuentiones, & emolumenta quæcumque, ac etiam distributiones quotidianas, vsque ad dictam summam sibi reseruatos & reseruandos, etiam si post illarum vel illorum reservationem, vxorem, vnica tamen, eamque virginem, vt præfertur, duxerint, ad vitam percipere, exigere, ac leuare, ac in suos vsus & vtilitatem conuertere, libere, & licite valeant; & quo ad hoc, atque etiam pensiones & fructus assignandos & reseruandos, vnâ cum Prioratibus, Præceptoris, & aliis beneficiis Hospitalis S. Lazari huiusmodi percipere.

*Facultas percipiendi pensiones annuas vsque ad summam 500 duc. aut loco pensionum similes fructuum reservationes etiam coniugatis, qui cum vna tantum, & virgine matrimonio contraxerint. Clem. VIII. hanc summam reduxit ad duc. 400. in sua constit. 102. Decet.*

§. 15. Et insuper idem Hospitale S. Lazari, ac illius Prioratus, Præceptorie, domus, cameræ, Hospitalia, & loca quæcumque, necnon intra regularia dictorum Hospitalis, & Militiæ loca degentes, Magister, Priores, Præceptores, Milites, & personæ, ac eorum subditi, vassalli, coloni, & seruitores, nunc & pro tempore existentes, etiam Presbyteri curam animarum exercentes, (seruatis tamen decretis Concilij Tridentini) quandiu illa exerceant, & in illorum obsequiis fuerint, ac illorum ratione beneficiorum dicti Hospitalis S. Lazari tantum, non autem patrimonialia, res, animalia, prædia, domus, molendina, & bona quæcumque quæ obtinent & possident, ac in futurum canonice obtinebunt & possidebunt, sub B. Petri & dictæ Sedis, & nostra protectione, ab omni iurisdictione, correctione, onere, statutis, bannis, dominio, superioritate & potestate, iuxta tamen terminos Concilij Tridentini, & saluis eius decretis, quorumcumque Patriarcharum, Archiepiscoporum, Episcoporum, & Prælatorum, etiam locorum Ordinariorum, cum primum sedem Conuentualem propriam habere cœperint, vt præfertur. Necnon ex nunc quorumcumque temporalium dominorum, quavis potestate, etiam Imperiali, Regali, & Ducali fungentium ac Vniuersitatum, & illarum Regentium, etiam (præterquam dicti Hospitalis) Ordinariorum temporalium, vbicumque, tam citra, quàm ultra montes, & mare constitutorum, cuiuscumque dignitatis, status, gradus, ordinis, & conditionis existentium, illorumque Vicariorum, & Officialium, Locatenentium & Iudicum, nunc & pro tempore existentium quorumlibet, necnon à solutione, & exactione passagij, arrearagij, gabellæ, datij, tractæ, collectæ, procurationis, iocundi aduentus, iurium, etiam Synodaliū, censuum, & decimarum, etiam noualium, etiam hortorum, pratorum, piscationum, & molendinorum, atque cuiuslibet accessus, nullatenus directe vel indirecte prohiberi possint, & terrarum, quas per seipsos vel alios eorum nominibus, etiam colonos, arrendatarios, & emphyteutas excolunt, & de quibus fructus percipient ratione beneficiorum Hospitalis S. Lazari huiusmodi, & cuiusvis alterius oneris personalis, realis, seu mixti, ordinarij vel extraordinarij, vbicumque & quacumque causa, impositi vel imponendi pro tempore, liberi & exempti, ac nobis, & dictæ Sedi immediate subiecti existant. Ita quod Archiepiscopi, Episcopi, Prælati, Ordinarij, Vicarij, Officiales, Locatenentes, & Iudices in spiritualibus, etiam ratione delicti (dummodo illud non sit de atrocioribus) vel contractus, seu rei de qua agitur, vbicumque committatur delictum, ineatur contractus, aut res ipsa consistat,

*Religio S. Lazari, ac eorum vassalli, coloni, & seruitores, etiam Presbyteri curam animarum exercentes, & eorum bona quacumque præter patrimonialia sub protectione Sanctæ Sedis Apostolicæ, cæ exceptione ab omni iurisdictione, onere, dominio, &c. quorumcumque Dominorum, iam spiritualium, & temporalium, & à solutione cuiusvis alterius oneris personalis, realis, ordinarij, extraordinarij, &c.*

si perfoqne ipsa intra regularia loca prædicta degent, & ibi aliquis à dictis Magistro & Conuentu ad id specialiter cum iurisdictione deputatus fuerit, postquam Conuentus Hospitalis huiusmodi dictam Sedem habuerint, temporales vero iudices, & Domini præfati, etiam ex nunc, nullam in eos, vel ea, iurisdictionem, correctionem, seu potestatem (saluis tamen decretis Concilij Tridentini) exercere, aut excommunicationis, aliaque sententias, censuras, & pœnas promulgare, aut etiam ratione personarum, vel rerum, animalium, ac bonorum (non tamen patrimonialium) ad aliquam solutionem pontium, fontium, furnorum, murorum, seu etiam aliarum Ecclesiarum, quam dictæ Religionis, etiam si forsan hætenus per abusum, seu alterius priuilegium, aut negligentiam, etiam per longissimum tempus taliter obseruatum non fuerit. Quæ omnia, etiam præscriptiones, nullo pacto saltem in posterum obstant, quominus exemptionibus quibus alij Regulares cuiuscumque Militiæ Milites vtuntur, & eodem modo quo illi uti possint, eos coarctare, aut alij quicumque cuiuscumque Ecclesiasticæ, vel mundanæ dignitatis, aut præminentis, status vel conditionis existant, etiam in locis & terris S.R.E. etiam immediate subiectis, & ad instantiam cuiuscumque Principis, seu Communitatis, sub excommunicationis latæ sententiæ, seu quadrupli, vltra damna & expensas, restitutionis pœnis per contrafacientes eo ipso incurrendis, eos in iudicio vel extra super præmissis, vel eorum vsu seu possessione vel quasi, directe vel indirecte quouis quæsito colore vel ingenio, molestare, impedire, vexare, aut alias quomodolibet impetere præsumant, debeant, seu etiam valeant. Sed Priores, Milites, & aliæ personæ Hospitalis, & Militiæ S. Lazari huiusmodi sic degentes post firmatam dictam Sedem, de Iustitia coram solo magno Magistro, & Conuentu, vel eorum deputato (alioquin & interim, donec ipsam sedem habuerint, coram Ordinariis locorum tanquam Sedis Apostolicæ delegatis) respondere debeant. Et quicumque processus contra illos, vel eorum aliquem, per ipsos locorum Ordinarios, vel eorum Vicarios, alias quam ut præmittitur, seu quosvis alios pro tempore facti, & quælibet, etiam excommunicationis vel suspensionis, aliaque sententiæ promulgatæ, nulli & inualidi, nulliusque roboris & momenti sint.

*de delictum fuerit atroci, in eius sit iurisdictione, ad quem primo pertinet.*

§. 16. In delictis autem atrocioribus, inter magnum Magistrum, seu deputatos ab eo, ac locorum, tam in spiritualibus, quam temporalibus Ordinarios ita seruetur, vt qui ex eis præuenerit, eius sit in delinquentes iurisdictione.

*Exemptio à decimis, & monalibus, ac quaris, seu canonica portione, vel à charitativo subsidio, etiam concessio Regi Hispaniarum, ac quarta in Fræcia Regni imposta.*

§. 17. Nec aliqui ex Hospitalis, & Militiæ S. Lazari, & Fratribus, donatis, seruitoribus, vassallis, & colonis in prioratibus, commendis, domibus, hospitalibus, leprosa-riis, aut aliis quibusvis beneficiis, prædiis, siue grangiis quomodocumque à dicto Hospitali dependentibus, in quibuscumque locis, sub quorumcumque Patriarcharum, Archiepiscoporum, Episcoporum, Vniuersitatum, Hospitalium, Rectorum, Ecclesiarum, limitibus, & iurisdictione constituti, decimas, aut canonicam portionem, seu charitativum subsidium, aut quartas nuncupatas, seu alias quascumque collectas, seu contributiones, tam ex antiquis Hospitalis S. Lazari, & beneficiorum huiusmodi culturis, quam ex recenter cultis noualibus, alicui quouis modo soluere teneantur, nisi prout alij regulares cuiusvis Militiæ Milites, generalibus vel specialibus circa hoc priuilegiis pacifice gaudentes, soluere tenentur; à quibus omnibus exactiōibus, atque etiam nouo subsidio, charissimo in Christo filio nostro Philippo Hispaniarum Regi in suis Regnis per quoscumque Romanos Pontifices prædecessores nostros concessio, & canonica portione, seu quarta nuncupata in Franciæ Regnis imposta, necnon à quibuscumque aliis facultatibus, Regibus huiusmodi, & aliis Principibus, concessis vel concedendis in futurum, omnia d. Hospitalis loca, necnon Ecclesiarum quomodocumque à d. Hospitali dependentium Fabricæ, ad exemplum aliarum regularium Militiarum locorum, sint libera & exempta.

*Facultas extrahendi frumentum, & quoscumque*

§. 18. Et insuper quod præfati Magister & Conuentus, Priores, Præceptores, aut quicumque alij ex dicti hospitalis Fratribus, per quoscumque locorum aut terrarum do-

minos, tam spirituales quam temporales, etiam si Regali dignitate præfulgeant, etiam in terris S.R.E. ab extractiōne frumenti, hordei, vini, olei, leguminum, & quorumcumque fructuum, atque etiam pecuniarum, ex Prioratibus, Commendis, membris, domibus, grangiis, aliisque præfati hospitalis locis prouenientium, nullo vnquam modo impediri possint quo minus præfata omnia, pro sua possessorum voluntate, in quæcumque fidelium loca, ab omni pedagio, datio, seu tracta, vt præfertur, libera & exempta valeant asportare.

*alios fructus, & pecunias ex locis Militiæ & hospitalis S. Lazari, illaque ad quæcumque fidelium loca sint datio & gabella asportandi.*

*Tu uide modo ratione Pauli V. const. 20. linc.*

§. 19. Et bona Magistri, Priorum, Præceptorum, & fratrum, ac aliarum personarum huiusmodi, tam acquisita, quam in posterum acquirenda, ex concessione Apostolica vel magistrali, ex die emissæ per eosdem Priores, Præceptores, Fratres & personas professionis, ab omnibus decimis, & aliis oneribus, similiter ad exemplum bonorum aliarum regularium Militiarum, libera, immunita, & exempta existant.

*Exemptio eisdem pro bonis patrimonialibus post emissam professionem.*

*Iurisdictione Magistri & Conuentus, seu eorum delegatorum inter personas Religiosas & Militiæ.*

§. 20. Et quod quælibet querelæ, quæstiones, lites, causæ, & controuersie quas ex nunc inter Fratres & subditos hospitalis & Militiæ S. Lazari, præfentes & futuras, ex quibusvis occasionibus oriri, & moueri contigerit, quouis modo cum omnibus suis incidentibus, emergentibus, connexis & annexis, ac omnium cuiusvis appellationis (præterquam in defectus, aut denegatæ iustitiæ, vel illati perperam contra stabilimenta, & consuetudines dicti hospitalis grauaminis casibus) remoto obstaculo per pro tempore Magistrum & Conuentum dicti hospitalis, seu illos ex Fratribus, quibus ipse Magister & Conuentus id commiserint, etiam vsque ad tertiam definitiuam sententiam inclusiue audiantur, necnon (iuxta laudabiles consuetudines, & stabilimenta hospitalis huiusmodi, & alias prout iuris fuerit) debito fine decendantur; omnesque & singuli Priores, Præceptores, Milites, & Fratres hospitalis præfati (postquam de mandato seu auctoritate Magistri, seu Conuentus præfatorum, in quibusvis ex prædictis contra eos intentandis causis, ad comparandum eorum ipsis, & commissariis per eos, vt præfertur deputatis, in locis quantumcumque ab eodem Hospitali remotis, citati fuerint) coram eisdem Magistro, & Conuentu, & Commissariis, prout contigerit, legitime comparere debeant & teneantur, iuri, & iustitiæ (secundum stabilimenta, approbationes, vsus, & laudabiles consuetudines præfati hospitalis) parituri.

*Milites & alia persona Religiosa prohibetur coram aliis litigare, seu copiare pro iustitia quæ coram Iudicibus Religiosis.*

§. 21. Quodque illi ex Prioribus, Præceptoribus, Fratribus, & subditis præfatis, qui contra eorum aliquem super quibusvis querelis, rebus, vel negotiis, (præterquam in casibus præfatis) coram alio quam præfatis Magistro & Conuentu, ac per eos pro tempore datis Commissariis, in causam traxerint, & ad alium quam ad eisdem appellationes quascumque interposuerint, causas huiusmodi prorsus perdant, neque super qua contendunt, priuati existant eo ipso.

*Possus & iurisdictione Magistri, & Conuentus super personis & rebus.*

§. 22. Necnon modernus & pro tempore existens Magister & Conuentus hospitalis huiusmodi (iuxta illius stabilimenta, & laudabiles consuetudines, ac mores) in Prioratus, Præceptorias, domos, hospitalia, mœbra, bona, & loca quæcumque, necnon quoscumque Priores, Præceptores, Fratres & personas hospitalis & Religionis huiusmodi ac illorum vassallos, subditos, & seruitores vbicumque, tam citra quam vltra montes, nunc & pro tempore constitutos, & commorantes (qui omnes Magistro & subdelegatis ab eo, firmiter, tam personaliter, quam realiter, omni exceptione cessante, & quocumque à nobis vel sede prædicta obtento, vel obtinendo indulto, non obstante, parere, & obedire teneantur) plenariam & omnimodam, etiam meti & mixti imperij, iurisdictionem & superioritatem.

*Procedendi contra rebelles, & inobedientes, etiam per edictum publicum, etiam ad priuationem beneficiorum quomodolibet obtentorum.*

§. 23. Ipseque Magister contra rebelles, & suis mandatis non obediētes, etiam vigore literarum Apostolicarum, etiam in forma Breuis, à nobis & successoribus nostris pro tempore emanatarum, seruatis quatuor terminis ad docendum se paruiffe & satisfecisse in loco Conuentus hospitalis huiusmodi, post legitime executam primam citationem, ad multam, siue pœnam personaliter, iuxta mores & stabilimenta prædicta, seu etiam ad priuationem habitus & beneficiorum, domorum, & prædiorum per eos obtentorum procedendi; vel etiam, si

magis expedire videbitur, beneficia, domos, & prædia ipsa ad manus suas, seu receptorum dicti hospitalis reducendi, & (donec ipsi inobedientes contumaciam purgauerint, & debita onera persoluerint) pro suo arbitrio retinendi, illorum fructus, redditus, & prouentus, arrendandi & percipiendi.

*Et aduocandi singulas causas, lites, & querelas, quæ inter ipsos Fratres & Militum sororum.*

§. 24. Necnon omnes & singulas causas, lites, & querelas (nondum tamen coram aliis iudicibus motas, & pendentes) super quibusvis dicti Hospitalis beneficiis, ac bonis, rebus, & pecuniis ætarij, & Fratrum quorumcumque, in quibus inter seipso inuicem, realiter, siue personaliter conuenient, seu conuenientur, atque etiam in quibus ab aliis etiam clericis sæcularibus vel regularibus, aut laicis similiter conuenientur, etiam per deputatos ab eis, in locis in quibus causæ ipsæ cognoscuntur, audiendi & decidendi, eosque citandi, & quoties opus fuerit inhibendi, etiam sub censuris & pœnis Ecclesiasticis, tam in curia prædicta, quàm extra eam, facultatem habeant.

*Et exequendi sententias, & rem iudicantem.*

§. 25. Necnon illorum sententiæ, & res iudicata per Priorem Ecclesiæ dicti Conuentus, etiam sub censuris & pœnis Ecclesiasticis contra condemnatos, tam realiter, quàm personaliter executioni mandentur: ita quod alibi quam in dicto hospitali, aut extra illud ex Magistri & Conuentus commissione cognosci & terminari nequeant.

*Appellationes à sententiis delegator. ad M. Magist. & Conuentum, & ab eis ad litem latis, alio quam ad generale Capitulum, siue per ipsius hospitalis Fratres, siue per ipsos subditos, & vassallos, quoquo modo appellari possit: quinimo illi vsque ad tertiam sententiam in eodem Conuentu procedere teneantur.*

§. 26. Nec à sententiis, per Iudices dicti hospitalis pro tempore latis, ad alium quam Magistrum & Conuentum prædictos, seu Iudices ab eis deputatos, in quavis instantia, neque à sententiis per ipsum Magistrum, & Concilium latis, alio quam ad generale Capitulum, siue per ipsius hospitalis Fratres, siue per ipsos subditos, & vassallos, quoquo modo appellari possit: quinimo illi vsque ad tertiam sententiam in eodem Conuentu procedere teneantur.

*Omnes executiones, & executores Magistri, & Conuentus, exequantur absque alicuius licentia, nec à quopiam possint impediri.*

§. 27. Et similiter, quod omnes sententiæ per eisdem Magistrum, & Conuentum latis, omnes item commissiones, citationes, collationes, & omnia denique eorundem rescripta, ad omnes suæ iurisdictioni subditos, ac reliquorum etiam quorum intererit, causas, lites, seu querelas coram ipsis pertractandas, directe exequi, & à nonnullis locorum & terrarum dominis, etiam Regali, aut Ducali dignitate fulgentibus, aliqua ratione expectandi consensu, seu alio quouis quæsito colore in eorundem executione impediri possint, seruato tamen in eis exequendis Datæ ordine, ita quod eorum ultimæ primis antefecti nequeant.

*Facultas procedendi contra clericos, seu alios in debito occupantes loca, & bona Relig. seu non soluente annuales censuras & debitas responsiones, & canonicum mortuorum, annuatum, &c. communitati arripio.*

§. 28. Ac quod contra Clericos, sæculares seu laicos, Prioratus, Præceptorias, domos, cameras magistrales nuncupatas, & alia beneficia hospitalis huiusmodi, eorumque res & bona, quocumque titulo, sine tamen consensu, & expressa licentia Magistri & Conuentus præfatorum, indebite occupantes, seu illi, aut eius communi æratio, seu Fratribus, occasione responsionum annuarum, vacantium, mortuorum, annuatum, passagiorum, atreragiorum, seu alia quomodolibet, & ex quacumque alia causa debentes, siquidem illi actores sint, & in quavis instantia ad causam venient, Magister & Conuentus præfati, modo & forma quibus contra ipsius hospitalis Fratres procedi consueuerit, pro illorum recuperatione libere procedere, & eos Prioratibus, Præceptorias, domibus, & aliis beneficiis huiusmodi, seruata forma iuris, & alias iuxta formam priuilegiorum prædictorum priuare: si vero rei fuerint, coram ipsorum competentibus Iudicibus ad recuperationem, & alia prædicta agere, & omnia iuris remedia tentare, ac demum priuatione huiusmodi legitime facta, de prioratibus, aliisque beneficiis prædictis, per priuationem eandem vacantibus, libere disponere valeant.

*Qualibet persona in dignitate Ecclesiastica possunt eligi in Conseruatores cum facultatibus necessariis.*

§. 29. Necnon personæ in dignitate Ecclesiastica ubilibet constitutæ, & quicumque locorum Ordinarij, ac eorum Vicarij & Officiales, per eisdem Magistrum & Conuentum, postquam dictam Sedem habuerint pro tempore eligendam seruata tamen forma Conc. Trid. in eorum & quorumcumque Priorum, Præceptorum, & Fratrum hospitalis huiusmodi, Conseruatores qui quandiu exerceverint dictum officium, à nemine quo minus illud exerceant sub aliquo prætextu impediri, vel molestari

possint, deputati sunt; ita quod ipsi electi, sub excommunicationis pœna eisdem Priores, Præceptores, & Fratres, ac eorum singulos, non tamen extra regularia dicti Hospitalis loca degentes, aduersus inferentes eis, aut eorum seruitoribus & familiaribus iniurias, seu grauamina, vel damna, in personis, rebus, & bonis, seu exigentes ab eis contra ac suprascriptum est, vectigalia, datia, pedagia, gabellas, collectas, aut alia onera defendere & præseruare, ac omnem eorum iurisdictionem exercere; necnon ubi executio realis vel personalis aduersus reos fieri non poterit, & reorum contumacia id exegerit, præcedentibus legitimis monitionibus, aliisque seruandis rite seruatis, sententias, censuras, & pœnas Ecclesiasticas contra rebelles & inobedientes, cum effectu promulgare, ac priuilegia Prioribus, Præceptoribus, & Fratribus præfatis pro tempore concessa, eis obseruari facere debeant & teneantur; in causis autem Hospitalis & Militiæ huiusmodi, eorumque bonorum & personarum, ubi aliz probationes non existent, eorum Magister, Priores, Præceptores, Milites, Fratres, vassalli, subditi, seruitores, & aliz personæ in testes adhiberi & recipi possint.

*Obtinentes beneficia hospitalis sententur soluere iura mortuorum & vacantium, &c.*

§. 30. Ac iura mortuorum, & vacantium, necnon atreragiorum, passagiorum, & aliorum quorumcumque, ita ut quævis personæ cuiuscumque Ecclesiasticæ dignitatis existentes, beneficia hospitalis huiusmodi pro tempore obtinentes, illa soluere omnino teneantur, & adstricti sint, ac ad id etiam sub sententiis, censuris, & pœnis Ecclesiasticis, ac aliis iuxta eorundem priuilegia, priuationis, & apprehensionis bonorum ad manus suas remediis cogi possint, soluantur.

*Facultas summæ ordinis etiam extra tempora, & celebrandi in quibusvis Ecclesiis, cum conditionibus quibusdam.*

§. 31. Necnon quod Magister, Priores, Præceptores, & dicti hospitalis Fratres Capellani, ab Ordinariis, intra quorum diœces. fines, eorum Prioratus, Præceptorias, & alia loca, in quibus eos residere oportuerit, existent, vel si ab Ordinariis præfatis legitime impeditis non potuerint, ab eis nihilominus examinati, atque idonei secundum canonicas sanctiones reperti & approbati, habitusque ab eis dimissorialibus literis, & à suis superioribus licentia, & seruata in omnibus forma Concilij Tridentini, à quocumque catholico Antistite sub Romanæ Sedis obedientia constituto, in propria diœcesi residente, aut in aliena pro diœcesano Pontificalia exercente, diligenti præuio examine, sacros Ordines, etiam, (si id pro utilitate aut necessitate Hospitalis, Prioratum, Præceptoriarum, & aliorum locorum huiusmodi respectiue eisdem Ordinariis, & Superioribus videbitur expedire) extra tempora à iure statuta, tribus, nec paucioribus diebus festiuis suscipere, & in quibusvis, tam secularium, quàm regularium Ecclesiis, cum commendatiis sui superioris literis, absque alicuius licentia celebrare possint.

*Magister Conuentus, Priores, & Præceptores intra limites suorum iurisdictionum verò Ordinarij existunt.*

§. 32. Et ipsi Magister & Conuentus, necnon Prior Ecclesiæ, alique Priores & Præceptores, intra limites suarum iurisdictionum & administrationum, veri Ordinarij, iuxta formam stabilimentorum & priuilegiorum prædictorum, existant, & esse censeantur.

*Magister, & Conuentus quocumque delinquentes ubique capere, & ad locum conuocari, vel alium ad id destinatum transmitti possunt.*

§. 33. Necnon Magister, & Conuentus, quocumque & singulos Priores & Commendatores, suorum Prioratum & Commendarum Fratres seu Religiosos delinquentes vel inobedientes, cuiuscumque dignitatis, status, gradus, ordinis & præminentie existentes, etiam si quavis, etiam Apostolica exemptione fungantur, in quocumque loco quantumvis priuilegiato, & quavis, re, & ad locum etiam Imperatoris, Regum, seu aliorum Principum, etiam Ecclesiasticorum Curia, præterquam Romana, per se, aut suos Officiales & Ministros, capere & incarcerare, ac captos à se vel eorum nomine liberare, & ad Hospitale præfatum per Magistrum & Conuentum præfatos (iuxta eorum constitutiones & stabilimenta) puniendos sub debita custodia transmittere, & transmitti facere, libere & licite possint.

*Officiales omnes teneantur præstare auxilium pro captandis & transmittendis delinquentibus.*

§. 34. Ac tam Ecclesiastici quàm sæculares Officiales, & locorum Potestates, ad eisdem Magistro & Conuentui, Prioribus, Commendatoribus, aliisque in præmissis assistendum, ac auxilium, consilium, fauorem, & iuamentum præstandum, sub excommunicationis, & aliis cens. & pœnis Ecclesiasticis, teneantur, & obligati sint.

*Cassio & annullatio quarumcumque expectatiuarum, reservationum, amissionum, concessionum, ac aliarum gratiarum praeuentiarum super locis Religionis absque consensu Magistri & Conuentus.*

§. 35. Ac omnia & singula, quae tamen suum nondum

fortita sunt effectum, speciales, & generales, etiam mentales reservationes, expectatiuae, mandata de prouidendo, antianitates, sine consensu Coadiutoriae, necnon praeuentiuarum quaecumque gratiae, de & super Prioratibus, Praeceptoribus, Receptoribus, Domibus, Cameris Magistralibus, locis, & membris, ac aliis beneficiis Ecclesiasticis dicti Hospitalis quouis modo nuncupentur, etiam in Angliae, Castellae, Legionis, ac Valentiae Regnis, ac Principatu Cathaloniae, & Comitatu Flandriae, quomodocumque & qualitercumque, absque Magistri & Conuentus praefatorum consensu, etiam cum quibusuis fortissimis & insolitis, etiam derogatoriis derogatoriis clausulis irritantibusque, & aliis decretis & inhibitionibus, etiam motu & scientia similibus, quibusuis etiam aliis quam dicti hospitalis personis cuiuscumque dignitatis, status, gradus, ordinis vel praerogatiuae fuerint, etiam Cardinalatus honore fungentibus & functionibus, etiam per nos, & Sedem praefatam, tam in genere quam in specie concessa & facta, & qualvis etiam praeuentiuas, & restitutorias, ac praeseruatias, necnon derogatorias iuribus dictorum Magistri & Conuentus, etiam quoad annuam responsionem illis faciendam, clausulas in se continentia, eorumque vires & effectus, reuocata, cassa, & nulla, nulliusque roboris vel momenti sint, ac nemini suffragari possint, neque debeant, nec per ea, cuiquam in Prioratibus, Praeceptoribus, dignitatibus, domibus, locis, & membris, ac aliis beneficiis hospitalis huiusmodi, ius acquiri possit, neque coloratus titulus possidendi tribui, sed illis, effectum suum, ut praefertur, nondum fortitis, nequaquam obstantibus, Magister & Conuentus praefati, coniunctim vel diuisim, iuxta consuetudines & stabilimenta huiusmodi hospitalis, de Prioratibus, Praeceptoribus, domibus, cameris, locis & membris, ac aliis hospitalis beneficiis huiusmodi, libere disponere.

*Licitia apprehendendi propria auctoritate possessione bonorum & locorum per alios occupatorum, & ea non restituentium.*

§. 36. Et interim (donec de illis disposuerint) per se, vel procuratores suos possessionem eorumdem vacantem propria auctoritate libere apprehendere, ac illorum fructus, redditus, & prouentus percipere, ac in suos & Magistralis & Conuentualis mensurarum vsus & utilitatem conuertere & retinere possint, cuiusvis licentia super his minime requisita.

*Loca Relig. non obprobrentur sub reservationibus. A postolicis, sed sint manna-*

§. 37. Praeterea, quod Prioratus, Praeceptoriae, & membra, ac beneficia quaecumque dicti hospitalis, quae pro tempore qualitercumque vacauerint extra Romanam Curiam sub quibusuis generalibus vel specialibus reservationibus Apostolicis factis, & quas fieri contigerit de beneficiis Ecclesiasticis pro tempore vacantibus, utpote ad hospitalitatem & fidei tuitionem ordinata, nullatenus includantur, nec reseruata vel affecta existant, sed hospitalium pauperum, quae sub reservationibus ipsis non includantur, quoad id sortiantur naturam.

*Loca Relig. per magni Magistri & Conuentus dumtaxat, & non alios, conferri debet personis relig. qua professionem iam emisserint, & reservationes, seu cessiones fieri nequeat, nisi personis ad Religionem professis habitum solitum gestantibus.*

§. 38. Debeatque de illis per pro tempore existentem Magistrum & Conuentum praedictos dumtaxat, & non alium, iuxta stabilimenta praedicta, Fratribus dicti Hospitalis prouideri. Resignationes vero, seu cessiones de illis a pro tempore illa obtinentibus, etiam si obtinentes de dicta militia non sint, in fauorem quarumcumque personarum fieri nequeant, nisi personae ipsae professionem per Fratres dicti hospitalis emitti solitam iam emiserint, aut illam, ex tunc intra duos menses expresse emittere, & habitum per eisdem gestari solitum suscipere & gestare paratae existant; alioquin resignationes & cessiones ipsae, & quas aliter fieri contigerit, per nos, aut successores nostros Rom. Pont. pro tempore existentes, ac dictam Sedem, vel eius, aut alia quacumque auctoritate de Prioratibus, Praeceptoribus, membris & beneficiis huiusmodi reservationes, prouisiones, collationes, commendae, vniones, & quaecumque aliae similes vel dissimiles dispositiones.

*Exemptiones concessa prioribus & militibus non suffragentur aduersum debita*

§. 39. Et exemptiones, Priorum, Praeceptorum, & Fratrum, a Magistri & Conuentus praefatorum obedientia & superioritate, aut debitis per eos praefato arario responsionibus annuis, & aliis iuribus, quaecumque ratione vel causa, etiam motu, scientia & potestatis ple-

nitudine similibus, etiam cum expressa derogatione posteriorum literarum quarumcumque, quae etiam per nos in contrarium fortasse fieri contigerit, nullius penitus sint roboris vel momenti, & habeantur prorsus pro infectis, nec censeatur in hac parte vnquam derogatum per quascumque clausulas, etiam derogatoriis derogatorias, fortiores & efficaciores, nisi dum & quoties ipsarum posteriorum literarum de verbo ad verbum, vere & non per clausulas id importantes, inserto tenore de ipsorum S.R.E. Cardinalium consilio derogari contigerit, nec etiam tunc nisi ad id Magistri & Conuentus praefatorum expressus accedat assensus, & non aliter, nec alio modo; & semper in huiusmodi, quae sic fiunt de consilio praefato, derogationibus, censeatur apposita clausula, quod effectum sortiantur de consensu Magistri & Conuentus praefatorum, & non aliter, nec alio modo.

*Loca Relig. nisi in Relig. professis, ac habitum gestantibus conferri possint.*

§. 40. Quodque collationes, prouisiones, commendae, vniones, reservationes, & aliae dispositiones quaelibet, quas de eisdem Prioratibus, Praeceptoribus & membris pro tempore, per cessum vel decessum, seu quamvis aliam dimissionem, praeterquam apud Sedem vacantibus; alias quam in huiusmodi personis, & modo praedicto fieri contigerit, etiam si per nos & pro tempore existentem Romanum Pontificem fiunt, illis, quibus sic fiunt, nullum ius, nullumque coloratum titulum tribuant possidendi.

*Alienationes non fiant, & quae factae, viribus omnino careant.*

§. 41. Alienationes censuum, reddituum, iurium, iurisdictionum, & bonorum quorumcumque ad Prioratus, Praeceptorias, domos, hospitalia, beneficia, & loca hospitalis huiusmodi pertinentium, sub excommunicationis latae sententiae, & priuationis beneficiorum obtentorum poenis, per contrafacientes eo ipso absque aliqua declaratione incurrendis, de caetero ne fiant, & si fiant, viribus omnino careant.

*Renouatio in resp. & factus liberandi facta restitutions.*

§. 42. Et insuper, quod iurapatronatus, & praesentandi personas idoneas ad Prioratus, Praeceptorias, hospitalia, membra, aliaeque beneficia & loca hospitalis huiusmodi, a quadraginta annis citra acquisita, & in futurum acquirenda, ex quavis causa, praeterquam ratione foundationis, & iuxta dispositionem Concilij Tridentini, nisi praevia diligenti cognitione per locorum Ordinarios habenda, reperia fuerint ob maxime euidenter beneficiorum, & locorum huiusmodi necessitatem constituta esse, ab eisdem Ordinariis in totum reuocentur, & restituta patronis eo quod ab ipsis propter ea datum fuerit, in pristinam libertatem reducantur, & ex tunc (sine tamen damno illa canonice possidentium) liceat Magistro & Conuentui praefatis, Prioratus, Praeceptorias, Hospitalia, membra & beneficia huiusmodi conferre.

*Prohibitio reservationis personarum super beneficiis dicti hospitalis, nisi in fauorem Fratrum eiusdem Ordinis & Religionis.*

§. 43. Et quod nulla pensio annua super alicuius Praeceptoriae, Commendae, vel alterius beneficii Militiae huiusmodi fructibus, etiam ex resignatione in manibus Romani Pontificis, aut alia quavis probabili causa, nisi in personam dictae Religionis & Militiae, etiam per ipsum Pontificem reseruati, neque Commendae, & alia beneficia dictae Religionis pensionibus huiusmodi, aliter quam ut praefertur onerari possint, & si pensiones desuper aliter assignari contingat, assignationes ipsae nullius sint roboris vel momenti, nec titulares beneficiorum huiusmodi ad illarum solutiones teneantur, neque ad id censuris Ecclesiasticis, aliisve poenis compelli possint.

*Ad parochiales & alias d. Ord. Ecclesias deputari possunt Fratres capellani, non obstantibus quod per abusum, nec alios per longissimum tempus presbyteris secularibus fuerint collata, aut consensu consuetudine.*

§. 44. Et quod liceat Magistro, singulisque Prioribus, Praeceptoribus, Militibus, & Fratribus hospitalis huiusmodi, Parochiales, ac etiam sine cura Ecclesias, vel earum Vicarias, seu Capellanas perpetuas, aut Capellas, vel Altaria, seu alia beneficia simplicia ad eorum collationem, prouisionem, praesentationem, electionem, seu quamvis aliam dispositionem ratione Prioratuum, Praeceptoriarum, & Camerarum Magistralium nuncupatarum, domorum, & aliorum beneficiorum dicti Hospitalis per eos pro tempore obtentorum, de iure, statuto, consuetudine, fundatione, aut priuilegio, seu alias quomodolibet spectantia, & pertinentia, & ab ipsis Prioratibus, praepetoriis, domibus, hospitalibus, & aliis beneficiis dependentia, seu illis annexa, & quae dudum Fratribus saltem Capellanis eiusdem hospitalis ab eisdem Magistro; Prioribus, & Praeceptoribus, & aliis praefatis conferebantur, a longo tamen,

& forsan longissimo tempore citra, de cuius initio memoria hominum forsan non existit, per ipsos Magistrum, Priores, Præceptores, Milites, & Fratres per abusum, aut ex defectu Fratrum Capellanorum, vel aliarum personarum eiusdem hospitalis ad id idonearum, clericis seu Presbyteris sæcularibus collata, aut conferri, & per ipsos Presbyteros vel clericos sæculares obtineri solita, cum primum per quamcumque dimissionem illa nunc obtinentium vacauerint, ea scilicet quibus Presbyteratus ordo annexus est, non aliis quam Fratribus hospitalis huiusmodi Capellanis nuncupatis, qui à Militibus Presbyteris, seu clericis, nisi quo ad gestationem Crucis, vel habitus dicti hospitalis ad pectus non differunt, dummodo si Presbyteri, aut in ea ætate constituti, vt ad ordinem Presbyteratus promoueri possint, & ad id alias etiam iuxta dispositionem Concilij Tridentini, idonei, & habiles sint: reliqua vero cæteris Fratribus Militibus conferre, ac alias de illis providere, & disponere.

*Fratres Milites quibus beneficia conferuntur in titulum ea quo ad vixerint recipere possunt.*

*Parochialibus & aliis Ecclesiarum per Capellanos Ordinibus, etiam non professos, in defectu professorum, deserviantur, qui presentati ab Ordinariis ad requisitionem Magistrum, &c. admittantur.*

*Privilegiis relig. dumtaxat gaudeant, qui habitum suscipiunt, & infra certum tempus professionem emiserint.*

*Qui gaudeant his privilegiis.*

*Non iniiciatur manus violenta in confugientes ad Ecclesias religionis.*

*Facultas deputandi Vicarium cum facultate conferendi beneficii.*

*Et Procurator.*

*generalem in Rom. Cur. cum potestate conferendi beneficii referenda, affecta, vel denolua, etiam in sic. perpetui beneficii, vel ad nutum, aut amouibilibiter, etiam per viam perpetua unionis.*

§. 45. Ipsique Fratres, quibus Beneficia huiusmodi contigerit, si sibi canonice alias conferantur, aut eligantur, præsententur, vel alias assumantur ad illa, & instituantur in eis, recipere, & in titulum etiam quoad vixerint retinere.

§. 46. Et quod Presbyteri, qui in dicta Religione professionem non emiserint, nisi de expressa licentia, vel consensu Magistrum, seu Priorum, Præceptorum, vel Fratrum, quos id tangeret, ad deseruendum Parochialibus, & aliis Ecclesiis, ac capellis Hospitalis huiusmodi, Capellani eiusdem Religionis, vel in defectum eorum Presbyteri in ea non professi, dummodo tam hi, quam illi (vt præfertur) idonei sint, & iuxta decreta Concilij Tridentini huiusmodi, per locorum Ordinarios ad requisitionem, seu præsentationem dictorum Priorum, Præceptorum, & Fratrum, ad quos id pertinere competit, abque aliqua exactioe & oneris impositione, recipi & admitti debeant.

§. 47. Quodque illi dumtaxat Privilegiis dicto hospitali concessis gaudeant, qui à præfato Magistro, seu de eius licentia habitum susceperint, & professionem emiserint, seu de habitu suscipiendo, & professione huiusmodi emittenda infra certum tempus arctati fuerint.

§. 48. Nullusque Priorum, Præceptorum, & Fratrum præfatorum, abque mandato seu licentia præfati Magistrum, aut saltem sui Prioris, seu Procuratoris ipsius hospitalis in Romana Curia existentis, privilegiis prædictis in eadem Curia uti valeat, nec illa absque huiusmodi licentia vagantibus suffragentur.

§. 49. Ac manus violentæ in eos qui ad Ecclesias, seu domos eiusdem Religionis pro sua salute confugerint, per quempiam iniici nequeant, sub excommunicationis lætæ sententiæ pœna.

§. 50. Liceat etiam Ioannoto, & pro tempore existenti Magistro, & Conuentui præfatis, in singulis Prioratibus ipsius hospitalis vnum Vicarium cum facultate conferendi Præceptorias, & domos hospitalis huiusmodi, deputare, ac pensiones, seu responsiones, & onera super domibus, Præceptorias, Leprosariis, & aliis beneficiis hospitalis huiusmodi, imponi solita à quibuscumque etiam Clericis sæcularibus illa in Commendam obtinentibus, eorumque Colonis, & Inquilinis, etiam laicis, eo modo quo à Fratribus dicti hospitalis exigentur, exigere.

§. 51. Ac in Romana Curia Procuratorem generalem cum generali, vel speciali, aut limitata potestate, & facultate constituere, seu deputare; & in eadem Curia per se, seu dictum Procuratorem quæcumque eiusdem hospitalis beneficia cuiuscumque qualitatibus existentia quomodolibet, præterquam per resignationem in manibus nostris, & successorum nostrorum Romanorum Pontificum, pro tempore, aut per obitum, seu alias quomodocumque que apud Sedem vacantia, iuxta ipsius hospitalis, & Militiæ stabilimenta, libere conferre, & de illis, de quibus iam dispositum fuit de nouo, de aliis vero beneficiis huiusmodi, siue illa tanquam priuata prædia in titulum perpetui beneficii Ecclesiastici, seu etiam ad nutum, aut amouibilibiter vni, vel diuersis personis assignari solita sint, iuxta solitum huiusmodi, pro beneficiorum

eorundem natura, aut etiam si expeditur per viam perpetua unionis, libere disponere; ita tamen, quod beneficia Presbyteris destinata, nullatenus Militibus, seu Fratribus capellanis in Presbyteratus ordine, aut tali ætate qua ad illum canonice promoueri possint, constitutis, dumtaxat conferantur.

§. 52. Necnon Antianitates, tam generales, quam speciales super eisdem beneficiis Fratribus eiusdem hospitalis, quæ eo ipso Apostolica auctoritate confirmatæ, & approbatæ censeantur, concedere: ac resignationes dictorum beneficiorum recipere, & admittere.

§. 53. Necnon Cœmeteria in eorum Parochialibus Ecclesiis habere, & quorumcumque Christi fidelium cadavera, etiam si interdicti forent, (dummodo interdicto causam non dederint) saluo iure, si quod Cathedrali Ecclesiæ, aut alteri Parochiali ratione Quartæ funeralis debitum fuerit, absque alio onere, & solutione Episcopo facienda, recipere, & sepelire.

§. 54. Legata, & donata, tam inter viuos, quam qualibet vltima voluntate exigere, & percipere.

§. 55. Necnon Prioribus, Præceptoribus, Militibus fratribus, & personis præfatis intra Regularia dicti hospitalis loca degentibus (de suorum Superiorum licentia, aliis vero quo ad confirmationem sine Diocæsani, quo ad alia vero sine Parochialium Ecclesiarum, intra quorum limites eos degere contigerit, præiudicio, & seruatis decretis Concilij Tridentini) liceat quæcumque Ecclesiastica Sacramenta à quocumque maluerint Catholico Antistite, siue alio illa licite ministrante, gratiam, & communionem dictæ Sedis habente, nihil oblato, vel soluto recipere.

§. 56. Et tam ipsis, quam eorum familiaribus Armis quæcumque & vbiicumque locorum pro sua defensione, & hostium dictæ Sedis offensione gestare.

§. 57. Liceat similiter Capellanis eiusdem hospitalis, Priorum, Præceptorum, Militum, Fratrum, personarum, vassallorum, subditorum, & familiarium præfatorum intra huiusmodi loca degentium, Confessiones audire, & pœnitentiam salutarem eis iniungere, ac Eucharistiæ, & alia Sacramenta Ecclesiastica ministrare, necnon tempore Interdicti, dummodo illi causam non dederint, excommunicatis & interdictis exclusis, clausis ianuis, & submissa voce, Missas, & alia diuina officia celebrare.

§. 58. Quilibet autem Christi fideles in quibusvis Ciuitatibus, locis, diocæsibus, præceptorias, domos, & hospitalia, sub dependentia & subiectione dicti hospitalis, & Militiæ, per eius Fratres, & Milites obtinentia, quæ iisdem privilegiis, immunitatibus, indulgentiis, concessionibus & indultis, quibus alia dicti hospitalis, præceptorias, domus, & hospitalia vtentur, fruuntur & gaudebunt, vtantur, potiantur & gaudeant, assignata illis congrua dote, Ordinariorum locorum, & quorumvis aliorum licentia minime requisita; & nulla præterea (nisi vsquequo Magister, & Conuentus hospitalis huiusmodi propriam Sedem Conuentualem in aliquo certo loco habuerint) in illis Ordinariis ipsius iurisdictione, aut oneris imponendi facultate referuata, construere & erigi faciendi, plenam & liberam facultatem, & auctoritatem habeant.

§. 59. Ac quod pariter liceat omnibus Prioribus, Præceptoribus, cæterisque Militibus, ac Fratribus, & Ministris etiam Presbyteris & beneficiatis eiusdem Religionis, & Militiæ, de quibuscumque, tam stabilibus, quam mobilibus bonis, pecuniarum summis, gemmis, & lapidibus pretiosis, aliisque rebus cuiuscumque qualitatibus & quantitatis, ac valoris existant, per eos etiam ratione beneficiorum Ecclesiasticorum dicti hospitalis dumtaxat per eos obtentorum, ac alias vnde cumque, & quomodolibet acquisitis, & ad illos quouis modo spectantibus (dummodo quintam illorum partem Conuentui præfato etiam spurios, & alios illegitimos, aliasque quantumvis incapaces personas testari, ac alias etiam per codicillos, donatione inter viuos, causa mortis, & alia quæcumque via, prout sibi videbitur, disponere, ac illa in pias, & non

*Et concedit Antianitates, ac resignationes.*

*Facultas sepeliendi in eorum Parochialibus quoscumque, etiam interdictos, dummodo, &c.*

*Exigendi donata, & legata.*

*Recipiendi quæcumque Ecclesiastica Sacramenta à quocumque Catholico Antistite.*

*Deferendi quæcumque Arma vbiicumque locorum.*

*Audiendi confessiones, ministrandi Sacramenta, ac celebrandi diuina pro Fratribus Capellanis, etiam tempore interdicti.*

*Exigendi præceptorias, domos, hospitalia absque licentia Ordinariorum locorum, quæ gaudeant privilegiis, & in quibus Ordinariis nulla sit iurisdictione.*

*Facultas constandi omnibus etiam ministr. Presbyter. & beneficiatis, ac quibuslibet bonis, & ex fructibus beneficii, acquisitionis, & inter quoscumque consanguineos inhabiles, dummodo quintam partem hospitalis tali retinquant.*  
*In attende cost 73 huius Pont. Sacramentum.*



*Celebrandi in habi u pō. & dandi benedictionem dummodo nō sit prafens aliquis Antistes, & tunc de illius licentia.*  
§. 60. Priori autem Ecclesie dicti Conuentus pro tempore existenti, quoties sibi placuerit, Missam & alia diuina Officia in præfata aliisque dictæ Religionis Ecclesiis, in habitu Pontificali cum mitra & baculo pastoralis celebrare; ac post Missarum solemniam (dummodo non sit præfens aliquis Catholicus Antistes, vel de illius consensu) ibi benedictionem Christi populo impartiri.

*Milites, & alijs nō incurunt peccatū mort. nisi propter inobedientiam & contumaciā pluries commissam, & rebellionem à Religione.*  
§. 61. Et insuper, quod nullus ex Magistro & Militibus, ac Fratribus pro tempore existentibus, aliisque personis dictæ Militiæ, & Religionis, propter eius Regulam, Capitula, & Statuta, nunc & pro tempore edita, non obseruata, vel minus rite adimpleta, in peccatum mortale incidat, præterquam propter inobedientiam, & contumaciam pluries commissam, & continuatam, & ab ipsa Religione rebellionem, & excommunicationis pœnæ sibi impositæ, ac alios casus, peccatum huiusmodi ex diuinis præceptis, sacrisque Canonibus generantes.

*Persona relig. tempore sumptionis habitus, & Professionis, atq; in articulo mortis habens facultatē eligendi Confessorem, à quo recipiat indulgentiam, &c.*  
§. 62. Et quod ipsi Milites, & aliæ eiusdem Militiæ personæ, qui tempore sumptionis habitus, & Professionis eorum Regularium emissionis, atque in articulo mortis constituti, de peccatis suis corde contriti, & ore confessi fuerint, plenariam omnium peccatorum suorum indulgentiam & remissionem, cum facultate etiam eligendi sibi dicto tempore professionis & mortis, confessorem ab Ordinario tamen approbaturum. Ac tam Milites, & personæ præfate quàm quivis alij vtriusque sexus, qui Ecclesias domorum, & aliorum locorum hospitalis huiusmodi, vbicumque existentes, singulis diebus Festiuitatum, quæ in honorem D. N. Iesu Christi, & Beati Mariæ Virginis eius Matris, annuatim celebrantur, à primis Vesperis vsque ad occasum solis Festiuitatum huiusmodi, deuote visitauerint, & pro pace inter Principes Christianos confouenda ter orationem Dominicam, & totidem Angelicam salutationem recitauerint, septem annorum & totidem quadragenarum ex iniunctis eis pœnitentiis relaxationem consequantur.

*Notarij tenentur sub pœna excomm. notitiam dare de legatis factis hospitali, & Militiis.*  
§. 63. Necnon quod Notarij, qui rogati fuerint de testamentis, vel vltimis aliis voluntatibus, in quibus aliquid disponi contigerit in fauorem & commodum Hospitalis, & Militiæ, sub excommunicationis pœna dispositionem huiusmodi, quanto citius commode poterunt, Magistro, & Conuentui dicti hospitalis, vel alteri, per quem id poterit ad ipsorum Magistrum, & Conuentus notitiam peruenire, intimare curent.

*Priores, & Præceptores in Dominica Palmarum, & per eius Oct. possint de consensu Ordinarii confessores audire, & cū consentientibus indulgentiis, &c. vti ac easdem illis impartiri.*  
§. 64. Necnon quod Priores, & Præceptores quorumcumque Hospitalium, & domorum à dicto hospitali Sancti Lazari dependentium, & illud in caput suum recognoscentium, in die festo Dominicæ Palmarum, & per eius octauam, si in sacerdotio constituti fuerint, per se in suis hospitalibus, ac domibus præfatis tantum, confessiones quorumcumque de consensu Ordinarii locorum audire, & cum huiusmodi consentientibus quibuscumque facultatibus & indulgentiis, ad peccatorum remissionem, de eis auctoritate Apostolica concessis, vti, ac easdem illis (de licentia tamen expressa Magistrum pro tempore existentis, & Conuentus præfati hospitalis, singulis annis renouanda) impartiri, iisdemque aut etiam si in presbyteratus ordine constituti non sint, alium, vel alios probos, & idoneos presbyt. seculares vel cuiusvis ordinis Regulares per locorum Ordinarios approbatos, ad id deputate plene & libere possint; aliis vero temporibus sicut alij sacerdotes nullam à Sede prædicta facultatem habentes.

*Facultas appendendi campanas, vel subsignandi animalia s. Lazari oblatina.*  
§. 65. Possint etiam Nolas, seu Campanas porcis, seu aliis quibusvis animalibus, quæ eidem Sancto Lazaro offerri contigerit, appendere, seu aliqua nota subsignare.

*Indulgentia, & gratia s. Lazari non intelliguntur suspensa.*  
§. 66. Necnon quod durante quacumque suspensione temporali indulgentiarum, gratiarum concessarum, vel in posterum concedendarum, Indulgentiæ prædictæ ac omnes facultates, & gratiæ eidem Hospitali, illiusque Magistro, Conuentui, Fratribus, & Membris per Sedem præfata concessæ, non intelligantur suspensæ; sed in suo pristino, & vero valore, & firmitate existant, & permaneant.

§. 67. Necnon vt liceat ipsis Fratribus in eorum Ecclesiis Missas, & alia quæcumque diuina officia legere, vel etiam alta voce celebrare, vel per alios presbyteros idoneos celebrari facere, ac omnibus, & singulis Christi fidelibus, & leprosis pauperibus infirmis in dictis hospitalibus pro tempore degentibus Ecclesiastica sacramenta ministrare, ac eorum, & (sine tamen cuiuscumque præiudicio) aliorum quorumcumque fidelium corpora mortuorum id eligentium, & petentium in Cæmeteriis, & Ecclesiis dictorum Fratrum Ecclesiasticæ tradere sepulturæ.

§. 68. Ac Verbum Dei debitis & congruis temporibus in Parochialibus quidem, Parochianis & populo, in aliis vero Ecclesiis ipsorum pauperibus ipsis, ac leprosis huiusmodi per se ipsos, si suorum Superiorum licentiam habuerint atque ab ipsis de vita, moribus, & scientia examinati, & approbati fuerint, petita ab Episcopis, intra quorum diœc. fines Ecclesiæ ipsæ constitutæ fuerint, benedictione, proponere: & si legitime impediti fuerint; per alios idoneos, superiorum suorum, & eorundem Episcoporum licentiam habentes, & in omnibus iuxta formam Conc. Trid. proponi facere.

§. 69. Et insuper, quod modernus, & pro tempore existens Magnus Magister, & Conuentus, ac singuli Milites, & aliæ personæ Hospitalis, & Militiæ huiusmodi postquam præfata Sedem Conuentualem firmauerint, vt præmissum est, omnibus & singulis Priuilegiis, immunitatibus, iurisdictionibus, exemptionibus, etiam per viam exceptionis in ipsa onerum impositione, dispensationibus, indultis, concessionibus, dispositionibus, honoribus, gratiis, libertatibus, fauoribus, antelationibus, restitutionibus, reintegrationibus, & aliis quibusvis gratiis hucusque Sancti Ioannis Hierosolymitani, Sancti Iacobi de Spata, Sancti Stephani Militis, ac Sancti Spiritus in Saxia de Vrbe, & Sancti Antonij Viennensis Hospitalibus, Religionibus, & Ordinibus, eorumque locis, personis, rebus, & bonis, per quoscumque Romanos Pontifices, etiam prædecessores nostros ac etiam per Nos, & Sedem prædictam, seu Concilia generalia, vel alios quoscumque, in genere vel in specie, etiam ad Imperatorum, Regum, ac aliorum Principum instantiam, vel Motu proprio, aut alias quomodolibet hætenus concessis, quibus Hospitalia, Religiones, & Militiæ huiusmodi, eorum Magni Magistrum, Conuentus, & Fratres Milites vtuntur, potiuntur, & gaudent, ac vti poterunt quomodolibet in futurum, pariformiter, absque vlla penitus differentia (citra Indulgentias quæstuaras) vti, potiri, & gaudere, in omnibus & per omnia, libere ac licite valeant, petinde ac si ea omnia & singula prout illis concessa fuerint, eorumque omnium, & quorumcumque literatum desuper quomodolibet confectarum tenores hic de verbo ad verbum insererentur: ita quod super illis, vel occasione per ipsos Ordinarios, aut quosvis alios molestari, perturbari, vel inquerari non possint, dummodo moderationibus, & limitationibus supra scriptis, Concilio Tridentino prædicto non repugnent: & per hoc dictis Hospitalibus, & Militiis, ac iuribus cuiuscumque alterius tertij non præiudicetur, ac (quo ad exemptiones) iurisdicatio Ordinarii, tam ea quæ de iure communi eis competit, quam quæ ex decretis dicti Concilij Tridentini eidem est attributa, semper salua existat. Præterquàm in iis casibus, in quibus Concilium præfatum expresse excepit & exempt Religionem S. Ioannis Hierosolymitani, in quibus, & hæc Sancti Lazari Religio, & Militia (præterquam quo ad Seminarij contributionem) excepta, & exempta pariter intelligatur.

§. 70. Præterea, quod tam præsentium quàm aliarum quarumcumque literatum Apostolicarum, seu earum transumptorum, ac mandatorum Magistrum, & Conuentus præfatorum publicatio, & affixio in singulis Prioratibus, Præceptoris, Membris, & Beneficiis Religionis huiusmodi factæ, perinde ardeant, ac si contra contentos sub eisdem personaliter factæ essent, facta tamen in præmissis diligentia de illis personaliter repertiendis, in dictis locis.

§. 71. Quodque verbis, in ipsorum Magistrum, & Conuentus literis, circa singulorum Fratrum Militum dicti

*Facultas capiendi diuina sacramenta ac corpora quorumcumque fidelium sepeliendi.*

*Verbum Dei predicandi.*

*Concessio quorumcumque aliorum priuilegiarum, gratiarum, exemptionum & aliarum facultatum concessarum hospitalibus, & militiis: S. Io. Hieros. S. Iacobi de Spata, S. Antonij Viennensis. Spiritus de Vrbe, ac S. Stephani in Tuscia.*

*Publicatio & affixio priuilegiarum, & aliarum literarum Apostolicarum mandatorum Magistrum, & Conuentus ardeant, ac si personaliter factæ essent. Fides habenda. Literis Magistrum, & Conuentus.*

Hospitalis professionis emissionem, habitus susceptio-  
nem, debitorum, & obsequiorum præstationem, plena  
fides adhibeatur.

*Magister, & Conuentus pos-  
sunt priuare  
quemcumque  
inobediẽtem,  
ac iura Relig.  
non reseruan-  
tem, præsertim  
si in solutione  
annuæ cen-  
sue morosus  
fuerit.* §. 72. Et nihilominus, quod si quisquam Priorum,  
Præceptorum, Militum, & Fratrum dicti Hospitalis, ac  
quicumque alius qui professionem per Fratres dicti Ho-  
spitalis emitti solitam emisit, quandocumque pro ser-  
uitiis Religionis, aut alias euocatus, seu in solutione iu-  
rii communis Ararij morosus fuerit, & citatus coram  
dictis Magistro, & Conuentu personaliter non compa-  
tuerit, ac illis obedientiam, aliaque iura debita non præ-  
stitit, tempore sibi ad id præfigendo elapso, canonico  
impedimento cessante, habita dignitate, administratione,  
& beneficio, ac quocumque honore, & officio alias  
iuxta formam stabilimentorum, & priuilegiorum præ-  
dictorum, per Magistrum, & Conuentum præfatos pri-  
uati possit.

*Nulla exem-  
ptio uales ad  
uersus obedi-  
tiam Magni  
Magistri, quo  
minus vocati  
comparere te-  
neantur. Sed  
Magister, &  
Conuen. pos-  
sunt disponere  
de benef. va-  
cantib. per  
priuationem.* §. 73. Nec vlla derogatio, aut exemptio, realis vel  
personalis, seu alia gratia præseruatiua, etiam Motu,  
scientia, & potestatis plenitudine similibus quomodo-  
libet pro tempore facta, seu concessa, contra præmissa  
ualeat, nec Magister, & Conuentus præfati illis parere  
teneantur: sed illis non obstantibus, de Prioratu, Præ-  
ceptorum Dignitate, Officio, vel beneficio sic per priua-  
tionem huiusmodi vacante, iuxta stabilimenta, & alia  
præmissa, libere disponi, aut illa alias per eum, vel eos,  
ad quem, seu quos antianitatis, vel alio iure pertinet,  
acceptari possit.

*Clausularum  
concessionum  
præseruatiua.* §. 74. Necnon quod præmissis etiam per quascumque  
litteras Apostolicas, etiam quasvis clausulas generales,  
vel speciales, etiam derogatoriæ derogatorias, effica-  
cioresque, & insolitas, ac etiam irritantia decreta, sub  
quacumque verborum expressione in se continentem,  
nullatenus derogari possit, nec quo ad illa derogatum  
censeatur, nisi tenor illarum de verbo ad verbum nihil  
penitus omisso insertus, & huiusmodi derogationes  
Consistorialiter factæ, & per trinas distinctas litteras eun-  
dem tenorem continentem, tribus distinctis similibus vi-  
cibus Magno Magistro, & Conuentui præfatis intimatæ,  
& insinuatæ fuerint, ac ipsorum Magistri, & Conuentus  
ad id expressus accedat assensus: & aliter factæ derogationes,  
nemini suffragentur, ac Magister, & Conuentus  
præfati ad parendum litteris derogatoriis huiusmodi, &  
decretis super illis processibus, ac illorum executoribus,  
& subexecutoribus, eorumque mandatis, & monitionibus  
minime teneantur: sed litterarum huiusmodi executio-  
nem omnino impedire, nec ratione resistentiæ censuris  
Ecclesiasticis per eosdem executores, vel subexecutores  
latis innodari possint.

*Decretum ir-  
ritans, &  
clausula sub-  
lata, &c.* §. 75. Et sic in præmissis, omnibus & singulis per  
quoscumque Iudices, & Commissarios quavis auctori-  
tate fungentes, etiam Sanctæ Romanæ Ecclesiæ Car-  
dinales, & causarum Palatii Apostolici Auditores, sub-  
lata eis, & cuilibet eorum quavis aliter iudicandi, &  
interpretandi facultate iudicari, & definiti debeat. Et  
quicquid secus super his à quoquam quavis auctoritate  
scienter, vel ignoranter attentari contigerit, irritum, &  
inane sit.

*Clausula de-  
rogatoria.* §. 76. Et quo ad præmissa non obstant ea omnia, quæ  
dictus Pius I V. prædecessor in dictis litteris voluit non  
obstare.

*sanctio pe-  
nalis.* §. 77. Nulli ergo omnino hominum liceat hanc pagi-  
nam nostrorum ratihabitionis, statutorum, ordinatio-  
num, reuocationis, cassationis, irritationis, annullatio-  
nis, euacuationis, & decretorum infringere, vel ei ausu  
temerario contraire. Si quis autem hoc attentare præ-  
sumpserit, indignationem omnipotentis Dei, ac beato-  
rum Petri, & Pauli Apostolorum eius se nouerit incur-  
surum.

*D. P. An. 2.  
die 26. 1567.* Datum Romæ apud S. Petrum, anno Incarnationis Do-  
minicæ 1567. 7. Kal. Febr. Pontificatus nostri, Anno 1.

**Sicuti Bonus Agricola**

Papal Encyclical of Pope Pius V

January 26th, 1567 in Rome

Translated by Steven L. Jones, Ph.D.

**Notes:**

The declaration, reformation, and revocation of many graces, immunities and privileges of the military hospital of St. Lazarus of Jerusalem up to this point conceded by earlier Pontiffs

To this military, which professes the Rule of St. Augustine, as is held above in Alex IV, const. 1, “*Cum a nobis.*” Clem IV bestowed many privileges in const. 2, “*Cum dilectis*” above and const. 5, “*Venerabilibus.*” And many other pontiffs and Pius IV gave many other grants, as in Pius IV’s const. 95, “*Inter Assiduas*”

And this same military Gregory XIII united to the Military of St. Mauritz the martyr recently instituted through Emanuel Philbertus Leader of Sabandia, and subjected it to its perpetual government, as in this Gregory’s const. 6 “*Christiani*” and const. 7 “*Pro comissa.*” And later, with a few things added Clement VIII approved these things in const. 102 “*Decet.*”

Bishop Pius

Servant of the servants of God

As an everlasting record

***Introduction: The Cause of this reformation of privileges of the military of St. Lazarus***

Just as a good farmer, who desires to collect more abundant yield from a field, which he cultivates, observes the stormy changes of times, and, with plants places in it, does not always move watered channels or rich mud, but sometimes leads the collected moisture, and curbs the excessive joy of branches, and, so that strength poured forth in vain might not be wasted, he compresses with iron; thus we, applying ourselves to the faithful zeal of the field of God, our tillage, with him helping, the hospital of St. Lazarus of Jerusalem, its military, a very fertile plant among others of this field, cultivated for a long time with indulgences from many of our predecessors and even ourselves, so that the forest by chance not swell with useless leaves, and with sterile branches cut back or pruned, we desire to place inside an order (with the reason of these times considered) and to reduce it to better and more useful cultivation, so that finally, with its own strength collected in it, even just as with roots driven deeper into the earth, continuing more firmly, it might offer to the Lord sweet and rich fruits.

***Section 1: Pius IV approved many privileges to the military and he granted others***

For some time, after Pope Pius IV of blessed memory, our predecessor had confirmed, approved, and even renewed institution, erection, and translation of the hospital and military of this kind, and very many privileges, grants, powers, licenses, exemptions, liberties, indulgences, graces and other things granted by our, previously his, diverse predecessor Roman pontiffs to the aforementioned hospital and its grand master and assembly and the brothers, even by way of communication or extension, in general or in specific; and statutes, uses and customs published

and introduced in this same hospital and military, by apostolic authority, on his own initiative and from certain knowledge and from the plenitude of apostolic authority, and in addition had granted many other things, and had extended all these things to the hospital of St. Lazarus, which then consisted in the city of Capua, and had restored this very hospital, its members, and pertinences, against suppressions, extinctions, unions, and any other dispositions of those through the deeds of Innocent VIII of worthy memory and Pius II and perhaps other Roman Pontiffs, even consistorially, into the pristine state, in which it had been before, and had made completely whole, decreeing, among other things, those things, granted, restored and done from onerous cause, to be recalled, limited or altered, and they are not able to be included under revocations, limitations, alterations, general or special, if they should by chance happen be done.

***Section 2: This Pontifex also confirmed those things in his bulla, which I did not place here.***

We also, in the very beginning of the pontificate, to which we have been called, with the divine spirit inspiring, confirmed, approved, and renewed all the same things and letters of our predecessor Pius IV procured for them, with equal initiative, knowledge, plenitude and authority, and we fortify them with similar clauses and decrees, nevertheless with certain limitation and restrictions added, which we wish to be here also as repeated, as it is contained in the previously mentioned letters and certain document, by our own initiative and with our own hand signing.

***Section 3: Now however wishing from just causes to reform these things, he declares that the reintegrations, translations, and restitutions of this military remain strong;***

But afterwards knowing the desire to bring so many things thus having been conceded, not only to increase this hospital and military but also others, but that the use and dispensation of them were a danger to those very ones to whom they have been granted and a burden to us, and for this reason wishing to establish a mode and norm and certain limits, of all these things, and having the tenors, restraints, and forms of the aforementioned letters and certain additional letters and documents or similar writings, which have then been made, as fully and sufficiently expressed, by our own initiative and from our certain knowledge and according to the plenitude of apostolic power, to the glory of God and the public utility, with the aforementioned erection, institution, and translation, and restitution and reintegration of the aforementioned hospital and military, and their approval remaining, granted, confirmed, and renewed, which, as they have up to now been done, as nevertheless was by right, we consider valid in these present letters, as has been said, we establish and ordain with the tenor of the present letters thus forever.

***Section 4: He confirms the concessions made before Pius IV, to the extent that they were then in use and prejudge no one.***

All things and each individually granted to the aforementioned hospital, master, assembly and soldiers by the aforementioned and certain other Roman Pontiffs before Pius IV our predecessor, are confirmed and considered to be so only so far as these aforementioned things were observed and in use in the times of Pius IV, before the confirmation of them was done by him, and do not bring detriment or prejudgment on other rights acquired either from prescription or otherwise from any legitimate title.

***Section 5: He revokes the concessions of Pius IV not contained here, and he limits those contained, etc., as follows.***

But from those, which were granted by Pius IV, and from any statutes, ordinances, and decrees by him of these, not any others nor at all otherwise are valid, or permitted to this hospital, master, assembly, and military, than those written below, and with moderations, reductions, limitations, and restrictions placed on them, not only in the aforementioned document, signed on our own initiative and by our hand, but also written below. However, all the remaining one and each one individually, and those concerning confirmations, letters and other things mentioned above and following from there, we revoke, nullify, invalidate, and annul, and we empty it completely of strength, and we decree that they are always revoked, nullified, invalidated, and nothing and without strength, are able to be observed neither in courts nor outside of courts, or even to be alleged nor to be supported by anyone, and that nothing is able to be established or judged for them or according to them, and that the present letters are not able to be impugned from defect of our intention or other defect, and their revocation, moderation, or reduction, or restitution against them, or remedies of other justice or grace are not able to be obtained, or to be granted with similar initiative, knowledge, or plenitude, even consistorially, and that no one is able to use those things granted: and it ought to be interpreted and judged thus through any judges, even those chosen specially for it, even auditors of the cases of the Apostolic Palace and cardinals of the Holy Roman Church, with any authority of them of otherwise interpreting and judging removed; and whatever otherwise, with any authority, knowingly or ignorantly, happens to be attempted, we declare null and void.

***Section 6: with nothing standing in the way***

Notwithstanding the aforementioned and any clauses and decrees, even attestations to the minds of the previously mentioned predecessors, and however strong and firm, in aforementioned concessions, confirmations, and letters approved under any studied formula or words, and concerning not removing the sought after rights, and other constitutions and apostolic ordinations, and of the aforementioned hospital, even oaths, similar confirmation or any other firmament of strength, statutes and customs, even immemorial, natures, uses, establishments, and all other contrary things.

***Section 7: And with the condition that this military ought always be ready for services to the Holy Roman Church against its enemies.***

However, we wish that the aforementioned master and assembly and soldiers be bound to us and our successor Roman Pontiffs and to the apostolic seat, wherever and whenever they should be called and required, to serve in arms against any enemies or rebels of the Roman Church, and to offer help and assistance at their own expense. But these things, which we permit to be allowed and remain to the aforementioned master, assembly, and military, are what follows, namely:

***Section 8: Election of the grand master should look to the religion but confirmation should be obtained from the Apostolic Seat within three months, otherwise it devolves to it.***

That with our beloved son John Castilioneus, the current and existing at the time grand master, yielding this seat or evening dying, or whatever other grand magistrate, even through free resignation in our hands or the hands of our successor Roman Pontiffs existing at the time, with that one dismissing, or loosing, and in any way vacating, the assembly and military (If however they then have a firm seat established in some certain place, there, by the authority and permission of the aforementioned seat, before the vacation of this kind, and there reside.)

assembled at the same time in the same place may choose another grand master according to the establishments of this religion and military, according to the published or to be published consent of their protector, which is in no way contrary to the Council of Trent: this nevertheless that they ought to seek confirmation of this election, within three months from the day on which it was done, from this same seat; otherwise let this election be null and any right not be granted to the one elected but complete disposition of this magistrate should be devolve by him to the aforementioned seat.

***Section 9: The grand master and assembly, according to the permission of the Apostolic Seat, should be able to transfer the principal place and to reform the habit, rule and statutes.***

And that the same master existing at the time and assembly are able to transfer the principal seat of this military to whatever place, even maritime, that seems best to them, with the apostolic seat having been consulted first and with power and permission obtained from it; and to reform, to change in toto or in part, or to establish and renew their regular habit and even the cross, even if it should appear according to their ancient habit and cross, in that better way, which seems good to them (without however the prejudgment of other militaries or religions); and to institute and reform, or to found de novo, to publish, the rule, establishments and statutes of the aforementioned religion and military, according to the consent of their protector and other brothers or definitors, and to and to correct and change these and those (as long as it is legal and honest and no contrary to this same council) as often as they wish.

***Section 10: The grand master is able to institute whatever simple benefits offered concerning the right of patronage of laity in recommending, and to incorporate these in the hospital and military, and from these to oversee suitable persons to exercise divine worship.***

And the same John and the grand master existing at the time are able to erect and institute forever, and to incorporate, apply and appropriate to their aforementioned military forever whatever and whatever sort, provided they are simple, ecclesiastical benefits existing concerning the rights of patronage of laity from foundation and endowment, and not requiring personal service in cathedrals and colleges (nevertheless with the consent of the patrons, concerning those rights of them, as was said, derived from foundation and endowment, added through public documents, not however other kinds of approval, before our representative general in spiritual things existing at the time in the City and before the auditor of the Curia of cases of the Apostolic Chamber, with those called of whom it is an interest, let him establish legally, and without prejudgment of those obtaining them, and with they themselves yielding or dying) in preceptories, trusts, chapels, or church of this hospital and military; and to preserve forever, or even to reserve and grant to those founding and endowing them the right of patronage and of presenting suitable people to the aforementioned master and assembly or their deputies, and preceptories, houses, chapels or churches and hospitals of this kind vacant at the time; and thus to institute, those presented by patrons, according to the establishments of the aforementioned religion, with the consent of the ordinaries of the places or of any other ones in no way required, and to otherwise confer them and to oversee them: thus, however, that owed divine worship should be exercised in these same places through suitable persons approved by the ordinary even if they are of the aforementioned order. And that the confirmation of erection and institution of preceptories, trusts, chapels, or churches thus erected at the time, or their incorporations, applications, and approvals, and the reservation and concession of this kind of the right of

patronage to these things, if the benefits exist in front of the mountains, within four months, but if beyond the mountains, within six months from the day on which it was done, it should be sought from the Apostolic Seat, otherwise those things and anything following from it are null and void and of no force or effect; and the benefits of this kind should be considered to be in their pristine nature, and are to be sought from this same seat.

***Section 11: Hospitals and any other places of the hospital of St. Lazarus should be considered to be subject, which are not ruled through universities or other ecclesiastical personas but through their own brothers, who etc.***

And that hospitals, leprosarias and any other places, both in the nourishing city and in any other lands, dominions and places, under the invocation of St. Lazarus of Lepers, up to now founded, constructed, erected and instituted, and which will happen to founded, constructed, erected and instituted in the future, even if they are not received or possessed through the master, assembly, and brothers of this kind, when it was ever at any time, is or will be a hospital of lepers or the infirm now called of St. Lazarus, from which it was lawfully established before the ordinaries of the places, even if they are of the right of patronage of laity, with all those unions, annexations, incorporations, and applications made at the time, are subject to and incorporated in the military and hospital of St. Lazarus of this kind, and should be considered to belong to right and property and complete disposition, institution and collation of these same current and existing at the time grand master and assembly, according to the establishments of this military and religion (nevertheless with the right of patronage reserved), as other hospitals of the aforementioned religion and military, chapels, oratories, benefits and places look to and belong; and these out to be ruled and governed through the brothers of the aforementioned military (not however through other ecclesiastical or secular persons, even communities of cities, lands, towns and villas or universities), and, in sign of the recognized superiority of the aforementioned hospital, according to imposing any reasonable canon or census through the master and assembly and diffinitors of the general chapter of the aforementioned hospital, they ought to respond ever year, without the prejudgment of anyone, and provided that the owed hospitality is maintained in them, and divine worship is in no way diminished, and it was not otherwise ordered in the foundation or endowment of them.

***Section 12: Preservation of jurisdiction of ordinaries and contribution for seminaries***

With legitimate titles and prescriptions reserved and with the jurisdiction of ordinaries reserved, not only those which belong by communal right to them, but also those which have been given by decree of the aforementioned council of Trent, except in those cases, in which the aforementioned council expressly exempts and excepts the Religion of St. John of Jerusalem, in which also this religion of St. Lazarus is equally exempted and should be considered to be, after in some certain places it began to have a firm assembly seat, and there the aforementioned master and assembly resided, with the taxation for instituting seminaries excepted.

***Section 13: Powers of receiving annual pensions up to the sums of 500 ducats of gold, in the place of pensions, similar reservations of fruits, even to those married, who contract matrimony with only one woman, and a virgin.***

And in addition, soldiers and priests and chaplains of the hospital and military of St. Lazarus of this kind, now and existing at the time, and individuals of them, even those married, who have

contracted matrimony with only one woman and a virgin, are freely and lawfully able for life to receive demand and levy, and to convert to their own use and utility, one or more annual pensions, up to the sum of 500 ducats of new gold from the chamber, beyond the fruits, returns, provisions, rights, revenues and emoluments and daily distributions of any cathedrals, even metropolitans, and other churches, and even tables, even patriarchal, archepiscopal and episcopal, and even of monasteries, even consistorial, prioral, canonical and offerings, dignitary, personal, administrative or official, and of other ecclesiastical benefits, with care or without care, secular, and of any regular orders, whatever sort, of whatever qualifications, otherwise assigned canonically to them or to be assigned, or, in the place of annual pensions, all (and each individually) and any similar fruits, returns, provisions, rights, revenues, and any emoluments and even daily distributions, up to the aforementioned sum having been reserved for them or to be reserved, even if, after the reservation of these and those, they lead a wife, one nevertheless, and her a virgin, as was said, for life to receive, demand, and with respect to this, and even those pensions to be assigned and reserved, to receive them together with priories, preceptories, and other benefits of the hospital of St. Lazarus of this kind.

***Section 14: Religion of St. Lazarus and their Vassals, Colonists, and servants, even priests exercising care of souls, and any goods of them except patrimonies under the protection of the Holy Apostolic Seat, with exemption from all jurisdiction, correction, burden, dominion, etc.***

***And of any lords both spiritual and temporal and from payment of any other burden person, real, ordinary, extraordinary, etc.***

And in addition, the same hospital of St. Lazarus, its priories, preceptories, houses, chambers, hospitals and any places, and those living within the regular places of the aforementioned hospital and military, the master, priors, preceptors, soldiers, persons, and their subjects, vassals, colonists and servants, now and existing at the time, even priests exercising care of souls (nevertheless with the decrees of the council of Trent preserved), as long as they exercise it and are in their obediences, and by reason of those benefits of the aforementioned hospital of St. Lazarus only, not however patrimonies, things, animals, farms, houses, mills, and any goods which they obtain or possess, and in the future canonically will obtain or possess, under the protection of the blessed Peter and the aforementioned seat and ourselves, are free and exempt from all jurisdiction, correction, burden, statutes, bans, dominions, superiorities, and power, according nevertheless to the limits of the council of Trent and with their decrees reserved, of any patriarchs, archbishops, bishops, prelates, even ordinaries of places, when they first begin to have their own assembly seat, as was said; and from now on of any temporal lords, with any power, even imperial, regal, and ducal, capacities, and universities, and their regents, even temporal ordinaries (except of the aforementioned hospital), wherever, established both this side and beyond the mountains and sea, being of any dignity, status, grade, order, and condition, their vicars and officials, lieutenants and judges, now and any existing at the time; and from payment and exaction of passages, arrearages, rents, gits, exactions, collections, procurations, pleasant fruits, rights, even synodials, of censuses and tithes, even novalias, even of gardens, meadows, fisheries, and mils, and in no way are they able to be prohibited from access, directly or indirectly, of lands, which they work through themselves, or others by name of them, even colonists, farmers and emphyteutic possessors and from which they receive fruits, by reason of the benefits of the hospital of St. Lazarus of this kind and of any other burden, person, real, or



mixed, ordinary or extraordinary, imposed or to be imposed at the time whenever and for any cause; and are subject immediately to us and to the aforementioned seat. And thus that archbishops, bishops, prelates, ordinaries, vicars, officials, lieutenants and judges in spiritual things, even by reason of offense (as long as it is not from the more atrocious ones) or contract, concerning which reason the thing is done, wherever the offense is committed, contract is entered, or the thing itself consists, if those persons live within the aforementioned regular places, and there anyone was chosen by the aforementioned master and assembly for it especially with jurisdiction, after the assembly of this hospital has the aforementioned seat; but temporal judges and the aforementioned lords, even from now on, are able to exercise in these no jurisdiction, correction, or power (nevertheless with the decrees of the council of Trent reserved), to promulgate sentences of excommunication or otherwise, or censures and punishments, or even, by reason of persons or things, animals, and goods (not however patrimonial), to any payment of bridges, fountains, walls, or even any churches, than of the aforementioned religion, even if up to now through abuse or other privileges or negligence, even through the longest time, it was not thus observed. All such things, even prescriptions, in no way at least in the future should stand in the way of the exemptions, which other regulars and soldiers of any military enjoy, and in the same way as they, just as they are able to constrain them, or any others, of any ecclesiastical or worldly dignity or preeminence, status, or condition exist, even in places and lands of the Holy Roman Church, even those immediately subjected, and at the request of any prince or community, under a carried sentence of excommunication, or penalties of quadruple restitutions beyond damages and expenses, incurred through those acting against these things, those, in court or outside, upon their promised use or possession or the like, directly or indirectly, with any acquired color or ability, ought not or be able to presume, desire or be able to trouble, impede, vex or otherwise attack in any way; but priors, soldiers, and other persons of the hospital and military of St. Lazarus thus residing, after the aforementioned strengthened seat, ought to respond regarding justice before the grand master and assembly alone, or their deputy (otherwise and in the meantime, until they have this seat, before the ordinaries of the places as delegates of the Apostolic Seat). And let any processes done against them or any one of them, through these ordinaries of the places or their vicars, otherwise than as permitted, or any others at the time, and even whatever other promulgated sentences of excommunication or suspension, be null and void and of no force or effect.

***Section 15: If the offense was more severe, let it be in the jurisdiction of him to whom it first comes***

And in more severe offenses, among the grand master or deputies from them, and ordinaries of places not only in spiritual things but also temporal, let it be observed thus that he who comes first out of these, let the jurisdiction on the offenders be his.

***Section 16: Exemption from tithes and novalias and fourths, or from canonical portions or from charitable subsidy, even those granted by the kind of Spain, and the fourth imposed in the realm of France.***

Not anyone from the brothers, donates, servants, vassals and colonists of the hospital and military of St. Lazarus in priories, trusts, houses, hospitals, leprosarias or any other benefits, farms or granges, depending in any way on the aforementioned hospital, in any places, established under the boundaries and jurisdiction of any patriarchs, archbishops, bishops,

universities, hospitals, rectors, churches, should be bound to pay tithes or canonical portions or charitable subsidy, or so-called fourths, or otherwise any collections or contributions, not only from lands of hospital of St. Lazarus and benefits long cultivated but also from recently renewed cultivations, by anyone in anyway, unless just as other regular soldiers of any military, peacefully enjoying privileges general or special in regard to this are bound to pay; from all such exaction, and from new subsidy granted by our most dear son in Christ Philip King of Spain in his our realm through any of our Roman Pontiff predecessors, and from canonical portion or so-called fourths imposed in the realm of France, and from any other powers granted or to be granted in the future by kings of this kind and by other princes, all places of the aforementioned hospital, and buildings of churches depending in any way on the aforementioned hospital, are free and exempt according the example of the places of other regular militaries.

***Section 17: The power of extracting grain and any other fruits and money from the places of the military and hospital of St. Lazarus, and of transporting those things to any places of the faithful without gift or tax.***

And in addition that the aforementioned master and assembly, priors, preceptors or any other persons of the brothers of the aforementioned hospital, through any lords of places or lands, both spiritual and temporal, even if shining with regal dignity, even in lands of the Holy Roman Church, are in no way able to be impeded from extraction of grain, barley, wine, oil, beans, and any fruits, and even monies, or of provisions from the priories, trusts, members, houses, granges or other places of the aforementioned hospital at the same time they are able to transport all the aforementioned things, according to the will of those possessing, into whatever places of the faithful, free and exempt from all tolls, gifts, or passages, as was said.

***Section 18: Exemption even for patrimonial goods after making profession.***

And the goods of the master, priors, preceptors, and brother and other persons of this kind, both acquired and to be acquired in the future, from apostolic or magisterial concession, from the day of making profession through these same priors, preceptors, brothers, and persons, are free, immune and exempt from all tithes and other burdens, similar to the example of the goods of other regular militaries.

***Section 19: Jurisdiction of the grand master and assembly or their delegates among persons of the religion and military***

And that whatever quarrels, questions, lawsuits, cases and controversies, which from now on happen to arise and be moved among the brothers and subjects of the hospital and military of St. Lazarus, present and future, from any occasion, in whatever way, along with all their incidents, emergencies, connections, and annexations and, and of any appeals of all things (except in grave cases of defect or denial of justice, or of falsely charging against the establishments and customs of the aforementioned hospital) with obstacle removed, should be heard through the current master and assembly of the aforementioned hospital, or those from the brothers to whom this master and assembly should entrust it, even up to the third definitive sentence inclusively, and (according to the laudable customs and establishments of the hospital of this kind and otherwise as is the law) let it be decided with a due end; and all (and each individually) priors, preceptors, soldiers, and brothers of the aforementioned hospital (after they have been cited according to the mandate or authority of the aforementioned master or assembly, in any causes from the

aforementioned points against them, to appear before them or those deputies entrusted through them, as was said, in places however remote from this same hospital) ought and are bound legally to appear, before these same master, assembly and commissaries, as it should happen, prepared for law and justice (according to the establishments, approvals, uses, and laudable customs of the aforementioned hospital).

***Section 20: Soldiers and other religious persons are prohibited to litigate before others or to appear for justice than before the judges of the religion.***

And that those from the aforementioned priors, preceptors, brothers and subjects, who have begun a legal case against any of them upon any quarrels, things, businesses, except in the aforementioned cases, before anyone other than the aforementioned master and assembly, and those given commissary through them for a time, and should they introduce anything to any other than to those names, they should completely lose cases of this kind, and they should by this very fact be deprived of the thing over which they contended.

***Section 21: The power and jurisdiction of the master and assembly over persons and things;***

And the current and existing at the time master and assembly of the hospital of this kind (according to their establishments and laudable customs and habits) have full and complete jurisdiction and superiority of pure and mixed power in priories and preceptories, houses, hospitals, members, good and any places, and any priors, preceptors, brothers, and persons of the hospital and religion of this kind, and their vassals, subjects and servants, established and residing wherever, both on this side and beyond the mountains, now and for all time (all who are bound to comply with and obey the master and subdelegates from him firmly both personally and really, with every exception ceasing, and with any indulgence obtained or to be obtained from us or the aforementioned seat notwithstanding).

***Section 22: And the power of proceeding against rebels and the disobedient, even through public edict and even to the privation of any obtained benefits.***

And the master himself has the power of proceeding against rebels and those not obeying his mandates, even by virtue of apostolic letters emanating from us or from our successors at the time, even in brief form, with the four limits preserved for teaching them to obey and to satisfy in the place of the assembly of the hospital of this kind, after a legally executed first citation, to a fine or personal punishment, according to the aforementioned customs and establishments, or even to the privation of habit and benefits, of houses and farms obtained through them; or even, if it should be more expedient, of returning benefits, houses, and farms themselves to their own hands or to the hands of those accepted by the aforementioned hospital, and (unless these disobedient ones purge the stubbornness and pay the owed debt) of retaining by their own judgment their fruits, returns, and provisions of rents and receipts.

***Section 23: And the power of advocating individual cases, lawsuits, and complains which arise among these brothers and soldiers.***

And they should have the power of hearing and deciding, all and individual cases, lawsuits and complaints (not however those moved or pending before other judges) over any benefits of the aforementioned hospital, goods, things, or money of gold and of any brothers, in which they convene or will convene among themselves in turn, really or personally, and even in which they

are similarly convened by others even clerics, seculars, or regulars, or laity, even through deputies from them, in places in which the cases themselves will be recognized, and citing those, and prohibiting, as often as it will be necessary, even under censure or ecclesiastical punishments, not only in the aforementioned curia but also outside it.

***Section 24: And the power of executing sentences and adjudicated things***

And their sentences and things judges, through the prior of the church of the aforementioned assembly, even under censures and ecclesiastical penalty, against the condemned, both really and personally, should be assigned for execution: thus that they are not able to be recognized and determined elsewhere other than in the aforementioned hospital or beyond it by commission from the master and assembly.

***Section 25: Appeals of sentences of delegates should be declared to the master and assembly and from them to the chapter general***

Sentences carried through judges of the aforementioned hospital at the time, are not able to be appealed to anyone other than the aforementioned master and assembly or judges chosen by them, in any instance; and sentences carried through this master and council, to anyone other than to the chapter general, or through brothers of this hospital or through their subjects and vassals, in any way; in fact, they should be bound to proceed in this same assembly up to the third sentence.

***Section 26: All expeditions and executiorials of the master and assembly should be executed without the permission of anyone and should not be able to be impeded by anyone.***

And similarly that all sentences carried through this same master and assembly, and all similar commissions, citations, collations, and finally all their rescripts, to all cases, lawsuits, and complaints of subjects and those remaining to whom it is an interest, conducted in their jurisdiction before them, are able to be executed, and are not able to be impeded in the execution of them by no lords of places and lands, even those distinguished with regal or ducal dignity, for any reason, of expecting consensus, or with any acquired color, nevertheless with the given order reserved in those executing, so that the last of them are not able to be brought forward before the first.

***Section 27: Power of proceeding against clerics and others unduly occupying places and goods of the religion, or not paying annual censuses and owed responses of vacancies, mortuaries, annatarum, etc to the common treasury***

And that against secular clerics or laity unduly occupying priories preceptories, houses, so-called magisterial chambers, and other benefits of the hospital of this kind, and these things and goods with any title, without nevertheless the consent and express permission of the aforementioned master and assembly, or those owing to him, or to his common treasury, or to the brothers, on the occasion of annual returns, vacancies, mortuaries, annatarum, passages, arrearages, or otherwise in any way and from any other cause, if indeed they are the actors, and in any instance will come to case, the master and aforementioned assembly, in any manner or form it is customary to proceed against the brothers of this hospital, are able to proceed freely for recovering them, and to deprive them of priories, preceptories, houses and other benefits of this kind, with the form of law preserved, and otherwise according to the form of the aforementioned

privileges; But if they are things, they are able to proceed for recovery and other aforementioned things before competent judges of them, and to try all remedies of law, and finally, with legal privation of this kind having been made, to dispose of priories and other aforementioned benefits being vacant through this same privation.

***Section 28: Any persons in ecclesiastical dignity are able to be elected as conservators with necessary powers.***

And persons anywhere established in ecclesiastical dignity and any ordinaries of places and their vicars and officials, through this same master and assembly, after they have elected an aforementioned seat at the time, nevertheless with the form of the council of Trent preserved, may be chosen into conservatorship of their or any priors, preceptories, and brothers of the hospital of this kind, who, as long as they exercise the aforementioned office, by anyone for whom they exercise it, under any pretest, are not able to be impeded or troubled: thus that those elected, under penalty of excommunication, ought and are bound to defend and preserve those same priors, preceptors, and brothers, and individuals of them, not however those residing outside the regular places of the aforementioned hospitals, against those carrying injuries, burdens or damages to them or to their servants and friends in their persons, things, and goods, or those requiring from them, against what is written above, taxes, tribute, rent, collections, or other burdens, and to exercise every jurisdiction of them; and when real and person execution against the guilty is not able to happen, and the contumacy of the guilty ones requires it, with legal warnings preceding, with all things duly preserved that need to be preserved, to promulgate with effect sentences, censures, and ecclesiastical penalties against rebels and the disobedient; and to cause privileges granted to the aforementioned priors, preceptors and brothers at the time to be observed by them; however, in cases of the hospital and military of this kind, of their goods and persons, when other evidences doesn't exist, their master, priors, preceptors, soldiers, brothers, vassals, subjects, servants, and other persons are able to be used and received as witnesses.

***Section 29: Those obtaining benefits of the hospital are bound to pay to the hospital the rights of mortuary and vacancy, etc.***

And the rights of mortuary and vacancy, and of arrearages, passages, and any other things should be paid, thus that any person, being of any ecclesiastical dignity, obtaining the benefits of the hospital of this kind at any time, are bound and restricted to pay all these things, and to this, they are able to be compelled even under sentences, censures, and ecclesiastical penalties and other remedies, according to their privileges, of privation and seizure of goods to their hands

***Section 30: The power of taking orders even outside times and of celebrating in any churches with certain conditions.***

And that master, priors, preceptors, and brother chaplains of the aforementioned hospital, from ordinates, within borders of whose diocese their priories, preceptories, and other places, in which they happen to reside, exist; or if from aforementioned ordinaries they were not able because of legal impediments, examined nevertheless by them, and found and approved suitable according to holy canons, with habits and dimissorial letters from them, and with the permission from their superiors, and with the form of the council of Trent preserved in all things, from any catholic priest established in obedience to the Roman Seat, or exercising in foreign pontifical as a diocese, with a diligent previous examination, to receive sacred orders, even (if this should seem

expedient to these same ordinaries and superiors for the utility or necessity of the hospital, priories, preceptories, and other places of this kind respectively) outside of time established by right, on three or fewer feast days, and they are able to celebrate in any churches both secular and regular, with letters of their superiors recommending, without the permission of anyone.

***Section 31: Master, assembly, priors and preceptors within the limits of their jurisdictions are the true ordinaries***

And this master and assembly, and the prior of the church, and other priors and preceptors, within the limits of their own jurisdiction and administration, are and should be considered to be the true ordinaries, according to the form of the aforementioned establishments and privileges.

***Section 32: Master and assembly are able to seize any delinquencies everywhere and to transmit to the place of assembly or to some other destination***

And the master and assembly are freely and lawfully able to seize and incarcerate any and all priors and trustees, delinquent and disobedient brothers of their priories and trusts, being of any dignity, status, grade, order and preeminence, even if they are appointed with any, even apostolic, exemption, in any places, with however many privileges, and with any curia, even of emperor, kings, or other princes, even ecclesiastical, except Roman, through themselves or their officials and ministers, and to free those captured by themselves or their name, and to transmit or cause to be transmitted those to be punished through the aforementioned master and assembly (according to their constitutions and establishments) to the aforementioned hospital, under due guards.

***Section 33: All officials ought to offer help for seizing and transmitting the delinquent***

And both ecclesiastical and secular officials and powers of places, are bound and obliged to this same master and assembly, priors, trustees and others, in offering assisting and offering help, counsel, favor and assistance, under excommunication and other ecclesiastical censures and penalties.

***Section 34: Cessation and annulment of any expectations, reservations, superiorities, concessions, and other preventive graces over places of the religions without the consent of the master and assembly***

And any and all things, which nevertheless have not yet obtained their effect, special and general, even mental, reservations, expectations, mandates of provision, superiorities, assistance without consent, and any preventive graces about and over priories, preceptories, rectories, houses, magisterial chambers, places and members and other ecclesiastical benefits of the aforementioned hospital, in whatever way they are now called, even in England, Castella, the realms of Legio and Valentia, and in the principate of Cathalonia and the county of Flanders, in any way and of whatever sort, without the consent of the aforementioned master and assembly, even with any strongest and uncommon clauses, even derogations of derogations, annulments, and other decrees, inhibitions, even with similar intent and knowledge, by any persons, even other than of the aforementioned hospital, of whatever dignity, status, grade, order or preeminence they are, even performing or about to perform the office of cardinal, even through us and the aforementioned seat, both in general and in specific, conceded and done, and containing in them any clauses, even preventives and restitutions and preservations and

derogations of the rights of the aforementioned master and assembly, even with respect to making annual response to them, are revoked, ceased and annulled and of no force and effect, and are able to be supported by no one and ought not be, nor are the rights able to be acquired through them to anyone in priories, preceptories, dignities, houses, places and members and other benefits of the hospital of this kind, and colored title of possession is not able to be given, but with those not yet having obtained their effect, as was said, in no way obstructing, the aforementioned master and assembly, jointly or divided, according to the customs and establishments of the hospital of this kind, are able to freely dispose of priories, preceptories, houses, chambers, places and members and other benefits of the hospital of this kind.

***Section 35: Permission of taking possession on their own authority of goods and places occupied through others and not being restored***

And meanwhile (until they dispose of them) they are able to take vacant possession of them freely through themselves or their procurators by their own authority, and to receive their fruits, returns, and provisions, and convert and retain in use and utility of themselves both the master and assembly, with the permission of any over these in no way required.

***Section 36: The places of this religion should not be held under apostolic reservation but should be manual.***

In addition, that priories, preceptories, and members and any benefits of the aforementioned hospital, which at the time are vacant in any way outside the Roman Curia, are by no means included under any general or specific apostolic reservations having been made, and which happen to occur concerning ecclesiastical benefits vacant at the time, as ordained to the hospital and the protection of faith, nor are they reserved or affected, but of the poor hospitals, which are not included under these reservations, as far as they obtain this nature

***Section 37: The places of this religion ought to be conferred through the grand master and assembly only and not others to persons of this religions who have now made professions; and resignations or grants are not able to happen except to persons professed in the aforementioned religion, bearing the accustomed habit.***

And concerning these, the brothers of the aforementioned hospital should oversee through the aforementioned master and assembly existing at the time only and not anyone else, according to the aforementioned establishments. Resignations or grants of these by those obtained them for a time even if those obtaining them are not of the aforementioned military, are not able to happen in favor of any persons, except those persons having made the customary profession through the brothers of the aforementioned hospital, once they have made it, or they are prepared expressly to make it within two months, and to receive and bear the habit customary to be bourn through them; in other respects these resignations and grants and whatever else happens to be done through us or our successor roman pontiffs existing at the time, and the aforementioned seat or by its or any other authority, concerning priories, preceptories, members and benefits of this kind, reservations, provisions, collations, trusts, unions, and any other similar and dissimilar dispositions.

***Section 38: Exemptions granted to the priors and soldiers should not be supported against things owed through their own to the communal treasury and against obediences to the grand master and assembly***

And exemptions of priors and preceptors and brothers from obedience and superiority of the aforementioned master and assembly, from owed annual returns through them to the aforementioned treasury and from other rights, for whatever reason or causes, even with similar intent, knowledge and plentitude of power, even with express derogation of any earlier letters, which happen to be made through us perhaps in the contrary, are completely of no force or effect, and should be considered completely nullified, and derogation should not be considered in this part ever, even stronger and more efficacious derogations of derogations should not be considered derogated, except when and whenever these previous lettered should be revoked word for word, truly and not through clauses implying it, with tenor inserted, by the council of cardinals themselves of the Holy Roman Church; nor even then, unless express assent comes to it from the aforementioned master and assembly, and not otherwise in any other way, and always in derogations of this kind, which thus happen according to the aforementioned council, a clause should be considered added, *that it obtains effect from the consent of the aforementioned master and assembly and not otherwise nor in any other way.*

***Section 39: Places of the religion should not be able to be conferred except in those professing the religion and bearing the habit.***

And that collations, provisions, trusts, unions, reservations and any other dispositions, which happen to be made of this priories, preceptories and members being vacant at the time, through ceding or dying or any other dismissal, except for the Seat, otherwise than on persons of this kind and in the aforementioned way, even if they should happen through us or through the Roman pontiff existing at the time, to those, by whom thus these things are done, no right and no colored titled of possessing should be given.

***Section 40: Alienations should not happen, and those that happen should lack rights completely***

Alienations of censuses, returns, rights, jurisdictions and any goods pertaining to the priories, preceptories, houses, hospitals, benefits and places, under the penalty of a carried sentence of excommunication and of privation of obtained benefits incurred without any declaration through the very fact of acting in opposition, should not happen in the future, and if they should happen, they should lack strength completely.

***Section 41: Revocation of the right of patronage and the power of liberating with restitution having been made***

And in addition that the rights of patronage and of presenting suitable persons to priories, preceptories, hospitals, members and other benefits and places of the hospital of this kind, acquired within forty years and to be acquired in the future, from any cause, except for reason of foundation and according to the disposition of the council of Trent, unless, after careful investigation through the ordinaries of the places having been made, they are found to have been established because of exceedingly evident necessity of the benefits and places of this kind, should be recalled by these same ordinaries in toto, and with that restored to the patrons which was given by these for these things, they should be returned to pristine liberty; and from then on



(without nevertheless loss of those possessing these things canonically), it should be allowed to the aforementioned master and assembly to confer priories, preceptories, hospitals, members and benefits of this kind.

***Section 42: Prohibition of the reservation of pensions over the benefits of the aforementioned hospital, unless in the favor of the brothers of this order and religion***

And that no annual pension are able to be reserved beyond the fruits of any preceptory, trusts or other benefit of this military, even from resignation in the hands of the Roman Pontiff, or from any other probably causes, unless in a person of the aforementioned religion and military, even through the Pontiff himself, nor are trusts and other benefits of the aforementioned religions able to be burdened by pensions of this kind, other than as said before; and if pensions from above should happen to be assigned, these assignments are of no force or effect, nor should titles of benefits of this kind be help as payment of them, nor are they able to be compelled to this by ecclesiastical censures or other punishments.

***Section 43: Brother Chaplains are able to be chosen for parishes and other things of the aforementioned order, notwithstanding that through abuse or otherwise for a long time they were conferred and accustomed to be conferred on secular priests.***

***Brother Chaplains do not differ from secular priests except as to bearing the cross on their chest.***

And that it should be allowed to the master and all priors, preceptors, soldiers and brothers of the hospital of this kind, parishes, and even churches without care or their vicarages or perpetual chaplaincies, or chapels or alters or other simple benefits, to their collation, provision, presentation, election or any other disposition, by reason of the priories, preceptories, so-called magisterial chambers, houses and other benefits of the aforementioned hospital, obtained through them for a time, from right, statute, custom, foundation or privilege, or otherwise in anyway looking to or pertaining to, and depending on this priories, preceptories, houses, hospitals, and other benefits, or annexed by them, and which were conferred a while ago on brothers at least chaplains of this hospital by this same aforementioned master, priors, preceptors, and others, for a long or perhaps really long time, about the beginning of which perhaps does not exist in the mind of men, through this master, priors, preceptors, soldiers, and brothers, through abuse or from defect of the brother chaplains or of other persons of this hospital suitable for it, have been conferred on clerics or secular priests or are accustomed to be conferred, and to be obtained through these priest and secular clerics, when first, through any dismissal of those holding them now, they should become vacant, these that is to which the priestly order has been attached, not to others that so-called brother chaplains of the hospital of this kind, who do not differ from soldier priests and clerics except as to the bearing of the cross and habit of the aforementioned hospital on their chest, as long as they are priests or established in this age so that they are able to be promoted to priestly order, and to it otherwise, even according to the disposition of the council of Trent, they are suitable and capable; but to confer the rest on other brother soldiers and otherwise to oversee and dispose of them.

***Section 44: Brother Soldiers, upon whom benefits are granted, are able to retain these in title as long as they live.***

And those brothers, to whom benefits of this kind have happened, are able to receive these things, if they have been otherwise conferred on them canonically, or elected, or presented, or otherwise assumed to them and instituted in them, and to retain them in title, even as long as they live.

***Section 45: Parishes and other churches should be served only through chaplains of the order, even those not professing or in defect of those professing, and those who having been presented, should be admitted by the ordinaries at the request of the master, etc.***

And that priests ought to be received and admitted, who have not made profession in the aforementioned religion, unless by express permission and consent of the master or priors, preceptors, or brothers, whom it concerns, for serving in parishes and other churches and chapels of this hospital, chaplains of this religions, or in there defect, priest not professing these things, as long as both they and those (as it says earlier) are suitable and according to the decrees of the council of Trent of this kind, through the ordinaries of the places for requisition and presentation of the aforementioned priors, preceptors, and brothers, to whom it was found to pertain, without any exaction or imposition of burden.

***Section 46: Only those who receive the habit and make profession within a certain time should enjoy the privileges of the religion***

And that only those who have received the habit from the aforementioned master or with his permission and have made profession, or are bound within a certain time to undertake the habit or make profession of this kind should enjoy the privileges granted to the aforementioned hospital.

***Section 47: Those who should enjoy the privileges***

And no one of the aforementioned priories, preceptories, and brothers, without the mandate or permission of the aforementioned master, or at least of their prior or procurator of the hospital existing in the Roman Curia, should be able to use the aforementioned privileges in this same curia, nor should those things, without permission of this kind, support the vagrant.

***Section 48: Violent hands should not be thrown on those fleeing to the churches of the religion***

And violent hands should not be able to be thrown on those who have fled to the churches and houses of this religion for safety, through anyone, under penalty of a carried sentence of excommunication.

***Section 49: Power of choosing vicars with the power of conferring benefits***

It should also be allowed to John and the aforementioned master existing at the time and assembly, to choose in all priories of this hospital one vicar, with the power of conferring preceptories and houses of this hospital; and to exact pensions or returns and burdens accustomed to be imposed over houses, preceptories, leprosarias, and other benefits of this hospital by anyone, even secular clerics, obtaining them in trusts, their farmers and inmates, even laity, in that way which they are exacted by brothers of this aforementioned hospital.

***Section 50: And a procurator general in the Roman Curia with the power of conferring benefits even those reserved, affected, or devolved, even in title of perpetual benefit, or at will, or immovably, even through the way of perpetual union***

And to establish or choose a procurator general in the Roman Curia, with general or special or limited power and ability; and in the same curia, through himself or the aforementioned procurator, to freely confer any benefits of this hospital, in whatever way, except through resignation in our hands and the hands of our successor Roman pontiffs at the time, or through death or otherwise in whatever way vacant at the seat, according to the establishments of this hospital and military; and to freely dispose of these, which have been disposed of, of new ones, of other benefits of this hospital, whether these private farms are accustomed to be assigned in title of perpetual ecclesiastical benefits, or even at will or immovably to one or multiple persons, according to the custom of this kind, for the nature of these benefits, or even, if it is expedient, through the way of perpetual union, this nevertheless that the benefits intended for priests, in no way conferred to soldiers, but only to brother chaplains established in priestly orders, or in such an age, in which they are able to be promoted to it canonically.

***Section 51: And of granting superiorities and resignations***

And to grant, superiorities, both general and special, over these benefits, to brothers of this hospital, which is considered confirmed and approved by that very fact by apostolic authority, and to receive and admit resignations of the aforementioned benefits.

***Section 52: The power of burying in their parishes anyone, even those interdicted, as long as etc.***

And to have cemeteries in their parish churches, and to receive and bury the cadavers of any Christian faithful, even if they should happen to be interdicted (as long as they did not give the cause), with rights reserved, if funeral fourths should be owed to any cathedral church or other parish, without any burden or payment made to the bishop.

***Section 53: And of exacting grants and legacies***

And to exact and receive legacies and grants, both among the living and by any final will.

***Section 54: And of receiving any ecclesiastical sacraments from any catholic priest***

And to the priors, preceptors, soldiers, brothers, and aforementioned persons living within the regular places of the aforementioned hospital (according to the permission of their superiors, but to others with respect to confirmation, without the prejudgment of the diocese; with respect to other things, without the prejudgment of the parish churches within whose limits they happen to live, and with the decrees of the council of Trent preserved) it should be allowed to receive any ecclesiastical sacraments from any catholic priest they should wish, or from others administering them legally, having grace and communion with the aforementioned Seat, with nothing offered or paid.

***Section 55: And of bearing any arms, in any places***

And both to them and to their household, the power to bear any arms in any places, for their own defense and for offensives of the aforementioned seat against the enemy.

***Section 56: And of hearing confessions, administering the sacraments and celebrating divine things for their brother chaplains, even in times of interdict.***

And it should be similarly allows to the chaplains of this hospital to hear the confessions of the aforementioned priors, preceptors, soldiers, brothers, persons, vassals, subjects, and friends living within their places and to impose on them saving punishments, and to administer the Eucharist and other ecclesiastical sacraments, and in time of interdict, as long as they did give the cause, to celebrate mass and other divine offices, with the excommunicated and interdicted excluded, with doors shut and with a lowered voice

***Section 57: Of erecting praeceptories, houses, hospitals, which enjoy privileges, without the permission of the ordinaries of the places, and in which there is no jurisdiction of ordinaries.***

But any Christian faithful, in any states, places, dioceses, they have the full and free power and authority of causing to be constructed and erected preceptories, houses, hospitals, under dependency and subjection of the aforementioned hospital, obtained through their brothers and soldiers, which use, possess and enjoy these privileges, immunities, indulgences, concessions, and grants, which other preceptories, houses, hospitals use, enjoy and possess, assigned to them by appropriate gift, with the permission of the ordinaries of places and of other places in no way required, and in addition with no jurisdiction in these ordinaries or power of imposing burdens reserved (unless until the master and assembly of this hospital should have an appropriate assembly seat in some certain place).

***Section 58: The power to all even ministering priests and beneficiaries, of testifying concerning any goods and acquired from the fruits of benefits, and among incapable relatives. as long as they leave a fifth part to the hospital.***

And that equally it should be allowed all priors, preceptors, and other soldiers and brothers and ministers, even priests and beneficiaries, of this same religion and military, to testify concerning anything, both stable and mobile, sums of money, gems and precious stones, and other things, of whatever quality and quantity and value they are, through them, even by reason of ecclesiastical benefits of the aforementioned hospital obtained only through them and otherwise acquired from any sources and in whatever way and looking to them in any way (as long as they leave a fifth part of them to the aforementioned assembly), and among any relative brothers, even spurious or other illegitimate ones, and other persons however incapable, and otherwise dispose even through notes, donations among the living, cause of death and any other way, as it should seem best to them, and to pay them out in pious and impious causes as long as otherwise lawful.

***Section 59: Of celebrating in pontifical habit and of giving benediction as long as no other priest is present and then by his permissions***

Priors however of the church of the aforementioned assembly existing at the time, as often as it should please them, have the power to celebrate mass and other divine offices in the aforementioned and other churches of the aforementioned religion, in pontifical habit, with mitre and pastoral staff; and after the solemnity of masses (as long as there is no other catholic priest present or by his consent) there to impart the benediction of Christ to the people

***Section 60: Soldiers and others do not incur mortal sin unless on account of disobedience and stubbornness committed frequently and rebellion from the religion***

And in addition that no one from the master and soldiers and brothers existing at the time, and other persons of the aforementioned military and religions, on account of their rule, chapters, and statutes, now or published in the future, not observed or fulfilled improperly, should fall into mortal sin, except on account of disobedience and stubbornness committed frequently and continually, and rebellion from this religion and those things generating a penalty of excommunication imposed on them and other causes of sin of this kind from divine precepts and sacred canon.

***Section 61: Persons of the religion at the time of receiving the habit and of profession and at the moment of death have the power of choosing a confessor, by whom they should receive full indulgence, etc.***

And that those soldiers and other persons of this military, who are established at the time of assuming the habit and of making profession of their rule, and at the moment of death, contrite of their sins from the heart and confessing with their mouth, should receive full indulgence and remission of all sins, with the power of electing for themselves at the aforementioned time of profession and death a confessor nevertheless approved by the ordinary. And not only soldiers and the aforementioned persons but also any other persons of either sex, who will devoutly have visited the churches of the houses and other places of this hospital, existing wherever, on any feast days which are celebrated annually in honor of our Lord Jesus Christ and the most blessed Virgin Mary his mother, from first vespers up to the setting of the festive sun of this kind, and will have recited for peace being fostered between Christian princes three Lord Prayers and as many Angelic Salutations, shall obtain a relaxation of seven years and as many forty days from punishments imposed on them.

***Section 62: Notaries are bound under penalty of excommunication to give notice of legacies having been made to the hospital and military***

And that notaries who have been asked concerning testaments or other last wills in which anything happens to be disposed in favor and advantage of the hospital and military, under penalty of excommunication, to take care to report disposition of this kind, as quickly as they are conveniently able, to the master and assembly of the aforementioned hospital or to another, through whom it will be able to come to the notice of this master and assembly.

***Section 63: Priors and preceptors on Palm Sunday and through its octave are able according to the consent of the ordinaries to hear confessions and with those confessing to use indulgences, etc and these same things to them.***

And that priors and preceptors of any hospitals and houses depending on the aforementioned hospital of St. Lazarus and recognizing it as it their head, in the feast day of Palm Sunday and through its octave, if they have been established in a priesthood, through themselves, in their aforementioned hospitals and houses only, are able to hear confessions of anyone, according to the consent of the ordinaries of places, and to us with those confessing any powers and indulgences for the remission of sins, with these having been granted with apostolic authority, and to impart these same things to them (nevertheless according to the express permission of the master existing at the time and the assembly of the aforementioned hospital renewed every year);

and these same men are able fully and freely to choose for this, even if they have not been established in an order of priests, another or other approved and suitable priests, seculars or regulars of any order, approved through the ordinaries of the places; but at other times they are just as other priests having no power from the aforementioned Seat.

***Section 64: The power of hanging bells or of undersigning animals offered to St. Lazarus***

And they should be able to hang bells and bell towers with pigs and any other animals, which happen to be offered to this same St. Lazarus, or to undersign any notes.

***Section 65: Indulgences and graces of St. Lazarus are not considered suspended***

And that, during any temporal suspension of indulgences, of graces granted or to be granted in the future, the aforementioned indulgences and all powers and graces granted to this hospital and its master, assembly and members through the aforementioned Seat should not be understood to be suspended, but they should exist and continue in their pristine and true value and strength.

***Section 66: Power of celebrating divine offices, of administering the sacraments, and of burying the bodies of any faithful***

And that it should be allowed to these brothers in their churches to read masses and any other divine offices or to celebrate with a high voice or to cause them to be celebrated through other suitable priests; and to administer ecclesiastical sacraments to all Christian faithful (and each individually) and poor sick lepers living in the aforementioned hospitals at the time; and to hand over for ecclesiastical burial in cemeteries and churches of the aforementioned brothers the bodies of the dead of them and (nevertheless without prejudgment of anyone) any other faithful choosing and seeking it.

***Section 67: Of preaching the word of God***

And to present the word of God, at due and appropriate times, in parishes, to parishioners and people; in any churches of them, to the poor themselves and lepers of this kind, through they themselves, if they have the permission of their own superiors, and by these they have been examined and approved concerning life, customs and knowledge, with the blessing having been sought from bishops, inside the borders of whose diocese these churches have been established: and if they have been impeded legally, to cause it to be presented through other suitable people, having the permission of their superior and these bishops, and in all things, according to the form of the council of Trent.

***Section 68: The concession of any other privileges, graces, exemptions, and other powers granted to the hospital and military of St. John of Jerusalem, St. James of Spatha, St. Anthony of Vienna, Holy Spirit of the City and St. Stephan in Tuscia***

And in addition that the current and existing at the time grand master and assembly and all soldiers and other persons of this hospital and military, after they have established the aforementioned assembly seat, as has been stated earlier, should be able freely and legally in all and through all to use, possess and enjoy all privileges (and each individually), immunities, jurisdictions, exemptions, even by way of exception from the imposition of burdens on it, dispensations, grants, concessions, dispositions, honors, graces, liberties, favors, priorities, restitutions, reintegrations and any other graces up to now granted to the military of St. John of

Jerusalem, St. James of Spatha, St. Stephan, and to the hospitals of Holy Spirit in Saxia of the City and St. Anthony of Vienna, to the religions and orders, their places, persons, things, goods, through any Roman Pontiffs, even our predecessors, and even through us and the aforementioned seat or general councils or any others, in general or in specific, and even at the request of emperors, kings, and other princes, or on our own initiative or otherwise in any way up to now, which the hospitals, religions, military of this kind, grand master, assembly and brother soldiers use, posses and enjoy, and will be able to enjoy in whatever way in the future, in the same way, without any difference at all (except money indulgences), just as if all these things and each individually had been granted to them, and the tenors of all these and any letters from above made in any way were inserted here word for word: thus that they are not able to be harmed, perturbed or troubled over these and their occasion through these ordinaries or any others, as long as they are not in conflict with moderations and limitations written above and with the aforementioned council of Trent, and through this it should not be prejudged by the aforementioned hospitals and militaries and rights of any third party, and (as far as exemptions) the jurisdiction of the ordinaries, not only that which they have by communal right but also those which have been given to them by the decrees of the aforementioned council of Trent, always should be safe, except in those cases in which the aforementioned council expressly excepts and exempts the religions of St John of Jerusalem, in such also this religion and military of St. Lazarus should equally be considered excepted and exempted (except with respect to seminary contribution).

***Section 69: Publication and Fixation of privileges and other apostolic letters and mandates of the master and assembly should be curtailed even if they have been personally made.***

In addition, that the publication and fixation not only of the present letters but also of any other apostolic letters, or their transcripts and mandates of the master and assembly, made in all priories, preceptories, members and benefits of this religion, in like manner should be curtailed and if they have been made personally against the contents of these letters, nevertheless with diligence having been done in the previous matter concerning these being personally discovered in the aforementioned places

***Section 70: Faith to be given to the letters of the master and assembly***

And that full faith should be given to the words in the letter of this master and assembly about making profession, receiving the habit, and paying debts and obediences of all brother soldiers of the aforementioned military.

***Section 71: Master and assembly are able to deprive any disobedient and those not observing the rights of the religion especially if he was stubborn in the payment of annual census.***

And nevertheless, that if anyone of the priors, preceptors, soldiers and brothers of the aforementioned hospital, and any other, who has made the profession accustomed to be made through brothers of the aforementioned hospital, whenever he is stubborn having called for service of the religion or otherwise, or in payment of rights to the communal treasure, and cited he has not appeared personally before the aforementioned master and assembly, and he has not offered obedience to them and other due rights, with the time prescribe for this having lapsed, with canonical impediment ceasing, he is able to be deprived of habit, dignity, administration

and benefit and any honor and office, otherwise, according to the form of the aforementioned establishments and privileges, through the aforementioned master and assembly.

***Section 72: No exemption is strong against the obedience of the grand master, especially those having been called should be bound to appear. But the master and assembly are able to dispose of benefits vacant through privation***

Not any derogation or exemption real or personal, or other preserved graces, even with intent, knowledge and plenitude of power made or granted at the time similarly in any way, should be strong against the previous things, nor should the aforementioned master and assembly be bound to obey them; but, with these not obstructing, they are freely able to dispose of a priory, preceptory, dignity, office, or benefit thus vacant through privation of this kind, according to establishment and other previously stated this, and to accept those things otherwise through him or them, to whom it pertains by superiority or other right.

***Section 73: Clauses of these concessions are preserved***

And that in no way is it possible for the previous stated things to be revoked, even through any apostolic letters, even any clauses general or special, even more efficacious and unaccustomed derogations of derogations, even containing in them voiding decrees under any expression of words, nor should this be considered revoked, unless the tenor of these inserted word for word with nothing at all omitted, and derogations of this kind done consistorially, and containing the same tenor through three distinct letters, similarly at three distinct times, have been notified and introduced to the aforementioned grand master and assembly, and express ascent of this master and assembly has been given to it; and otherwise derogations made should be supported by no one; and the aforementioned master and assembly are not at all bound to obey derogation letters of this kind and decrees proceeding over these, and their executors and subexecutors, and their mandates and warnings, but they should not be able to impede the execution of letters of this kind in any way, not for reason of resistances are they able to be bound up in ecclesiastical censures carried through these executors or subexecutors.

***Section 74: Decrees voiding and clauses removing, etc.***

And thus, in all previous things (and each one individually), it out to be judged and defined through any judges and commissaries, exercising any authoring, even cardinals of the Holy Roman Church and the auditors of cases of the Apostolic Palace, with any power of judging and interpreting otherwise removed from them and anyone of them. And whatever should happen to be attempted otherwise over these by anyone, with any authority, knowingly or ignorantly, let it be null and void.

***Section 75: Derogation Clauses***

And with respect to the previous things, all these things should not oppose which the aforementioned Pius IV our predecessor in the aforementioned letters wished not to oppose.

***Section 76: Personal sanction***

Therefore it should be allowed to no one of men to break this page of our ratification, statutes, ordinations, revocations, cessations, voiding, annulment, evacuation, and decrees, or to oppose



them with rash temerity. If anyone, however, should presume to attempt this, he will know the indignation of almighty God and of the blessed Peter and Paul his apostles incurred on him.

***Conclusion:***

Given in Rome at St. Peters, in the year of the incarnation of Lord one thousand five hundred sixty seven, on the 7<sup>th</sup> of the Kalends of Februari, in the second year of our pontificate.

Given on the day 27 January 1567, in the pontifical year 2.