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**The Pact between Raymond della Torre, Patriarch of Aquileia, and the Commune of Venice (February 18, 1275): An Addition to Pacta Veneta 12**

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# **The Pact between Raymond della Torre, Patriarch of Aquileia, and the Commune of Venice (February 18, 1275): An Addition to Pacta Veneta 12<sup>1</sup>**

The author edits and analyzes a pact concluded in February 1275 between Patriarch of Aquileia Raymond della Torre and Doge Lorenzo Tiepolo and the Commune of Venice. The pact is shown to be essentially a confirmation of an older treaty signed in 1254 between Patriarch Gregory of Montelongo and Doge Reniero Zeno with only a few additional articles. The pact is contextualized within the broader setting of the Patriarchate of Aquileia at the beginning of Raymond's reign. In this pact, the Venetians readily expanded their rights and prerogatives within the Patriarchate of Aquileia with each new treaty, yet offered very little in return. The patriarchs, however, were in dire need of Venice as an ally and Venetian traders to replenish their depleted treasury, hence the willingness to sign pacts that clearly favored the Venetians.

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## **KEYWORDS:**

Venice, the Patriarchate of Aquileia, Raymond della Torre, pacts, diplomacy, 13<sup>th</sup> century

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Times were dire for Raymond della Torre when he took over the reins of the Patriarchate of Aquileia,<sup>2</sup> a volatile ecclesiastical principality at the very northeast of *Regnum Italicum*.<sup>3</sup> Prior to Raymond's official appointment (December 21, 1273), a long and chaotic *sede vacante* period lasting nearly five years had been preceded by an even harder period of destructive and financially exhausting warfare with armed conflicts decimating the lands of Friuli and Istria as Patriarch Gregory of Montelongo battled his ordained steward Count Albert I of Gorizia.<sup>4</sup> More importantly, however, the Aquileian patriarchs' temporal jurisdictions had diminished considerably in the late 1260s when no fewer than four Istrian towns and cities willingly subjected themselves to Venice during the devastating infighting between the two pillars of Aquileian patriarchate.<sup>5</sup> Raymond thus inherited a patriarchate in an unprecedented state of flux, and its relations with the hereditary advocates of his church and its powerful neighbor to the south, the Commune of Venice, were in serious need of mending. Finally, when the newly appointed prelate solemnly entered Friuli in August of 1274, he was carrying burdens of his own:

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<sup>2</sup> The terms "Patriarchate" and "Commune" are capitalized at author's request.

<sup>3</sup> On Patriarch Raymond della Torre, see Falvia De Vitt, "Torre (della) Raimondo (?-1299): Patriarca di Aquileia," in *Nuovo Liruti: Dizionario Biografico dei Friulani*, vol. 1: *Il Medioevo*, ed. Cesare Scalco (Udine: Forum, 2006), <https://www.dizionariobiograficodeifriulani.it/torre-della-raimondo/> (accessed: June 6, 2022); Luca Demontis, *Raimondo della Torre patriarca di Aquileia (1273-1299): Politico, ecclesiastico, abile comunicatore*, Studi e ricerche 79 (Alessandria: Orso, 2009); Pio Paschini, "Raimondo della Torre patriarca d'Aquileia," *Memorie storiche forogiuliesi* (hereafter: *MSF*) 18 (1922): 45-136 (hereafter: "Raimondo I"); 19 (1923): 37-104; 21 (1925): 19-71. On the Patriarchate of Aquileia, a good short introduction is offered in Elisabetta Scarton, "Il Patriarcato di Aquileia: Una storia 'sbagliata'," in *Cultura in Friuli III*, eds. Matteo Venier and Gabriele Zanello (Udine: Società filologica friulana, 2017), 619-38; Heinrich Schmidinger, "Il patriarcato di Aquileia," in *I poteri temporali dei Vescovi in Italia e in Germania nel Medioevo*, eds. Carlo Guido Mor and Heinrich Schmidinger (Bologna: Il Mulino, 1979), 141-75.

<sup>4</sup> Pio Paschini, "Gregorio di Montelongo patriarca d'Aquileia (1251-1269)," *MSF* 17 (1921): 62-82; Pio Paschini, "La vacanza delle sede aquileiese dopo la morte di Gregorio Montelongo (1269-1274)," *MSF* 17 (1921): 125-56; Giordano Brunettin, "L'evoluzione impossibile: Il principato ecclesiastico di Aquileia tra retaggio feudale e tentazioni signorili (1251-1350)," in *Il patriarcato di Aquileia: Uno stato nell'Europa medievale*, ed. Paolo Cammarsano (Udine: Casamassima 1999), 84-100; Giordano Brunettin, "Una fedeltà insidiosa: La parabola delle ambizioni goriziane sul Patriarcato di Aquileia (1202-1365)," in *Da Ottone III a Massimiliano I: Gorizia e i conti di Gorizia nel Medioevo*, ed. Silvano Cavazza (Mariano del Friuli: Laguna, 2004), 299-301; Anja Thaller, "Advocati ecclesiae - zwischen Schutz und Eigennutz. Oder: Warum die Grafen von Görz die Verträge mit der Aquileier Kirche brachen," in *Der Bruch des Vertrages: Die Verbindlichkeit spätmittelalterlicher Diplomatie und ihre Grenzen*, ed. Georg Jostkleigrewe, *Zeitschrift für Historische Forschung* 55 (Berlin: Duncker & Humblot, 2018), 247-81.

<sup>5</sup> In chronological order: Poreč (July 1267), Umag (December 1269), Novigrad (March 1270) and Sv. Lovreč (November 1271). Their subjugations can be read in Roberto Cessi ed., *Deliberazioni del Maggior Consiglio di Venezia*, vol. 2, Atti delle assemblee costituzionali italiane dal Medio Evo al 1831, serie 3: Parlamenti e consigli maggiori dei comuni italiani (Bologna: Zanichelli, 1931), 55, doc. 46, 58, doc. 56, 59, doc. 58, 61, doc. 67. See also, Katja Puppe, "Der lange Weg nach Istrien: Die venezianische Unterwerfung der Halbinsel, vornehmlich am Beispiel Kopers (1279-1349)," PhD thesis (Leipzig: Fakultät für Geschichte, Kunst- und Orientwissenschaften der Universität Leipzig, 2017), 36-40.

his entire family was embroiled in a fateful conflict against House Visconti over the de facto lordship of Milan.<sup>6</sup>

It was in this context at the very beginning of his reign that Patriarch Raymond della Torre sought to pacify the situation in his principality and extinguish all the smoldering flames of conflict he had inherited from his predecessors. The negotiations, treaties, and arbitrational proceedings with Count Albert I of Gorizia and his many retainers and service nobility were the first to commence, but a definitive treaty of pacification was not reached until March 1281, with the remaining apple of discord being jurisdiction over Cormòns.<sup>7</sup> As these diplomatic missions with his ordained advocate were unfolding, Raymond also endeavored to reestablish amicable relations with the Commune of Venice, a city-state in its own unprecedented state of flux as it expanded its jurisdiction over huge swaths of the eastern Adriatic and the Mediterranean, including the western shores of Istria.<sup>8</sup> In February of 1275, after only six months in Friuli as the head of his principality, an agreement on new treaty with Venice had been reached. The signed pact, however, was anything but a diplomatic victory for Patriarch Raymond.

The 1275 pact survives only in later copies—all of them of Venetian provenance. These copies are in turn based on a copy made in Aquileia by a notary named Peter, son of the late master Monte, on July 12, 1277. This copy included both the text of the pact and Patriarch Raymond's subsequent solemn oath of July 9, 1277, in which he swore to uphold the signed treaty.<sup>9</sup> Peter's copy was then copied into the first volume of the *Libri Pactorum*, an archival series that served as a register of Venice's important privileges and pacts in which the oldest transcripts date from the late twelfth century.<sup>10</sup> Peter's copy, however, was transcribed in the *Pactorum I* by an unknown notary sometime in the 1280s.<sup>11</sup> In 1292 the Great Council commissioned a new register in the *Pactorum* series, which included a copy of the first book, and therefore also contained a transcription of Peter's copy.<sup>12</sup> A third register, now known as the *Pactorum Liber IV*, was begun after June 1293, and copies

<sup>6</sup> Demontis, *Raimondo della Torre*, 60–103 is a detailed account of the roots of this conflict and up to 1281.

<sup>7</sup> Vincenzo Joppi, "Documenti goriziani del secolo XII e XIII," *Archeografo triestino*, ser. 2, 12, no. 1-2 (1886): 52–58, doc. 46; Paschini, "Raimondo I," 86–88; Demontis, *Raimondo della Torre*, 47–48; Donata Degrossi, *Cormòns nel Medioevo* (Mariano del Friuli: Laguna, 1996), 47–48 and 40–51 for the best overview of the entire conflict over Cormòns between the patriarchs and their advocates.

<sup>8</sup> Giorgio Ravegnani, "La Romania Veneziana," in *Storia di Venezia: Dalle origini alla caduta della Serenissima*, vol. 2: *L'età del comune*, eds. Giorgio Cracco and Gherardo Ortalli (Rome: Treccani 1995), 183–232; David Jacoby, "La Venezia d'oltremare," in *Storia di Venezia 2*: 263–99; Gherardo Ortalli, "Venezia nel secolo di Federico II: Modelli statuali e politica mediterranea," *Atti dell'Istituto veneto di scienze lettere ed arti: Classe di scienze morali, lettere ed arti* 157 (1998–1999): 409–47; Ermanno Orlando, *Venezia e il mare nel Medioevo* (Bologna: Il Mulino, 2014), 69–90.

<sup>9</sup> Documents 2 and 3 in the appendix.

<sup>10</sup> Marco Pozza, "I *Libri Pactorum* del comune di Venezia," in *Comuni e memoria storica: Alle origini del comune di Genova*, *Atti della Società ligure di storia patria*, nuova serie, 42, fasc. 1 (Genoa: Società ligure di storia patria, 2002), 198.

<sup>11</sup> Archivio di Stato di Venezia (henceforth: ASV), *Pacta e aggregati, Pactorum Liber I*, fol. 216r-v; Pozza, "I *Libri Pactorum*," 202.

<sup>12</sup> ASV, *Pacta e aggregati, Pactorum Liber II*, fols. 58r–59v; Pozza, "I *Libri Pactorum*," 203–4.

were transcribed into it until 1350. This register also contains a transcript of Peter's copy.<sup>13</sup> A partial copy based on a different manuscript tradition, containing roughly half of the text of the 1275 pact and the subsequent 1277 approval with an added paragraph, was transcribed in the *Pacta Ferrariae*, a register of the *Pactorum* series composed in the second half of the 14<sup>th</sup> century.<sup>14</sup> Peter's copy was eventually included in a Venetian cartulary that registered pacts the Patriarchate of Aquileia concluded sometime after July 24, 1293, of which only a small fragment remains.<sup>15</sup> In terms of the historical manuscript tradition, the 1275 pact follows the principal contours of all the other, older pacts signed between the patriarchs of Aquileia and the doge and the Commune of Venice: the texts are preserved only in Venetian institutions, never in Friulian; the vast majority of the original pacts are lost; and their contents have been copied into the *Libri Pactorum* series.<sup>16</sup>

The text of the 1275 pact has thus far been largely unknown, leading to many erroneous interpretations regarding its dating, contents, and overall character.<sup>17</sup> The only seemingly *in extenso* edition was the one included in Kandler's often unreliable *Codice diplomatico istriano*, but this text was based on the partial copy from the *Pacta Ferrariae* and includes only about half of the entire text.<sup>18</sup> Giuseppe Bianchi, an industrious transcriber of Friulian medieval charters, included a copy of the pact in his famous *Diplomatarium Foroiuliense* or *Documenti per la storia del Friuli: 1200–1400*, but this copy

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<sup>13</sup> ASV, Pacta e aggregati, *Pactorum Liber IV*, fols. 57v–59r; Pozza, "I Libri Pactorum," 204–5.

<sup>14</sup> ASV, Pacta e aggregati, *Pacta Ferrariae*, fol. 84r–v; Pozza, "I Libri Pactorum," 208.

<sup>15</sup> ASV, Miscellanea atti diplomatici e privati, busta 2, doc. 56, fols. 7v–8v. On this fragment of a cartulary, see Reinhard Härtel ed., *I patti con il patriarcato di Aquileia 880–1255*, *Pacta Veneta 12* (Rome: Viella, 2005), 152, 154. Paschini, "Raimondo I," 104, fn. 2, the claim that he read the 1277 confirmation from a "pergamena originale nella Busta I in Archivio di Stato di Venezia," certainly refers to this fragment of a cartulary and not the supposed original.

<sup>16</sup> Härtel, *I patti*, 152–156. Only three originals have been preserved, and all of them are of lesser importance and are not *pacta* in the strictest sense of the word. Härtel, *I patti*, 155.

<sup>17</sup> Cf. Demontis, *Raimondo della Torre*, 47, citing Francesco Di Manzano, *Annali del Friuli ossia raccolta delle cose storiche appartenenti a questa regione*, vol. 3: *Dall'anno 1255 dell'era volgare all'anno 1310* (Udine: Trombetti-Murero, 1860), 98 and erroneously dating the document to February 17, 1274, offering a highly flawed regestum, and erroneously stating that the treaty was confirmed by the patriarch in the next year. Di Manzano, in turn, uncritically took over this data from Gian Giuseppe Liruti, *Notizie delle cose del Friuli*, vol. 4 (Udine: Fratelli Gallici alla Fontana, 1777), 270–72. Paschini, "Raimondo I," 70, fn. 1 is led astray by the erroneous dating of Raymond's confirmation, although he later correctly interprets both the pact and the confirmation on 103–4. Brunettin, "L'evoluzione," 102 only passingly mentions the treaty, citing only Raymond's power of attorney given on February 9, 1275. De Vitt, "Torre (della) Raimondo," makes no mention of the treaty.

<sup>18</sup> Pietro Kandler, ed., *Codice diplomatico istriano*, 2<sup>nd</sup> ed. (Trieste: Riva, 1986), 589–90, doc. 358 (hereafter: *CDI*). On Kandler's codex and his editorial principles, see Maria Luisa Iona, "Il Codice diplomatico istriano: Realtà e problemi," in *Studi Kandleriani*, *Fonti e studi per la storia della Venezia Giulia*, serie 2: *Studi 1* (Trieste: Deputazione di storia patria per la Venezia Giulia, 1975), 121–43; Reinhard Härtel, "Aggiunte al Codice Diplomatico Istriano," *Atti e memorie della Società istriana di archeologia e storia patria* (hereafter: *AMSI*) 84 (1984): esp. 177–78; Danilo Klen, "Stodvadeset godina Kandlerovog diplomatskog zbornika Istre: Što dalje s njim?" [A hundred and twenty years of Kandler's diplomatic codex of Istria: What to do with it?], *Vjesnik Historijskih arhiva u Rijeci i Pazinu* 28 (1986): 203–19; Marija Mogorović Crljenko, "Codice diplomatico istriano," in *Istarska enciklopedija* [Istrian encyclopedia], eds. Miroslav Bertoša and Robert Matijašić (Zagreb: Leksikografski zavod Miroslav Krleža, 2005), <https://istra.lzmk.hr/clanak.aspx?id=549> (accessed: June 6, 2022).

was based on another copy from the Frangipane family archive that seems to be a highly flawed copy based on one of the older Venetian copies.<sup>19</sup> Since Reinhard Härtel's exemplary critical editions of the oldest pacts between Venice and the Patriarchate of Aquileia published in the prestigious *Pacta Veneta* series end with the year 1255, this particular treaty signed by Raymond was not included in the volume.<sup>20</sup> This contribution is thus a sort of appendix to the 12<sup>th</sup> volume of *Pacta Veneta*, and continues where Härtel left off.

The pact opens with a protocol featuring a short verbal invocation (*In Dei nomine, amen*), a *datatio chronica*, and a lengthy list of notable witnesses. The document is dated in the Venetian style, so the year begins on March 1. The pact was concluded on February 18 (*die XI<sup>o</sup> exeunte februario*), so the year according to the incarnation of Christ is given as 1274 *more Veneto*.<sup>21</sup> Further evidence that the pact is dated *more Veneto* comes from the inserted power of attorney granted by Patriarch Raymond to his official ambassadors who were tasked with signing the new treaty with Venice, which is dated February 9, 1275, as the Venetian style was not used in the Aquileian patriarchs' chancellery. Kandler's dating of the document to February 11, 1274, must therefore be wholly abandoned.<sup>22</sup>

A long and detailed *narratio* follows, which conveys marked Venetian superiority in the negotiations and the subsequent composition of the pact. Specifically, it is stated that relations between the doge and the Commune of Venice, and Patriarch Raymond and the Church of Aquileia suffered due to newly imposed duties instituted by the patriarch to the detriment of the Venetians. Moreover, these acts were contrary to the old pacts signed between Doge Reniero Zeno and Patriarch Gregory in 1254, of which two authentic copies had been made, both authenticated by the seals of the respective signees: the lead seal of Doge Zeno and the wax seal of the incumbent patriarch. For these reasons, the *narratio* concludes, Patriarch Raymond dispatched his official ambassadors after granting them his power of attorney to renew the old pacts between his church and the Commune of Venice and negotiate whatever else they might deem advantageous to the Patriarchate.

The *dispositio* features seven articles upon which the two parties agreed, and which again contain pronounced advantages to the Venetians that are even more explicit than those in the *narratio*. First, "after many discussions with the lord doge and his councillors," the patriarch's ambassadors, "having realized that this is advantageous for their lord patriarch and the Church of Aquileia...approved, endorsed, ratified, and signed" the old pacts concluded between Patriarch Gregory and Doge Zeno in 1254, and they promised on Raymond's behalf that he would do everything

<sup>19</sup> Biblioteca civica "Vincenzo Joppi" di Udine (hereafter: BCU), Fondo Principale (hereafter: FP), ms. 899: *Diplomatarium Foroiuliense* (hereafter: DP), doc. 387. Subsequently edited as a regestum in Giuseppe Bianchi, *Documenta historiae forojuliensis saeculi XIII: Ab anno 1200 ad 1299: Summatim regesta* (Vienna: Die kaiserlich-königliche Hof- und Staatsdruckerei, 1861), 122 (pact) and 123 (confirmation, erroneously dated as 1275 instead of 1277).

<sup>20</sup> Härtel, *I patti*, 10–11.

<sup>21</sup> Adriano Cappelli, *Cronologia, cronografia e calendario perpetuo: Dal principio dell'era cristiana ai nostri giorni*, 7<sup>th</sup> ed. (Milan: Ulrico Hoepli, 2012), 7–8.

<sup>22</sup> Kandler, *CDI*, 589, doc. 358.

in his power to respect and uphold this older treaty.<sup>23</sup> The text of the pact does not provide any further details about the 1254 pact other than it being “advantageous” for the Patriarchate of Aquileia. So, what exactly did Raymond’s ambassadors ratify?

Härtel’s critical editions of all the preserved pacts between Venice and the Patriarchate of Aquileia from 880 to 1255 help greatly in tracing the evolution of the diplomatic negotiations that ultimately led to the 1254 *pactum* between Patriarch Gregory and Doge Zeno. The 1254 pact contains a total of twenty-three articles (as numbered by Härtel), the vast majority of them drawing directly from the two older pacts signed between Patriarch Berthold of Andechs and the Commune of Venice in 1248 and 1222.<sup>24</sup> Berthold’s pacts, however, confirmed an even older treaty concluded in 1206 by Patriarch Wolfger and Doge Pietro Ziani, and added several new clauses that found their way into the 1254 *pactum*.<sup>25</sup> Therefore, the evolutionary thread leading to the 1254 pact, and thus also to the Raymond’s edited pact from 1275, begins with the treaty of 1206, although even this *pactum*, as will be shown, was influenced by an even older treaty signed between Patriarch Ulrich II and Venice in 1160s.<sup>26</sup>

The twenty-three articles of the 1254 pact can be broken down according to their evolutionary thread: six articles stem from the 1206 treaty and all together they detail the patriarch’s obligations:

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- The Venetians’ safety must be secured throughout the patriarch’s secular jurisdictions (*in cunctis partibus quibus constringitur temporaliter, id est in toto suo ducatu*).<sup>27</sup>
- The patriarch must ensure that any Venetian robbed within the territory stretching from the port of Primier (*portum Primarii* between the port of Grado and the port of San Dobba), to Baseleghe (Due Basiliche at the mouth of the river Livenza, between Caorle and Bibione), be reimbursed, either from the thief’s possessions, whom the patriarch had thirty days apprehend, or, if he should fail to apprehend the culprit, from the patriarch’s own treasury; the same held even if the theft had been committed by someone who was not a subject of the patriarch. Essentially, the patriarch had to ensure that Dogado was safe from

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<sup>23</sup> “Qui procuratores, post multos tractatus habitos cum eodem domino duce et suis consiliariis ... cognoscentes hoc esse utile pro ipso domino patriarcha et ecclesia Aquilegense ... laudaverunt, approbaverunt, ratificaverunt et firmaverunt pactum factum, de quo superius facta est mentio, per predecessorem suum dominum patriarcham Gregorium cum predicto domino Raynerio Geno olim duce firmatum.” Document 2 in the appendix.

<sup>24</sup> Härtel, *I patti*, 126–28 and 129–39, doc. 9, 167. The 1254 pact has been analyzed in Pio Paschini, “Gregorio di Montelongo patriarca d’Aquila (1251–1269),” *MSF* 12–14 (1918): 78–80. The analyses and interpretations in Giuseppe Marchetti-Longhi, *Gregorio de Monte Longo, primo patriarca italiano di Aquileja (1251–1269)* (Rome: Staderini, 1965), 215–31 are marred by the methodological flaw of retrospective nationalism, and erroneously interpret Gregory’s dealings with Venice as being motivated by their putative shared Italian national sentiment.

<sup>25</sup> Härtel, *I patti*, 73–74, 78–80, doc. 4 (1206 pact), 92–94, 98–103, doc. 6 (1222 pact) 113–15, 116–24, doc. 8 (1248 pact).

<sup>26</sup> Härtel, *I patti*, 52–55, doc. 2 (giving only narrative accounts of the pact from 1160s as the text of the pact has not been preserved).

<sup>27</sup> Härtel, *I patti*, 78–79, doc. 4, chap. 1.

- anyone entering it from his worldly jurisdictions in the north.<sup>28</sup>
- Moreover, if hostilities were declared, especially between the Empire and Venice, the patriarch was obliged to give fifteen days' notice to all the Venetians in his jurisdictions and allow them to leave his jurisdictions unharmed along their possessions.<sup>29</sup>
- Finally, the patriarch was required to pay the traditional *honorificentiae* to the doge of Venice, as had been agreed to by Patriarch Pellegrin I and approved by Patriarch Pellegrin II.<sup>30</sup>

These articles form the oldest core of all subsequent treaties and were entered into the 1254 pact as chapters 1, 2, 7, 11, 12 and 17 (see Appendix 2).<sup>31</sup> The traditional tribute to the doge is detailed and spelled out in the 1254 treaty. It included twelve loaves of bread from the patriarch's cellar, each containing a starius of wheat, and twelve pigs to be delivered in front of the doge's palace by the patriarch at his own expense.<sup>32</sup> This highly symbolic tribute, which was a public display of Venice's superiority over the neighboring ecclesiastical princes dates back to—at least according to the doge-chronicler Andrea Dandolo—the age of Patriarch Ulrich II, who led an unsuccessful invasion of Grado and wound up as a Venetian prisoner. For his release, he agreed to an annual payment of this shameful tribute, which Venice never failed to include in all the subsequent pacts with Aquileian patriarchs.<sup>33</sup> At this point at least, the content of the pact does not seem particularly advantageous to the Church of Aquileia.

The next group of articles that entered the 1254 pact stem from a 1222 treaty between Patriarch Berthold and Doge Pietro Ziani. This *pactum* was essentially a modified version of an older treaty signed with Patriarch Berthold in 1218, but it had come at a point in time that favored Venice: right after the peace treaty between the Patriarchate and the Commune of Treviso following a costly war from which the patriarch's treasury needed to recuperate.<sup>34</sup> The 1222 pact confirms the 1206 treaty and adds seven new

<sup>28</sup> Härtel, *I patti*, 79, doc. 4, chaps. 2, 3, and 4. For identification of toponyms see Härtel, *I patti*, 73.

<sup>29</sup> Härtel, *I patti*, 79, doc. 4, chap. 5.

<sup>30</sup> Härtel, *I patti*, 79, doc. 4, chap. 6.

<sup>31</sup> Härtel, *I patti*, 131–136, doc. 9. The numbering comes from Härtel's critical edition. For the sake of clarity, the articles have been included in Appendix 2.

<sup>32</sup> "Et antedictus dominus patriarcha dare debet Ducatui Veneciarum duodecim panes, quorum quilibet esse debet unius starii, de cellario domini patriarche, et duodecim porcos omni anno, et suis expensis dictos duodecim panes et duodecim porcos ipse dominus patriarcha mittere debet usque ad palacium domini ducis Venecie." Härtel, *I patti*, 134, doc. 9, chap. 12.

<sup>33</sup> "Victores itaque Veneti reduentes, patriarcham [Ulricum Aquilegensis] cum septingentis ferre nobilibus in carcere recludent, qui denique, XII porcos magnos et XII panes unius sextari annuatim in die mercurei de Carnisprivio perpetuo duci in eius palacio exhibere promitens, cum concaptivis liberatus est." Andrea Dandolo, *Chronica per extensum descripta*, ed. Ester Pastorello, *Rerum Italicarum scriptores*, ser. 2, 12/1 (Bologna: Zanichelli, 1938–1958), 247; Härtel, *I patti*, 46–51 and 52–55.

<sup>34</sup> Pio Paschini, "Bertoldo di Merania patriarca d'Aquileia (1218–1251)," *MSF* 15 (1919): 22–30; Härtel, *I patti*, 92. On relations between the Patriarchate of Aquileia and the Commune of Treviso between the 12<sup>th</sup> and 14<sup>th</sup> centuries, see Reinhard Härtel, "Il comune di Treviso e l'area patriarchina (secoli XII–XIV)," in *Storia di Treviso*, vol. 2: *Il Medioevo*, eds. Daniela Rando and Gian Maria Varanini (Venice: Marsilio, 1991), 213–41.



articles—all of them, again, set obligations or limitations for the patriarchs:

- The Venetians were now exempt from all customs duties throughout the worldly dominion of the Aquileian patriarchs, and they were only liable for standard tolls, rent for houses, and full rents for any other properties “according to the custom of the land of Aquileia.”<sup>35</sup>
- The patriarch had to grant to all Venetian sailors doing business in Aquileia, known as *portulani* the right to freely export from Friuli to Venice as much grain as needed for the upkeep of their households; in exchange, all Venetians trading salt, onions, and garlic (or oil) for any grain may do so free of any fees any may import this grain wherever they wish.<sup>36</sup>
- Furthermore, these *portulani* were not required to buy back their pledges in the prescribed term throughout the Patriarchate of Aquileia, unless there was shared enmity between the contractors, meaning war between the patriarchs and the Commune of Venice.<sup>37</sup>
- The 1222 treaty also marks the appearance of the *vicedominus*, the official Venetian deputy in Aquileia, who is appointed by the doge to administer justice to the Venetians, although the right to shed blood remains with the doge alone, and who receives a fortieth from all merchandise passing through one of the two stations of Aquileia.<sup>38</sup>
- Finally, only Venetians may testify against Venetians in a court of law.<sup>39</sup>

14 These articles from the 1222 treaty entered the 1254 pact as Articles 3, 4, 5, 6, 8, 9 and 10 (see Appendix 2). At this point, the patriarch had received free trade of salt, onions, and garlic (or oil) in exchange for grain, but the Venetians had gained incommensurably more, including a privileged judicial status and an exemption from all customs duties throughout the Patriarchate of Aquileia, which essentially made them privileged citizens.

The last group of articles stem from the 1248 treaty between Patriarch Berthold and Doge Giacomo Tiepolo, which was a pact signed at a time of great flux due to the incumbent head of Aquileian Church fatefully

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<sup>35</sup> “Et antedicti Veneti in toto Ducatu sepedicto [Patriarchatus Aquilegensis] nullum tenentur nec debent dadium solvere, excepta muta secundum usum, casatico hospitum, et recto ficto de possessionibus secundum usum terre Aquilegensis.” Härtel, *I patti*, 102, doc. 9, chap. 10.

<sup>36</sup> Härtel, *I patti*, 100–1, doc. 9, chap. 5. All the manuscripts include the *lectio aleum* (garlic), not *oleum* (oil). However, Kandler, *CDI*, 416, doc. 233, silently emended the document by changing the word to *oleum*. Gerhard Rösch, *Venezia e l'Impero, 962–1250: I rapporti politici, commerciali e di traffico nel periodo imperiale germanico*, trans. Carla Vinci-Orlando (Rome: Veltrò, 1985), 161 interprets it as garlic, although in fn. 19 states that “[c]ertamente l’importazione del pregiato olio delle Marche, Grecia e Sicilia sarebbe stata molto più credibile dell’importazione di aglio.” Härtel, *I patti*, 93 leaves both options open, stating that, since an onion is explicitly mentioned in the treaty, “le cipolle potrebbero deporre a favore dell’aglio.”

<sup>37</sup> Härtel, *I patti*, 100, doc. 9, chap. 4.

<sup>38</sup> Härtel, *I patti*, 100–2, doc. 9, chaps. 3, 8, and 9. For the Venetian *vicedominus* in Aquileia, see also Pier Silverio Leicht, “Il comune d’Aquileia nel Medio Evo,” in *La basilica di Aquileia* (Bologna: Zanichelli, 1933), 38–40; Rösch, *Venezia e l’Impero*, 90–93, 111.

<sup>39</sup> Härtel, *I patti*, 101, doc. 9, chap. 6.

switching his allegiance from pro-imperial to pro-papal—a *revirement* that required new allies.<sup>40</sup> Six new articles were agreed on in this pact. The patriarch had to promise the following:

- Exports of wheat, legumes, and other grain, together with aptly undefined “other things and every other merchandise” from Friuli to Venice were to be wholly free.<sup>41</sup>
- The people of Grado would enjoy the undefined incomes they had previously enjoyed in Aquileia, as custom dictated.<sup>42</sup>
- A *magnus homo* loyal and subject to the patriarch must be appointed to serve a term in Aquileia and ensure that all the resident Venetians receive their lawful dues.<sup>43</sup>

Venice, on the other hand, made three concessions to the patriarch *ex gratia*:

- The patriarch had the right to export wine from his vineyards in Istria and from the vineyards of St. Mary’s monastery in Aquileia, and a *gratia vini*: an additional one thousand amphorae of wine from Istria.<sup>44</sup>
- Export duties on cloth for knights, clergy, and the noble ladies of Aquileian patriarchate for exporting cloth from Venice to Friuli would be abolished.<sup>45</sup>
- New ports for the exportation of salt, instituted by Venice to the detriment of Aquileia, would be abolished, but the duties on would salt remain.<sup>46</sup>

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These clauses entered the 1254 pact as Articles 15, 18, 19, 20, 21, and 22 but with two important modifications. First, the *gratia vini* accorded by Venice to the patriarch had been increased by an extra five hundred bushels of grain and five hundred amphorae of wine. Second, the export duties on salt were fixed at ten pounds of Venetian denars and a fifth worth for a hundredweight of salt, but the doge retained the discretionary right to add new duties for salt that was to be exported from Friuli to Padua (see

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<sup>40</sup> Paolo Cammarosano, “Patriarcato, impero e sede spostolica, 1077–1251,” in *Il Patriarcato di Aquileia*, 63 (quotation); Härtel, *I patti*, 113–15 and 116–24, doc. 8.

<sup>41</sup> “Item promiserunt [patriarcha] permittere conduci et portari de partibus Foroiulii frumentum et legumina, aliud bladum et alias res et omne aliud mercatum libere et sine contrarietate Venecias.” Härtel, *I patti*, 123, doc. 8, chap. P12.

<sup>42</sup> Härtel, *I patti*, 123, doc. 8, chap. P13.

<sup>43</sup> Härtel, *I patti*, 122–23, doc. 8, chap. P10. Härtel, *I patti*, 75 is wrong in claiming that the privilege to export one thousand amphorae of wine from Istria had originally been an Aquileian privilege that the patriarchs subsequently bestowed upon a Venetian. This erroneous interpretation is based on Rösch, *Venezia e l’Impero*, 248 and 270, fn. 129 who referred to a charter transcribed by Bianchi and was included in BCU, FP, DP, doc. 19 under the wrong date of 1208. The charter was actually issued in 1268 and its best edition is now Sebastiano Blancato, ed., *Le note di Giovanni da Lupico, notaio patriarcale (1265, 1267–1271, 1273, 1277–1279, 1283–1285, 1288, 1294–1298)*, *Fonti per la storia della chiesa in Friuli: Serie medievale* 15 (Rome: Istituto storico italiano per il Medio Evo, 2013), 174–76 (doc. 4). The *gratia vini* enjoyed by Aquileian patriarchs is thus, as its name suggests, a Venetian concession.

<sup>44</sup> Härtel, *I patti*, 121, doc. 8, chap. P1.

<sup>45</sup> Härtel, *I patti*, 121, doc. 8, chap. P2.

<sup>46</sup> Härtel, *I patti*, 121, doc. 8, chap. P3.

Appendix 2).<sup>47</sup> An important point to note is that the 1248 treaty does not retain the wording of a proper pact signed between two equals: the patriarch was instead required to/obliged to/had to guarantee a great number of concessions to the Venetians, whereas the doge and the Commune of Venice proceeded and conceded to the patriarch only *ex gratia*.<sup>48</sup>

Finally, the 1254 treaty contains several other additions. The first is a situational article about the lords of Porcia and Prata who had been excluded from the pact due to their animosity toward the incumbent patriarch (Article 13). It is followed by a clause obligating both the patriarch and his advocate, the count of Gorizia, to formally swear to uphold the signed pact (Article 14); an article obliging the patriarch to immediately abolish and abrogate all the newly instituted fees that had been imposed to the detriment of the Venetians and swear to maintain only the “old custom” (Article 16); and finally a clause stating that the doge would also abolish the newly imposed fees that had been instituted to the detriment of the Church of Aquileia, but only *ex gratia* (Article 23).<sup>49</sup> Patriarch Gregory indeed solemnly swore to uphold the signed treaty a few months later, on June 6, 1254, in Udine, and Count Maynard III of Gorizia did the same on April 17, 1255.<sup>50</sup>

This breakdown of the articles in the 1254 treaty that Raymond’s ambassadors ratified in 1275 clearly shows that indeed the “pacts” had many articles that were essentially “precepts” issued by Venice to an ecclesiastical lord for whom it was painfully obvious that they were treating him as a non-equal.<sup>51</sup> Thus, the statement that the Aquileian ambassadors “realized this was advantageous to their lord patriarch and the Church of Aquileia” assumes extremely ironic connotations once this context is properly illuminated

But the 1275 pact is not merely a confirmation of the old treaty. Following the first clause that ratified and renewed the 1254 pact are six additional articles. The first one required the patriarch to solemnly swear to uphold this treaty as Patriarch Gregory had done before him. Second, the count of Gorizia had to do the same, but only after he had reconciled with the reigning patriarch. These two articles essentially mirror Article 14 of the 1254 treaty. Third, the ambassadors had to not only promise that all the newly instituted duties on all merchandise would be immediately abolished, but that the patriarch would compensate the Venetians who had paid these unjustly imposed fees. This represents an evolution of Article 16 of the 1254 treaty. Fourth and perhaps most important, the ambassadors had to agree that from then on all the roads and highways throughout the Patriarchate of Aquileia would be open, free, and safe for Venetians and their merchandise; moreover, the patriarch had to compensate the Venetians for all the damage they had incurred due to the previous closure of these roads. Finally, the last two articles define Venice’s obligations toward the patriarch: the doge and the Commune would uphold and honor the old pact from 1254 that was hereby ratified and renewed, and they would also abrogate all newly imposed

<sup>47</sup> An inaccurate reading of this chapter is reported in Rösch, *Venezia e l'Impero*, 252.

<sup>48</sup> As noticed by Härtel, *I patti*, 161, although referring to the 1254 pact.

<sup>49</sup> Härtel, *I patti*, 134–35, 137, doc. 9, chaps. 13–14, 16, 23.

<sup>50</sup> Härtel, *I patti*, 144–46, doc. 11, 147–49, doc. 12.

<sup>51</sup> Härtel, *I patti*, 169–72.

fees that ran contrary to the 1254 pact, with the exception of those included in the *instrumentum protestationis*. The latter mirrored Article 23 of Patriarch Gregory's treaty. This "deed of protest" is only mentioned in this single article and there is no mention of it anywhere else. Based on this phrase, it seems that Venice did, in fact, abolish some fees but not all.

The text of the *pactum* then proceeds with the *in extenso* transcript of Raymond's power of attorney granted to his ambassadors and a note stating that two versions of this pact had been made, one by the patriarch's notary Jacob Cagapisto of Milan, the other by a Conrad, a notary at the ducal court of Venice, which was similar to Gregory's pact of 1254, albeit without any hanging seals affixed to it. The treaty is closed by a *datatio topica* (*Acta sunt hec in una de cameris palatii ducalis Veneciarum*) and a notarial authentication (*Ego Iacobus—tradidi et scripsi*), indicating that all the surviving copies (with the sole exception of the partial copy in the *Pacta Ferrariae*) originated from Jacob's, or rather the Aquileian, version of the pact.

Patriarch Raymond indeed confirmed the treaty, but only in July of 1277 and only by way of his proxy, a Lombard named Guido Inglozio.<sup>52</sup> One manuscript tradition of the 1277 solemn oath, registered in the mid-14<sup>th</sup> century in the *Pacta Ferrariae* register, includes a paragraph appended to Raymond's confirmation stating that the patriarch's chosen official, the podestà of Aquileia, was obstructing the mutually agreed upon free exportation of "grain, legumes, hens, young goats, castrates, and other similar merchandise," and was soliciting bribes from the Venetians.<sup>53</sup> The Venetian diplomat dispatched to the patriarch's court gave explicit instructions to the incumbent head of Aquileian Church about how he must handle the matter: reimburse all Venetians who had been forced to bribe the podestà of Aquileia by giving them double the value of their extracted bribes and threaten the appointed official with fines and the loss of the patriarch's grace. Although the exact date of this note cannot be ascertained, it was most definitely appended to Raymond's promise before it was transcribed in the *Pactum Ferrariae* register in the mid-14<sup>th</sup> century. Perhaps the Venetian diplomat had been instructed to convey this admonition when he was dispatched to Cividale to procure the patriarch's oath in 1277. In any case, this paragraph clearly demonstrates there were issues and irregularities in the quotidian practice related to the Venetian privileges guaranteed by the *pacta*.

In comparison to Patriarch Gregory, who was the first head of the Church of Aquileia to delay giving his oath to uphold the treaty, Raymond took exceedingly more time to solemnly pledge his support of the *pactum* with Venice: two and a half years compared to Gregory's mere forty-three days.<sup>54</sup> Moreover, Gregory had journeyed to Venice and personally concluded a pact with Venice in the solemn arena of the Great Council's chamber before the *Consilium Maior*. Raymond, on the other hand, chose not to appear and instead dispatched his plenipotentiaries. Consequently, the location where the pact

<sup>52</sup> Doc. 3 in the appendix.

<sup>53</sup> "[Q]uod potestas Aquilegie non permittit eos extrahere de Aquilegia bladum, legumen, galinas, edos, capones vel aliiud mercantum comestibile nisi prius dicti Veneti concordent cum eo." Document 3 in the appendix.

<sup>54</sup> Härtel, *I patti*, 157.

was also less monumental; it was simply “one of the rooms in the Venetian ducal palace.”<sup>55</sup> Raymond’s choice to not sign a treaty in person that so clearly privileged Venice was a conscious decision, a part of his well thought-out “image construction” whereby he aimed to appear as a “magnificent prince-patriarch” to his subjects and neighbors, and appearing in person to sign a pact requiring him to bring twelve loaves of bread and twelve pigs to the ducal palace would have been extremely detrimental.<sup>56</sup>

In the end, the 1275 pact did not last very long. The counts of Gorizia never signed it and instead went to war against Venice in 1278, which turned out to be a miserable failed military failure undertaken by Count Albert I, who ended up on bended knee before the doge.<sup>57</sup> Moreover, in August 1277, a mere month after he had solemnly sworn to uphold the treaty, Raymond proposed a measure in the Friulian parliament (*Colloquium generale*) against the Venetians because a certain Bandino of Florence, the deputy of Conrad della Torre, Raymond’s appointed margrave of Istria, had been robbed by Count John III of Krk, who was, according to the patriarch, “a Venetian subject.”<sup>58</sup> Since Venice refused to reimburse the despoiled Bandino, the Friulian parliament accepted Raymond’s proposal and seizures and alienation of Venetian goods across the Patriarchate commenced until the sum of 1800 pounds of coins could be repaid.<sup>59</sup> In October of 1280, Venetian ambassadors dispatched to Patriarch Raymond’s court lamented the unjust treatment of the Venetians and general disregard of the signed pact. They proposed a new treaty be signed with the current patriarch.<sup>60</sup> Nothing of the sort happened, and the two parties ended up waging war against each other in the spring of 1283.<sup>61</sup> It was not until 1285, after Raymond’s defeat in the war, that a new

<sup>55</sup> Luca Demontis, “Representation of Power of the Prince-Bishop Raimondo della Torre Patriarch of Aquileia (1273–1299),” *Incontri: Rivista europea di studi italiani* 28, no. 2 (2013): 32 (quotations); Demontis, *Raimondo della Torre*, 45–59 (for “image construction”), 199 and passim.

<sup>56</sup> Luca Demontis, “Representation of Power of the Prince-Bishop Raimondo della Torre Patriarch of Aquileia (1273–1299),” *Incontri: Rivista europea di studi italiani* 28, no. 2 (2013): 32 (quotations); Demontis, *Raimondo della Torre*, 45–59 (for “image construction”), 199 and passim.

<sup>57</sup> Dandolo, *Chronica per extensum*, 325–26.

<sup>58</sup> For the counts of Krk, see Vjekoslav Klaić, *Krčki knezovi Frankapani*, vol. 1: *Od prvih vremena do gubitka otoka Krka (od god. 1118. do god. 1480.)* [The Frankapan Counts of Krk, Vol. 1: From the First Times to the Loss of the Island of Krk (1118–1480)] (Zagreb: Matica hrvatska, 1901), esp. 110–36 for Count John III and his immediate heirs. For the Friulian parliament, see Pier Silverio Leicht, ed., *Parlamento friulano*, vol. 1: *1228–1420, Atti delle assemblee costituzionali italiane dal Medio Evo al 1831, serie prima: Stati generali e provinciali, sezione sesta: Parlamento friulano e stati provinciali goriziani* (Bologna: Zanichelli, 1917), xxxvi–clxv.

<sup>59</sup> Leicht, *Parlamento* 1: 18–19, doc. 15 = Kandler, *CDI*, 665, doc. 372 = Demontis, *Raimondo della Torre*, 370, doc. 36, discussed in Paschini, “Raimondo I,” 107–8. Giovanni De Vergottini “La costituzione provinciale dell’Istria nel tardo Medio Evo,” *AMSI* 38, no. 2 (1926): 113 fn. 1 dates the document to 1292 based on indiction, but the reprisals against Venice are mentioned in the below discussed *forma ambaxiatae* of 1280. All the evidence points to 1277 and not to 1292.

<sup>60</sup> ASV, *Miscellanea ducali e atti diplomatici*, box 9, folder A, doc. 6. Imperfect edition in Kandler, *CDI*, 693–94, doc. 394. A new critical edition of the *forma ambaxiatae* is forthcoming.

<sup>61</sup> Julian the canon of Cividale, *Chronica*, ed. Giovanni Tambara, *Rerum italicarum scriptores*, nuova serie, 24/14 (Città di Castello: S. Lapi, 1905), 15; Leicht, *Parlamento* 1: 20–21, doc. 18; Paschini, “Raimondo I,” 91.

treaty was signed with Venice. This time the counts of Gorizia were explicitly included and, among many other things, it confirmed both the 1254 pact with Patriarch Gregory and Raymond's *pactum* of 1275.<sup>62</sup>

As Härtel correctly concluded:

From a historical point of view, the story of the Veneto-Aquileian pacts can be summarized by considering how Friuli, a region close to Venice and rich in surpluses of agricultural products, had been progressively placed in a condition of economic dependence, resulting with serious financial debts of the Patriarchate already from the beginning of the 13<sup>th</sup> century.<sup>63</sup>

The analysis of Raymond's pact of 1275 fully confirms this informed inference. Namely, for the weakened patriarchs of Aquileia, Venice was at this point a necessary and unavoidable presence, the "pacts" a grim reminder of all their weakness in the face of the roaring winged lion that dominated the Adriatic. Although the statement that Venice "dominated [the Patriarchate of Aquileia] without ruling" it is somewhat of an exaggeration, the ecclesiastical principality was surely economically dependent upon the Commune of Venice by the second half of the thirteenth century, and there was nothing that the prince-patriarchs could do about it, as Raymond's pact and its subsequent fate clearly showed.<sup>64</sup>

## APPENDIX 1: Critical Editions

Note on editorial principles: The following critical editions follow editorial principles appropriated in *Fontes Istrie medievalis* series that are explicated in

<sup>62</sup> "Item promissit dominus Lippus nuntius et procurator domini patriarche procuratorio nomine, ut dictum est, dicto domino duci recipienti et stipulanti pro se et Comuni Venetiarum quod idem dominus patriarcha de cetero observabit et faciet inviolabiliter observari pacta olim habita inter bone memorie dominum Raynerium Geno ducem et dominum Gregorium patriarcham Aquilegiensem scripta per Taiamentum notarium et ducalis aule Venetiarum scribam et Iohannem de Lupico notarium, et confirmata postmodum per clare memorie dominum Laurentium Teupulo ducem et per nuntios sive procuratores presentis domini patriarche Raymondi, cum omnibus additionibus et conditionibus expressis et comprehensis in instrumento predictae confirmationis facte tempore dicti domini Laurentii Tenpulo ducis." Kandler, *CDI*, 725, doc. 410.

<sup>63</sup> "Dal punto di vista storico, la vicenda dei patti veneto-aquileiesi può essere riassunta considerando come il Friuli, regione vicina a Venezia e ricca di un'eccedenza di prodotti agricoli, sia stata progressivamente posta in condizione di dipendenza economica, con gravi debiti finanziari del patriarcato già a partire dal Duecento." Härtel, *I patti*, 162.

<sup>64</sup> The original quoted phrase stems from Gerhard Rösch, "Die Festlandspolitik Venedigs im 13. und 14. Jahrhundert," *Geschichte in Wissenschaft und Unterricht* 40 (1989): 327 ("herrschen, ohne zu regieren"). It was subsequently appropriated in Härtel, *I patti*, 172. I find the statement to be somewhat of an exaggeration, especially considering the type of "Herrschaft" Venice ultimately established in the Patriarchate of Aquileia in the aftermath of 1420. See Giuseppe Trebbi, *Il Friuli dal 1420 al 1797: La storia politica e sociale* (Udine: Casamassima 1999), 25–44. That the Patriarchate of Aquileia was economically dependent upon Venice was argued by Pio Paschini, "Navi e naviganti friulani alla fine del secolo XII," *MSF* 38 (1942): 2–3; Heinrich Schmidinger, *Patriarch und Landesherr: Die weltliche Herrschaft der Patriarchen von Aquileia bis zum Ende der Staufer* (Graz: Hermann Böhlhaus, 1954), 133–35; Rösch, *Venezia e l'Impero*, 230; Donata Degrassi, "Uso del denaro e circolazione monetaria in Friuli e nel litorale alto-adriatico tra la metà del XII e la metà del XIII secolo," in *Die Friesacher Münze im Alpen-Adria-Raum / La moneta frisacense nell'Alpe Adria*, ed. Reinhard Härtel (Graz: Akademische Druck- und Verlagsanstalt, 1996), 331–36 and taken over by Härtel, *I patti*, 126, 162, 172, fn. 80.

detail on the following web page: <https://fontesistrie.eu/editorial> (accessed: June 6, 2022).

Document 1: Patriarch's Power of Attorney

Date and place: February 9, 1275, Cividale.

Regestum: Patriarch Raymond della Torre grants his power of attorney to Manfred Cagapisto and Jacob Porrenzionis to conclude a new treaty on behalf of the Patriarchate of Aquileia with the Commune of Venice.

Sources: The original is lost; the document survives as an insert in the text of the pact concluded shortly thereafter (Document 2 in this appendix):

B = ASV, *Miscellanea atti diplomatici e privati*, b. 2, doc. 56, fols. 8r–8v; a simple copy included in a cartulary (of which only a small part is preserved) made after July 24, 1293.

C = ASV, *Pacta e aggregati, Pactorum Liber I*, fol. 216v; a simple copy made by an anonymous notary in the 1280s.

D = ASV, *Pacta e aggregati, Pactorum Liber II*, fol. 59r; a simple copy of C made in 1292.

E = ASV, *Pacta e aggregati, Pactorum Liber IV*, fol. 58v; a simple copy made after the June of 1293 and before 1350, closer to the former than to the latter date.

Z = Giuseppe Bianchi (ed.), BCU, FP, *DF*, doc. 386 (containing the erroneously appended eschatocol pertaining to the text of the subsequent pact, edited in this appendix as doc. 2); 19<sup>th</sup>-century simple copy of poor quality based on a later copy from the Frangipane family archive in Aiello del Friuli (n.v.).

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Previous Edition: Demontis, *Raimondo della Torre*, 326–27, doc. 15; based exclusively on Z, featuring the erroneously appended eschatocol.

Notes on editorial policies: The following is a reconstructive edition based on BCDE; the word forms differing only in letters -t for -c, such palacium/palatium, dacia/datia, or in double consonants, such as approbavit/aprobavit, are not reported in the critical apparatus.

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Anno Domini M<sup>o</sup> CC<sup>o</sup> septuagesimo quinto, indictione III<sup>a</sup>, die nono intrante february, in Civitate Austria<sup>65</sup>, in camera palatii patriarchalis<sup>66</sup>, presentibus fratribus Petro Gandino<sup>67</sup> priore, Bertholdo<sup>68</sup> lectore fratrum predicatorum de Civitate, dominis Raynerio de<sup>69</sup> Privario<sup>70</sup>, Alberto de Sexto, ordinariis Mediolanensibus et aliis.

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<sup>65</sup> Austrie B.

<sup>66</sup> paschalis D.

<sup>67</sup> Cauderio E.

<sup>68</sup> Bertoldo BE.

<sup>69</sup> seq. per add. B.

<sup>70</sup> Privano E.

Reverendus pater dominus Raymundus<sup>71</sup> Dei gratia sancte sedis Aquilegensis patriarcha fecit, constituit et ordinavit nobiles viros dominos Manfredum Cagapistum et Iacobum Porrençionis, milites suos, suos certos nuntios et procuratores speciales, absentes tanquam<sup>72</sup> presentes, ad faciendum, confirmandum et<sup>73</sup> ratificandum omnia pacta et conventiones pro se, suo nomine et Aquilegensi ecclesia<sup>74</sup>, cum illustri<sup>75</sup> viro domino duce et Comuni Venciarum secundum quod honori et utilitati ipsius domini patriarche<sup>76</sup> Aquilegensis et qualitati<sup>77</sup> negotii<sup>78</sup> ipsi<sup>79</sup> procuratores viderint expedire, promittens<sup>80</sup> pro se<sup>81</sup>, suo nomine et Aquilegensi ecclesia<sup>82</sup>, se<sup>83</sup> firmum et<sup>84</sup> ratum<sup>85</sup> habiturum quicquid dicti procuratores et nuntii in premissis<sup>86</sup> et circa premissa duxerint faciendum.

In cuius rei evidentiam ac etiam maius robur prefatus dominus patriarcha presens procuratorium<sup>87</sup> sui fecit sigilli pendentis<sup>88</sup> munimine roborari. Ego Henricus Civitatis imperiali auctoritate notarius predictis interfui et de mandato domini patriarche memorati<sup>89</sup> presens instrumentum scripsi.

#### Document 2: The pact of 1275

Date and place: February 18, 1275 (1274 more Veneto), Venice.

Regestum: Manfred Cagapisto and Jacob Porrenzionis, the official plenipotentiaries of Aquileian Patriarch Raymond della Torre, conclude a new treaty with Doge Lorenzo Tiepolo and the Commune of Venice, reestablishing the relations as defined in a previous treaty from 1254 signed between Patriarch Gregory of Montelongo and Doge Reniero Zeno; the representatives of the patriarch also promise: to have both the patriarch and the count of Gorizia sign the treaty, the latter once he settles his differences with the incumbent patriarch; to reimburse to the Venetians all the damages that they had suffered during the period in which the 1254 treaty had not been respected by the patriarchs; to make sure that all the roads remain free and open to Venetian merchants throughout the secular jurisdictions of Aquileian patriarchs.

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<sup>71</sup> Raimundus C; Raymondus E.

<sup>72</sup> sic BCDE.

<sup>73</sup> om. B.

<sup>74</sup> Aquilegensi ecclesia] aquilegeceo cum sign. abbr. C.

<sup>75</sup> illustro D.

<sup>76</sup> patriarchae D.

<sup>77</sup> qualitatem E.

<sup>78</sup> negocium D.

<sup>79</sup> ipsius E.

<sup>80</sup> promittentes DE.

<sup>81</sup> seq. et add. D.

<sup>82</sup> Aquilegensi ecclesia] acqliis eceo cum sign. abbr. C.

<sup>83</sup> om. D.

<sup>84</sup> om. B.

<sup>85</sup> seq. et add. D.

<sup>86</sup> premissa B.

<sup>87</sup> presens procuratorium] presentem procurationem D.

<sup>88</sup> om. D.

<sup>89</sup> om. D.



Sources: The original is lost; the text survives in several later copies from late 13<sup>th</sup>/early 14<sup>th</sup> century, all of them of Venetian provenance and all of them (except perhaps the ms. hereby dubbed *F*) in turn copies of the copy made by a notary Peter of late Monte on the 12<sup>th</sup> of July, 1277, in Aquileia, with the following certification (based on *BC*): “Ego Petrus olim magistri Montis imperiali auctoritate notarius et nunc nobilis viri domini Petri Fuschareni, de mandato domini ducis vicedomini Veneciarum in Aquilegia, hoc exemplum scriptum ex auctentico Henrici notarii domini patriarche, nil addens vel minuens quod sententiam mutet, ut comperii bona fide scripsi et exemplavi signoque meo corroboravi, currente anno Domini millesimo ducentesimo septuagesimo septimo, indictione quinta, die duodecimo intrante mense iulii, in Aquilegia. (SN)”

B = ASV, Miscellanea atti diplomatici e privati, b. 1, doc. 56, fols. 7v–8v; a copy included in a cartulary (of which only a small part is preserved) made after July 24, 1293.

C = ASV, Pacta e aggregati, *Pactorum Liber I*, fol. 216r–v; a simple copy made by an unknown notary sometime in the 1280s.

D = ASV, Pacta e aggregati, *Pactorum Liber II*, fols. 58r–59v; a simple copy of C made in 1292.

E = ASV, Pacta e aggregati, *Pactorum Liber IV*, fols. 57v–59r; a simple copy made after the June of 1293 and before 1350, closer to the former than to the latter date.

F = ASV, Pacta e aggregate, *Pacta Ferrarie*, fol. 84r; a partial copy of the pact, containing around a half of the entire text, made in the second decade of the 14<sup>th</sup> century.

Z = Giuseppe Bianchi (ed.), BCU, FP, *DF*, docs. 386 (containing only the eschatocol that pertains to this pact) and 387 (containing the first part of the pact, minus the pertaining eschatocol that was erroneously appended to the instrumentum procurationis edited in this appendix as doc. 1; 19<sup>th</sup>-century copies of poor quality based on a later copy from the Frangipane family archive in Aiello del Friuli (n.v.).

Previous Edition: Kandler, *CDI*, 589–90, doc. 358; based solely on *F* and thus only a partial copy, containing roughly a half of the entire document, that is, up to and including Article 1.

Notes on editorial policies: The following is a reconstructive edition based on *BCDEF*; the word forms differing only in letters –t for –c, such palacium/palatium, dacia/data, or in double consonants, such as approbavit/aprobavit, are not reported in the critical apparatus. The numbering of the articles is introduced by the editor.

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In Dei nomine, amen.<sup>90</sup>

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<sup>90</sup> In Dei nomine, amen] In nomine domini Dei, amen B.

Anno ab incarnatione domini nostri Iesu Christi M<sup>o</sup> CC<sup>o</sup> septuagesimo quarto<sup>91</sup>, mense februario<sup>92</sup>, die XI<sup>o</sup> <sup>93</sup> exeunte, indictione III<sup>a</sup> <sup>94</sup>, presentibus nobilibus viris dominis Iuliano Trivisano<sup>95</sup>, Paulo Faletro patrono arsane<sup>96</sup>, Pangrati Barbo, Angelo Leucario<sup>97</sup>, Iohanne Faletro, Daniele Çorçani<sup>98</sup>, Marino Gradonico, Stephano Cuppo, Marino Çorçani, Leonardo de Canali, Laurentio et Bartholomeo notariis de curia Veneciarum, et aliis pluribus.

Cum inter venerabilem patrem dominum Raymundum<sup>99</sup> Dei gratia sancte sedis<sup>100</sup> Aquilegensis<sup>101</sup> patriarcham ex una parte et magnificum dominum Laurentium Teupulo<sup>102</sup> Dei gratia Venecie, Dalmacie atque Chroacie ducem, dominum quarte partis et dimidie totius Imperii<sup>103</sup> Romanie, et Comune Veneciarum ex altera super quibusdam novitatibus et certis gravaminibus impositis, tam in datiis quam in aliis, per eundem dominum patriarcham et per eius officiales in dampnum et gravamen hominum Veneciarum<sup>104</sup> discordia extitisset; cum, sicut dicebatur, facta forent et fierent contra formam pacti facti et firmati<sup>105</sup> per magnificum dominum Raynerium Geno<sup>106</sup> olim ducem Veneciarum pro<sup>107</sup> se et Comuni<sup>108</sup> Veneciarum cum venerabili<sup>109</sup> patre domino<sup>110</sup> Gregorio olim patriarcha Aquilegensi, quod factum fuit currente anno Domini<sup>111</sup> M<sup>o</sup> CC<sup>o</sup> LIII<sup>o</sup>, indictione XII<sup>a</sup> <sup>112</sup>, mense aprilis, de quo facta fuerunt duo similia publica<sup>113</sup> instrumenta, unum videlicet per Taglamentum notarium et aliud per Iohannem de Lupico notarium<sup>114</sup> eiusdem domini patriarche Gregorii<sup>115</sup>, bulla plumbea<sup>116</sup> pendenti<sup>117</sup> ipsius domini ducis et aliud bulla pendenti<sup>118</sup> cerea ipsius domini patriarche bullata<sup>119</sup>; tandem missit

<sup>91</sup> M<sup>o</sup> CC<sup>o</sup> septuagesimo quarto] *sic BC*; millesimo ducentesimo septuagesimo quarto *DF*; M<sup>o</sup> CC<sup>o</sup> LXX<sup>o</sup> IIII *E*.

<sup>92</sup> februarium *D*.

<sup>93</sup> undecimo *B*.

<sup>94</sup> tertia *BDE*.

<sup>95</sup> Tervisano *D*.

<sup>96</sup> patrono arsane] *Arsan cum sign. abbr. C*; patronis Arsane *D*; patrono arsenatis *B*.

<sup>97</sup> Leucari *D*; Leuchari *E*.

<sup>98</sup> Zorzani *C*; Çorzani *D*; Zorçano *F*.

<sup>99</sup> Raymondum *E* et saepe *sic*.

<sup>100</sup> sancte sedis] *om. E*.

<sup>101</sup> Aquilegie *D* et saepe Aquilegie loco Aquilegensis/Aquilegensi.

<sup>102</sup> Theupolo *F*.

<sup>103</sup> Inperii *C*.

<sup>104</sup> Venecie *E*.

<sup>105</sup> firont *cum sign. abbr. C*.

<sup>106</sup> Çeno *F* et saepe *sic*.

<sup>107</sup> per *E*.

<sup>108</sup> Comune *E*.

<sup>109</sup> venerabile *B*.

<sup>110</sup> *om. CDE*.

<sup>111</sup> anno Domini] *om. BCE*.

<sup>112</sup> duodecima *D*.

<sup>113</sup> *add. supra lineam C*.

<sup>114</sup> *om. F*.

<sup>115</sup> *G. BCE*; *seq. notarium add. F*.

<sup>116</sup> plumbea *F*.

<sup>117</sup> pendente *E*; pendens *F*.

<sup>118</sup> pendente *E*.

<sup>119</sup> bullatum *D*; bulata *F*.

Venecias antedictus dominus patriarcha Raymundus nobiles et discretos<sup>120</sup> viros dominos Manfredum Cagapistum<sup>121</sup> et Iacobum Porreçionis<sup>122</sup> suos nuntios et procuratores cum plena commissione faciendi, confirmandi<sup>123</sup> et<sup>124</sup> approbandi atque<sup>125</sup> ratificandi nomine ipsius domini patriarche et ecclesie Aquilegensis et pro ipsis omnia pacta et conventiones cum eodem domino duce et Comune Veneciarum, quecumque ipsis procuratoribus utilia viderentur, sicut patet de procuratione in<sup>126</sup> instrumento publico manu Henrici Civitatensis<sup>127</sup> imperiali<sup>128</sup> auctoritate notarii scripto cuius tenor inferius continetur. Qui<sup>129</sup> procuratores, post multos tractatus habitos cum eodem domino duce et suis consiliariis, videlicet<sup>130</sup> Barachino Trivisano<sup>131</sup>, Iacobo Georgio, Iohanne Storlato, Marco Bembo<sup>132</sup>, Marco Michaelae et Andrea Geno<sup>133</sup>, tandem ad talem concordiam pervenerunt, videlicet:

[1] quod predicti domini Manfredus et Iacobus ex virtute et potestate eis<sup>134</sup> tradita a predicto domino patriarcha Raymundo<sup>135</sup>, cognoscentes hoc esse utile pro ipso domino patriarcha et ecclesia<sup>136</sup> Aquilegensi, nomine<sup>137</sup> ipsius<sup>138</sup> patriarche et ecclesie Aquilegensis<sup>139</sup> pro ipsis laudaverunt, approbaverunt, ratificaverunt et firmaverunt pactum factum, de quo superius facta est mentio, per predecessorem suum dominum patriarcham Gregorium<sup>140</sup> cum predicto domino Raynerio<sup>141</sup> Geno olim duce firmatum, promittentes nomine et vice ipsius domini patriarche Raymundi<sup>142</sup> et ecclesie Aquilegensis antedicto domino Laurentio Teupulo<sup>143</sup> duci, suo et Comunis Veneciarum nomine recipienti, quod idem dominus patriarcha pactum predictum cum eodem suo<sup>144</sup> predecessore factum in omnibus et per omnia, sicut continet<sup>145</sup>, observabit et observari faciet per suam fortiam<sup>146</sup> et districtum.<sup>147</sup>

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<sup>120</sup> et discretos] *add. supra lineam F.*

<sup>121</sup> Cagapastum *F.*

<sup>122</sup> Porectionis *F.*

<sup>123</sup> et firmandi *E.*

<sup>124</sup> *om. F.*

<sup>125</sup> et *F.*

<sup>126</sup> *om. F.*

<sup>127</sup> Civrani *BD*; Civran *cum sign. abbr. E.*

<sup>128</sup> imperiale ex imperialem *corr. F.*

<sup>129</sup> Cui *B.*

<sup>130</sup> *seq. nobilibus viris add. F.*

<sup>131</sup> Barachino Trivisano] Barrachynum Tervisanum *D*; Barachino Tervisano *F.*

<sup>132</sup> Benbo *DF.*

<sup>133</sup> Çeno *F.*

<sup>134</sup> eisdem *DF.*

<sup>135</sup> *R. BCDE.*

<sup>136</sup> ecclesie *D.*

<sup>137</sup> nomine *iter. D.*

<sup>138</sup> *seq. domini add. F.*

<sup>139</sup> *seq. et add. F.*

<sup>140</sup> *G. BCDE.*

<sup>141</sup> *R. D*; Rainerio *E.*

<sup>142</sup> *R. BCDE.*

<sup>143</sup> Teupolo *DE.*

<sup>144</sup> *om. E.*

<sup>145</sup> sicut continet] continente *B*; continet *C*; ut superius continetur *D.*

<sup>146</sup> *add. supra lineam E.*

<sup>147</sup> *des. F et ed. Kandler.*

[2] Et quod faciet iurari<sup>148</sup> in anima sua<sup>149</sup> sacramento observationem dicti pacti secundum quod<sup>150</sup> alio tempore factum fuit cum patriarcha G. sacramento firmatum, omni occasione cessante<sup>151</sup>.

[3] Et quod comes<sup>152</sup> Goricie, interveniente pacto<sup>153</sup> inter ipsum et dominum patriarcham, iurabit dictum pactum observare eo modo quo<sup>154</sup> iuratum fuit alia vice.

[4] Promittentes insuper predicti procuratores nomine et vice antedicti domini patriarche R. et ecclesie Aquilegensis et pro ipsis antedicto domino duci, suo et Comuni<sup>155</sup> Veneciarum nomine<sup>156</sup> recipienti, quod datia omnia imposita<sup>157</sup> per eundem dominum patriarcham R. vel eius officiales super bobus et porcis et aliis bestiis et super lignaminibus<sup>158</sup>, carbonibus<sup>159</sup> et aliis mercationibus<sup>160</sup> per eundem dominum patriarcham remittentur; que omnia ex nunc ipsius patriarche et ecclesie Aquilegensis nomine remiserunt, ita quod decetero non tollentur; et quod id totum, quod acceptum est pro dictis<sup>161</sup> datiis per eundem dominum patriarcham vel per eius officiales hominibus Veneciarum, erit per ipsum patriarcham hominibus Veneciarum sine questione aliqua restitutum; et si alia datia seu alie novitates impositae<sup>162</sup> fuerint<sup>163</sup> vel sunt aut facte per predictum predecessorem suum dominum<sup>164</sup> patriarcham contra formam predicti pacti, promiserunt predicti procuratores eo modo quo supra antedicto domino duci, recipienti ut supra, quod ipse dominus patriarcha eas et ea remittet<sup>165</sup> que et quas ipsius domini patriarche nomine remiserunt.

[5] Promittentes insuper, eo modo quo supra, procuratores predicti antedicto domino duci<sup>166</sup>, recipienti ut supra, quod ipse dominus patriarcha stratas omnes per suam fortiam et districtum<sup>167</sup> permittet et concedet liberas et apertas mercatoribus et mercationibus, ita quod libere et sine impedimento per eas ire, stare et redire possint; et quod dampnum quod consecutum est<sup>168</sup> hominibus Veneciarum occasione ordinamenti seu impedimenti facti per eundem dominum patriarcham de dictis stratis, cum<sup>169</sup> mandavit quod aliqui

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<sup>148</sup> *om. E.*

<sup>149</sup> *anima sua] animam suam C.*

<sup>150</sup> *seq. in add. E.*

<sup>151</sup> *add. al. man. supra lineam C; cessavit E.*

<sup>152</sup> *seq. Corie cum sign. abbr. exp. et del. C.*

<sup>153</sup> *sic D; pac cum sign. abbr. omnes alii; fort. pace legendum est.*

<sup>154</sup> *quod E.*

<sup>155</sup> *Comuni CDE.*

<sup>156</sup> *seq. rec cum sign. abbr. del. C.*

<sup>157</sup> *inposita C.*

<sup>158</sup> *lignamine BE*

<sup>159</sup> *carbones E.*

<sup>160</sup> *aliis mercationibus] alias mercationes E.*

<sup>161</sup> *predictis E.*

<sup>162</sup> *impostia D.*

<sup>163</sup> *fuerunt DE.*

<sup>164</sup> *dominum iter. B.*

<sup>165</sup> *remitteret E.*

<sup>166</sup> *seq. R add. E.*

<sup>167</sup> *et districtum] om. E.*

<sup>168</sup> *consecutum est] ex consuetum est corr. B.*

<sup>169</sup> *om. B.*

per stratam consuetam ire non possent, per ipsum dominum patriarcham ipsis hominibus Veneciarum fuerit restitutum.

[6] Ex alia vero parte antedictus dominus dux, suo et Comunis Veneciarum nomine, pactum predictum cum prenominate domino G. per suum predecessorem dominum R. Geno ad ipsorum procuratorum requisitionem laudavit, approbavit, ratificavit et firmavit, promittens eo modo quo supra antedictis procuratoribus, recipientibus<sup>170</sup> ut supra, quod ipsum pactum in omnibus et per omnia, sicut continet, observabit et faciet observari.

[7] Et si novitates aliquae facte sunt per eundem dominum ducem vel Comune Veneciarum contra formam dicti pacti, quod eas remittet et faciet emendari, salvis tamen hiis que dicta sunt in instrumento protestationis, facte vel faciende per eundem dominum ducem suo et Comunis Veneciarum nomine super datiiis et gratiis<sup>171</sup> que pro parte domini ducis tolluntur, ita quod tolli possint sicut hactenus tollebantur.

Forma quidem procurationis de qua superius facta est mentio talis est: [*seq. doc. 1 in hac appendice*].

Et est sciendum quod de hac promissione,<sup>172</sup> approbatione et confirmatione supradictis duo sunt facta publica et similia<sup>173</sup> instrumenta: unum per me Iacobum Cagapistum de civitate Mediolani notarium et aliud per Conradum notarium et ducalis<sup>174</sup> aule Veneciarum cancellarium.

Acta sunt hec in una de cameris palatii ducalis<sup>175</sup> Veneciarum.

Ego Iacobus filius quondam Lantelini Cagapisti de civitate Mediolani publicus notarius predictis omnibus interfui, tradidi et scripsi.

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Document 3: Patriarch's Confirmation of 1277

Date and place: July 9, 1277, Cividale.

Regestum: At the insistence of Pietro Quirino, the incumbent Venetian *vicedominus* in Aquileia, Patriarch Raymond, by way of his proxy Guido Inglozio, solemnly promises the respect of the treaties signed with Venice in 1275 (doc. 2).

Sources: The original is lost; the text survives in several later copies from late 13<sup>th</sup>/early 14<sup>th</sup> century, all of them of Venetian provenance and all of them in turn copies of the copy made by a notary Peter of late Monte on July 12, 1277, in Aquileia. For the notarial authentication, see the editor's notes in doc. 2 in this appendix.

B = ASV, *Miscellanea atti diplomatici e privati*, b. 2, doc. 56, fol. 8v; a simple copy included in a cartulary (of which only a small part is preserved) made after July 24, 1293.

C = ASV, *Pacta e aggregati*, *Pactorum Liber I*, fol. 216v; a simple copy made by an unknown notary sometime in the 1280s.

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<sup>170</sup> *om. B.*

<sup>171</sup> *datiis et gratiis] gratiis et datiis inv. D.*

<sup>172</sup> *seq. et add. C.*

<sup>173</sup> *et similia] add. supra lineam C; om. D.*

<sup>174</sup> *ducali E.*

<sup>175</sup> *ducatus D; duchatus E.*

D = ASV, Pacta e aggregati, *Pactorum Liber II*, fols. 59r–59v; a simple copy of C made in 1292.

E = ASV, Pacta e aggregati, *Pactorum Liber IV*, fol. 59r; a simple copy made after the June of 1293 and before 1350, closer to the former than to the latter date.

F = ASV, Pacta e aggregate, *Pacta Ferrarie*, fol. 84r–v; a simple copy made in the second decade of the 14<sup>th</sup> century featuring an added part that is found in no other manuscript tradition (*Item super eo— impedire presumant*) and missing the corresponding notarial authentication.

Z = Giuseppe Bianchi (ed.), BCU, FP, *DF*, doc. 392; based on a highly emended copy from the Frangipane family archive, with *datatio chronica* seemingly featuring “MCCLXXIV” and “indictione secunda” instead of 1277 and 5<sup>th</sup> indiction as everywhere else.

Previous Edition: Kandler, *CDI*, 663, doc. 371; based on “antico apografo”(?).

Notes on editorial policies: The following is a reconstructive edition based on *BCDEF*; the word forms differing only in letters –t for –c, such palacium/palatium, dacia/datia, or in double consonants, such as approbavit/aprobavit, are not reported in the critical apparatus.

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Anno Domini millesimo ducentesimo<sup>176</sup> septingentesimo septimo<sup>177</sup>, indictione quinta<sup>178</sup>, die nono<sup>179</sup> intrante iulio, in Civitate Austria<sup>180</sup> in anticamera domini patriarche, presentibus dominis Petro Fuscareno<sup>181</sup> vicedomino Veneciarum<sup>182</sup> in Aquilegia, Aschero<sup>183</sup> de Trevisio<sup>184</sup>, Iacobo dela Turre Mediolanensi, Cino<sup>185</sup> Caponi<sup>186</sup> de Florencia<sup>187</sup>, magistro Iohanne de Lupico domini<sup>188</sup> patriarche notario, Paulo Brullo<sup>189</sup>, ser Marino Catan<sup>190</sup> de Venetiis testibus, et aliis. Comparente<sup>191</sup> viro nobili<sup>192</sup> domino Petro Quirino de Veneciis ambaxiator domini Iacobi Contareni illustris ducis Comunis Veneciarum<sup>193</sup> coram

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<sup>176</sup> millesimo ducentesimo] M° CC° C.

<sup>177</sup> millesimo ducentesimo septingentesimo septimo] M° CC° LXX° VII° DE; millesimo ducentesimo LXXVII F.

<sup>178</sup> 6° C; V F.

<sup>179</sup> VIII° F.

<sup>180</sup> Austrie F.

<sup>181</sup> Fuscareno B et saepe sic; Foscarino F.

<sup>182</sup> Venetorum D.

<sup>183</sup> om. et spatium vacuum reliquit B; Ascher E; Ascherio F.

<sup>184</sup> Travisio CE; Tarvisio D; Travulso F.

<sup>185</sup> Cino C; Zino F.

<sup>186</sup> nisi Caponni; Capoti E.

<sup>187</sup> Florença F.

<sup>188</sup> om. F.

<sup>189</sup> Brullo, ser] Bruloso CDEF.

<sup>190</sup> Caran CDEF.

<sup>191</sup> Comparente F.

<sup>192</sup> nobile D.

<sup>193</sup> ambaxator–Veneciarum] om. BCDE et in F tantum legitur.

reverendo patre domino Raymundo<sup>194</sup> Dei gratia sancte sedis Aquilegiensis patriarcha petente ab ipso quod pacta olim inita inter bone memorie<sup>195</sup> dominum G. patriarcham<sup>196</sup> Aquilegensem<sup>197</sup> et dominum ducem et Comune Veneciarum, et per ipsum dominum Raymundum<sup>198</sup> patriarcham innovata postmodum ac<sup>199</sup> etiam confirmata in animam suam secundum antiquam consuetudinem iurare faceret se inviolabiliter servaturum.

Nobilis vir dominus Guido Inglocius<sup>200</sup> de Mediolano, habita super hoc parabola a predicto domino Raymundo<sup>201</sup> patriarcha, in animam ipsius ad sancta Dei evangelia corporaliter iuravit quod ipse dominus patriarcha omnia capitula in dictis pactis contenta bona fide, sine fraude, secundum antiquam consuetudinem<sup>202</sup> observabit.

[Item super eo quod vicedominus et Veneti conqueruntur, quod potestas Aquilegie non permittit eos extrahere de Aquilegia bladum, legumen, galinas, edos, capones vel aliud mercatum comestibile nisi prius dicti Veneti concordent cum eo, vobis sit responendo quod quicumque Venetus mihi monstrare poterit aliquid se dedisse eidem potestati huiusmodi occasione, paratus sum illud quod eis dederunt facere restitui in duplum, et volo ac precipio eidem potestati sub obtentu gracie domini patriarche ac penam quam<sup>203</sup> ab eo exigere voluerit, quod dictos Venetos ab extrahendum bladum, legumina, galinas, edos aut aliud mercatum comestibile contra formam pactorum nullatenus impedire presumant.]<sup>204</sup>

Ego Henricus Civitatensis imperiali auctoritate notarius predictis interfui et rogatus scripsi. (SN)<sup>205</sup>

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## APPENDIX 2: The Text of Gregory's Pact with Venice from 1254

Date and place: April 24, 1254, Venice.

Regestum: The patriarch-elect Gregory of Montelongo concludes a treaty with Doge Reniero Zeno and the commune of Venice, ratifying the old treaties between the two parties, ending all the enmities, and abrogating all the newly instituted fees, imposed at each other's detriment.

Source: The original is lost; the text survives only in late 13<sup>th</sup>/early 14<sup>th</sup> century copies, all of them of Venetian provenance.

B = ASV, Miscellanea atti diplomatici e privati, b. 1, doc. 56, fols. 3r–5r and 5v–7r; two copies included in a cartulary (of which only a small part is preserved) made after July 24, 1293, of which the second one is incomplete.

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<sup>194</sup> Raimundo C; Raymondo E.

<sup>195</sup> seq. quedam *add. F.*

<sup>196</sup> G. patriarcham] patriarcham Gregorium *inv. F.*

<sup>197</sup> Aquilegie D.

<sup>198</sup> R. BCDE.

<sup>199</sup> *om. F.*

<sup>200</sup> Indedocius *cum sign. abbr. supra primam syllabam F.*

<sup>201</sup> R. BCDE.

<sup>202</sup> *om. F.*

<sup>203</sup> sub—penam quam] *sic F: pro sub—pena qua.*

<sup>204</sup> *om. BCDE et in F tantum legitur; des. F.*

<sup>205</sup> *om. BDE.*

C1 = ASV, *Pacta e aggregati, Pactorum Liber I*, fols. 193r–194v; a simple copy made by notary John de Varago in the 1250s.

C2 = ASV, *Pacta e aggregati, Pactorum Liber I*, fols. 205v–207r; a simple copy made by notary Gabriel Paolino in 1240s or 1250s.

D1 = ASV, *Pacta e aggregati, Pactorum Liber II*, fols. 34r–36r; a simple copy of C1 made in 1292.

D2 = ASV, *Pacta e aggregati, Pactorum Liber II*, fols. 47r–79r; a simple copy of C2 made in 1292.

E = ASV, *Pacta e aggregati, Pactorum Liber IV*, fols. 56r–57v; a simple copy made after June of 1293 and before 1350, closer to the former than to the latter date.

Edition: Härtel, *I patti*, 129–39, doc. 9.

Editor's note: The following is not a critical edition of the document as this was done exemplarily by Reinhard Härtel. Instead, the appendix only includes the text of the pact following Härtel's collation, without the accompanying critical apparatus and *variae lectiones*, simply to enable the readers the necessary insight into the text upon which the 1275 treaty is based in one place. Härtel's numeration of the articles is retained, but the division into paragraphs, capitalization, and punctuation is modified.

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In nomine Domini, amen.

Anno Eiusdem millesimo ducesimo quinquagesimo quarto, inditione duodecima, die veneris septimo exeunte mense aprilis, presentibus venerabilibus patribus domino fratre Gualterio episcopo Tervisino, domino Rogerino electo Cenetensi, magistro Berengerio preposito sancti Odorici de Utino, magistro Nicolao de Lupico scriptore, magistro Peregrino et Paulutio cappellanis domini G. patriarche Aquilegensis electi, nobilibus viris dominis Henrico de Villalta, Henrico de Castelliro, Hermanno de Portis, Iohanne de Cucania de Foroio, et nobilibus viris dominis Marco Geno, Andrea Dauro, Nicolao Quirino, Petro Gradonico, Bartholomeo Barocio, Philippo Storlato, Philippo Contareno, Iohanne Iustiniano, Andrea Delphino, Thomasino Mauroceno, Iohanne Michaelae et Henrico Fuschareno de Veneciis testibus rogatis et aliis multis.

Cum inter dominum Raynerium Genum Dei gratia illustrem ducem Venecie, Dalmacie atque Chroacie, dominum quarte partis et dimidie totius Imperii Romanie, et Comune Veneciarum ex una parte et venerabilem patrem dominum Gregorium eadem gratia sancte ecclesie Aquilegensis patriarcham electum predictum ex altera discordia pluribus diebus hactenus extitisset, venit dictus dominus patriarcha Venecias et ad pacem et concordiam devenit cum eodem domino duce et Comuni Veneciarum amicabiliter, divina clementia fatiente, et inter ipsos factum et firmatum fuit pactum et concordia in hac forma, videlicet:

[1] quod omnes homines Veneciarum erunt salvi et securi infra ducatum Patriarchatus Aquilegensis in personis, rebus et bonis eorum mobilibus et immobilibus;

[2] et tanto plus, quod si aliquis homo exiverit per aliquod flumen aut per



aliquem locum de districtu Aquilegensis Patriarchatus in mare et violentiam vel dampnum aliquod fecerit alicui homini de Veneciis a portu qui appellatur Baselege usque ad portum Primarii, dominus patriarcha predictus debet et tenetur infra XXX dies postquam ad eum fuerit querimonia delata, facere secundum suum posse omnia ablata patientibus dampnum seu violentiam in integrum exhiberi. Et si hoc facere idem dominus patriarcha non posset, tenetur infra alios XXX dies solvere totum dampnum illatum hominibus Veneciarum de camera propria.

[3] Insuper quidem habere debet dominus dux Venecie suum vicedominum in terra Aquilegie ad fatiendum plenam iustitiam et rationem omnibus petentibus et conquerentibus de Venetis, tali quidem ordine quod, si aliqua sententia tempore aliquo a prefato vicedomino lata fuerit vel querimonia coram eo facta contra aliquem non de iurisdictione domini ducis, ipse potest appellare, si voluerit, ad prefatum dominum ducem, et si Veneti habuerint aliquid controversie adversus aliquem hominem, ipsi Veneti possunt et debent aut coram domino patriarcha aut eius advocatis et comitis Goricie rationem et iustitiam petere. Et si memorati Veneti fuerint in iudicio coram dictis advocatis, possint appellare ad dominum patriarcham, si voluerint.

[4] Item nullus homo potest ferre testimonium contra Venetum nisi Venetus, secundum usum et consuetudinem curie Ducatus Venecie.

[5] Et omnes Veneti qui dicuntur "portulani" habent licentiam sine aliquo banno et contradicione hominis alicuius accipere et portare de Aquilegia tantam blavam que sit eis et tote familie de domo sua sufficiens, et dictam blavam tantum Venecias apportare. Insuper omnes Veneti cambiantes salem, cepas et aleum pro aliqua blava licentiam habent sine banno et contradicione alicuius portandi quocumque voluerint ipsam blavam.

[6] Et si aliqua pignora data fuerit a Venetis supra homines ducatus totius Patriarchatus vel ab hominibus antedicti ducatus supra Venetos, Veneti qui dicuntur "portulani" non debent pignorari infra terminos pretaxatos nec etiam in toto ducatu sedis patriarchalis, nisi inter eos esset comunis discordia.

[7] Et si comunis contigerit discordia inter dictos dominum ducem et Comune Veneciarum et dominum patriarcham oriri et esse, tam per preceptum imperatoris destinatum ad dictum dominum patriarcham pro danda licentia Venetis exeundi de terra sive iurisdictione domini patriarche, tam per ipsum dominum patriarcham quam etiam per dominum ducem precipientem Venetis exeundi de terra ac iurisdictione ducatus patriarchalis, dictus dominus patriarcha tenetur dare omnibus Venetis inventis in toto predicto ducatu Patriarchatus Aquilegensis licentiam et securitatem plenam, tam in personis quam in rebus eorum, infra dies XV usque ad portum Basilice et ad iam dictum portum Primarii.

[8] Item vicedominus, qui erit in terra Aquilegie tempore aliquo per dominum ducem et Comune Veneciarum, habere debet quadragesimum de duabus stationibus, una posita in ruga de draparia et alia posita in foro Sancti Iohannis Aquilegensis Patriarchatus, secundum voluntatem ipsius vicedomini, ac etiam habere debet dictus vicedominus pro domino duce et Comuni Veneciarum stateras, libras, mensuras et rubrum inter omnes Venetos, et redditus eorum percipere pro sua utilitate. Nec debet ipse vicedominus de suis bonis in toto ducatu Patriarchatus predicti aliquod persolvere datum in

[quo] quidem dictus vicedominus non debet committere fraudem.

[9] Item omnes offense que facte fuerint in predicto ducatu Aquilegensis Patriarchatus per dictum vicedominum debent puniri, excepta pena sanguinis, que debet puniri per dictum dominum ducem. Et hoc quod dictum est de offensionibus intelligatur de offensionibus factis per Venetos.

[10] Et antedicti Veneti nullum tenentur nec debent in toto predicto ducatu datium solvere, excepta muta secundum usum, casatico hospitem et recto ficto de possessionibus, secundum usum terre Aquilegensis.

[11] Insuper quidem, si aliquis non de iurisdictione predicti domini patriarche veniret per mare et inferret violentiam aliquam seu damnum hominibus Veneciarum infra dictos terminos, dominus patriarcha debet de quolibet rationem et iustitiam ipsis hominibus Veneciarum exhibere, si tempore aliquo inventus fuerit malefactor in toto ducatu Patriarchatus Aquilegensis.

[12] Et antedictus dominus patriarcha dare debet Ducatui Veneciarum duodecim panes, quorum quilibet esse debet unius starii, de cellario domini patriarche, et duodecim porcos omni anno, et suis expensis dictos duodecim panes et duodecim porcos ipse dominus patriarcha mittere debet usque ad palacium domini ducis Venecie.

[13] In facto quidem illorum de Prata et de Portiglis dictum est, quod cum non sint in amore et gratia domini patriarche, non debet dominus patriarcha teneri ad satisfactionem vel restitutionem fatiendam de damnis et gravaminibus, si qua per ipsos illata sunt Comuni vel hominibus Veneciarum vel de cetero illata fuerint, quousque ad gratiam et ad amorem ipsius domini patriarche devenient. Verum venientibus ipsis cum dicto domino patriarcha ad gratiam et amorem, promisit et debet dominus patriarcha dare operam bona fide quod predicti de Prata et de Porciglīs rationem et satisfactionem faciant Comuni et hominibus Veneciarum de dannis et gravaminibus antedictis, et quod domino duci et Comuni Veneciarum ad predictam rationem et satisfactionem consequendam de ipsis dabit idem dominus patriarcha auxilium et iuvamen, sicut conveniens et decens fuerit, si a domino duce fuerit requisitus. De hiis autem que predicti de Prata et de Porciglīs fecerint contra Comune vel homines Veneciarum stantes in amore et gratia eiusdem domini patriarche, tenetur dictus dominus patriarcha sicut tenetur de aliis Patriarchatus Aquilegensis, secundum quod superius dictum est.

[14] Hec autem omnia supradicta predictus dominus patriarcha iurari fatiet pro se et in animam eius, et iurare fatiet dictum comitem Goricie, advocatum domus Aquilegensis, attendere et observare, que predecessores sui similiter iuraverunt.

[15] Preterea promisit et tenetur dictus dominus patriarcha permittere conduci et portari de partibus Foroiulii frumentum et legumina et aliud bladum et alias res et omne aliud mercatum libere et sine contrarietate Venetias.

[16] Insuper etiam idem dominus patriarcha novitates et datia insueta facta et imposita, tam ad Clusas quam alibi in toto [ducatu] Patriarchatu[s] Aquilegensis contra antiquam consuetudinem super sale, ferro, pegola et super aliis mercationibus, et in facto quadragesimi sive mute Aquilegensis, et in facto hospitorum de Aquilegia, necnon omnes alias novitates que sint in preiudicium vel gravamen Comunis vel hominum Veneciarum, remisit et

cassavit, et promisit et debet de cetero in predictis omnibus et singulis antiquam consuetudinem observare et observari facere per gentem et homines Patriarchatus predicti.

[17] Promisit insuper et debet dictus dominus patriarcha facere vindictam et iustitiam de omnibus maleficiis factis vel que fient contra homines Veneciarum. De raubariis quidem factis super homines Veneciarum tempore predecessorum domini patriarche predicti promisit et debet dictus dominus patriarcha facere rationem et iustitie complementum, et raubarie que facte fuerint super homines Veneciarum a tempore predicti domini patriarche usque ad tempus illud quo dominus dux misit preceptum ad Venetos exeundi de Foroiulio, diffiniri et determinari debent secundum formam que in hoc pacto superius continetur. Et raubarie facte super homines Veneciarum a tempore predicti precepti facti per dominum ducem Venetis exeundi de Foroiulio hucusque coram ipso domino patriarcha et per ipsum dominum patriarcham debent diffiniri et determinari, salvis pignoris concessis per dominum ducem hominibus Veneciarum super bonis Patriarchatus Aquilegensis et hominum eiusdem Patriarchatus. Et raubarie, si que fient de cetero super homines Veneciarum, determinari et difiniri debent secundum eandem formam que in hoc pacto superius continetur.

[18] Item accipi debet unus ex melioribus viris Foroiulii ad voluntatem et beneplacitum domini ducis qui esse et stare debet tempore congruo in Aquilegia, sicut dominus dux ordinandum duxerit et sibi videbitur, qui sacramento per dominum patriarcham astrictus tenetur et debeat facere et complere rationem de debitis et aliis petitionibus et querimoniis quas fecerint homines Veneciarum super homines Patriarchatus Aquilegensis. Hec autem que dicta sunt intelligantur salvis hiis que dicta sunt de illis de Prata et de Porciglis.

[19] Item promisit idem dominus patriarcha quod homines de Grado permittet habere in Aquilegia et districtu Patriarchatus Aquilegensis rationes omnes quas habere solebant secundum antiquam consuetudinem.

[20] Dominus vero dux et Comune Veneciarum concesserunt ex gratia quod dominus patriarcha possit omni anno vinum quod fuerit de canipa Istrie ipsius domini patriarche, et illud quod fuerit de canipa monasterii sancte Marie dominarum de Aquilegia, et insuper mille amphoras vini, et ultra hec alias quinquaginta amphoras vini et quinquaginta modios blave ad mensuram Veneciarum de canipa domini patriarche et monasteriorum suorum de Istria conduci et portari facere de Istria ad partes Aquilegie per portus.

[21] In facto quidem salis concessit dominus dux pro Comuni Veneciarum quod deferatur et portetur ad partes Foroiulii sicut tempore concordie portabatur, accipiendo pro Comuni Veneciarum libras decem denariorum Venecialium pro centenario ipsius salis pro dacio et quintum, sicut hactenus tollebatur. Verum, si accideret quod de sale qui portabatur ad portum Gruarii et portum Latisane portaretur ad partes et loca ad que portatur sal qui conceditur portari Paduam, in arbitrio domini ducis et Comunis Veneciarum esse debet accipiendi pro datio salis predicti ultra dictas libras decem, sicut domino duci et Comuni Veneciarum placuerit.

[22] Item concessit dominus dux pro Comuni Veneciarum quod militibus, clericis et dominabus de Foroiulio non auferatur datium de pannis quos de

Veneciis acceperint ad vestes fatiendas.

[23] Insuper omnia datia insueta, si qua noviter imposita sunt in preiudicium vel gravamen hominum Patriarchatus Aquilegensis, dictus dominus dux pro Comuni Veneciarum remisit ex gratia, et statuit quod super hoc antiqua consuetudo debeat observari.

Actum Veneciis in palatio Ducatus, in sala Maioris Consilii, ipso Maiori Consilio congregato.

Sciendum est quod de hoc pacto et concordia facta sunt duo similia instrumenta, unum per me Taglumentum notarium et scribam ducalis aule Veneciarum sigilatum sigillo et bulla dicti domini ducis plumbea pendenti, et aliud per Iohannem de Lupico notarium eiusdem domini patriarche sigillo predicti domini patriarche pendenti sigillatum.

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