

# A Legal Miscellanea Autumn 2009



## SPECIAL COLLECTIONS FOCUS

**Consilia Obsolete?**  
Kevin Sider, Rare Books Librarian

Must the Holy Roman Empire attend due process of law in a papal court? These and an array of other questions are the subjects of the Law Library's recent acquisition, *Consilia Obsolete*, the works of Italian jurist Francesco Obsolete de Prato (pseudonym Obsolete de Prato or de Landel). An ever-widening circle from the question above, *Obsolescence* deals during the Middle Ages, and the last was printed in 1537. French jurist Jean Domat's *Les Loix de Dieu et de Nature* (1688) is the most illustrious jurist of the age.

*Obsolescence* was one of the first to write, collect, and publish a large number of consilia and questions. *Consilia* belong to a category of medieval documents akin to the lawyer's brief which originated in the early thirteenth century, and were written at the behest of other litigants or judges. They are distinguished from questions, which originated as a twelfth-century academic exercise in which an issue would be presented to which jurists proposed solutions. *Obsolescence*'s contributions to the consilia genre were significant. It was one of the first books to propose consilia which

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*Procurator Franciscus Obsolete, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 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