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Georg 539

Landesbücherei
* Dessau *

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14.

# Appellatio. F. Martini Luther ad Concilium.

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T

tia Papæ
fraſcripto
Reuerēd⁹
cræ Theo
palis,ac p
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& intentõ
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fenſio qu
per princi
Ordīs Ere
Mgr̄ indig
paliter &
autētica p
& appellā
& ſolenni
ecclesiam

## ℭ Appellatio. F. Martini Luther ad Concilium.

IN noīe dn̄i Amē. Anno a natiuitate eiuſdē Milleſimo
q̄ngēteſimo decimooctauo, indictōe ſexta, die uero
ſolis, uigeſima octaua mēſis Nouēbris, Pōtificatꝰ Sctiſ-
ſimi in Chr̄o pr̄is, & dn̄i nr̄i, dn̄i Leonis diuīa ꝓuiden-
tia Papæ decimi, anno ſexto in mea notarii publici, teſtiūq; in-
fraſcriptoꝝ ad hoc ſpēaliter uocatoꝝ & rogatoꝝ pn̄tia, Cōſtitutꝰ
Reuerēdꝰ P. dn̄s Martinꝰ Luther Auguſtinianꝰ Vuittenbergen̄. Sa-
cræ Theologiæ Mgr̄, ac ibidē lector ordinariꝰ theologiæ, princi-
palis, ac pricipaliter ꝓ ſeipſo, citra tn̄ quorūcūq; ꝓcuratoꝝ ſuoꝝ
quōlibet hactenꝰ per eū ꝯſtitutoꝝ reuocationē, hn̄s & tenēs ſuis
in manibꝰ, quandā ꝓuocatōis & appellatōis papyri ſchedulā, aīo
& intentōe ꝓuocādi & appellādi, apl̄osq; petēdi, dicēs, narrās, ꝓ-
uocās, & appellās, certis & legitimis de cauſis, in eadē ſchedula
cōtentis & cōprehēſis, ad Cōciliū ꝓxime & īmediate futurū, ſal-
tem in ſpiritusancto legitime congregatū, aliis uero cōgregati-
onibus, factionibꝰ, & cōcionibus priuatis, penitus ſecluſis, prote-
ſtans aliaq; faciēs, ꝓut in dicta appellationis ſchedula plenius cō-
tinetur, habetur, & deſcribitur. Cuius tenor ſequitur, & eſt talis.

CVm Appellatōis remediū in ſubſidiū & releuamē op-
preſſoꝝ, a iuriū cōditoribꝰ ſit adinuētū, & nō ſolū ab
illatis, uerūetiā ab inferēdis, & inferri cōminatis gra-
uaminibꝰ & iniuriis, iura appellare permittāt. Adeo
ꝙ inferior de nō appellādo ad ſuperiorē ſtatuere nō poſſit, & ma
nus ſuperioꝝ claudere. Sed cū ſatis ſit in ꝓfeſſo, ſacroſctm̄ Cōci-
liū in ſpūſctō legitīe ꝯgregatū, ſanctā eccleſiā catholicā repn̄tans,
eſſe in cauſis fidē ꝯcernētibꝰ ſupra Papā, euenit, ꝙ nec Papa in cau-
ſis hmōi, ne ab eo ad Cōciliū appelletur, ſtatuere poſſit, tanq̄ id
agēs, qđ ad officiū ſuū nō ſpectet ullo mō, Sitq; appellatio ip̄a de
fenſio quædā, q̄ iure diuīo, naturali, & hūano cuiq; cōpetit, neq;
per principem auferri poſſit. Iccirco ego Frater Martinꝰ Luther
Ordīs Eremitarū ſctī Auguſtini Vuittenbergen̄. ſacræ Theologiæ
Mgr̄ indignꝰ, eiuſdēq; ibidē Lector ordinariꝰ, principalis princi-
paliter & ꝓ meipſo, corā uobis Notario publico, tanq̄ publica &
autētica perſona, ac teſtibꝰ hic pn̄tibus, aīo & intentōe ꝓuocādi
& appellādi, apl̄osq; petēdi & accipiēdi, Præmiſſa tn̄ expreſſa hac
& ſolenni ꝓteſtatōe, Qđ cōtra unā ſanctā & Catholicā & Apl̄icā
eccleſiam, quā totius orbis eſſe magiſtrā, & obtinere principatū

nō ambigo,ſanctæq; ſedis Ap̄licæ authoritatē,ac ſctiſſimi dn̄i nr̄i
Papæ bene ꝯſulti ptātem,nihil dicere intendo.Si quid aūt ex lu
brico forſan linguæ,ſeu aduerſarioꝝ potius irritamēto, minus
recte,& nō ea qua debeat reuerētia dictū fuerit,paratiſſimꝰ ſum
illud emēdare.ſed qm̄ is q uicem dei in terris gerit,quē Papā dici
mus,cū ſit hō ſil̄is nobis,ex hoībus aſſumptus,& ipſe (ut Ap̄lus
dicit)circūdatus infirmitate,potēs errare,peccare,mētiri,uanꝰ fi
eri,nec ſit exceptus ab illa Prophetæ gn̄al̄i ſentētia,Oīs hō men-
dax ·Nec ſctūs Petrus,primus & ſctiſſimus oīm Pōtificū, ab hac
infirmitate liber fuit,quin noxia ſimulatōe ꝯtra ueritatē Euange
lii incederet,Ita ut rigida qdē,ſed ſctiſſima rephēſiōe Ap̄li Pauli
opus habuerit corrigi,ut ad Galathas ſcd̄o ſcribiť.Quo nobiliſ-
ſimo exēplo per ſpm̄ſctm̄ in eccleſia mōſtrato,& in lr̄is ſacratiſſi
mis relicto,fideles Chriſti erudimur, & certi ſumus, Q̄ ſi quis
ſummus Pōtifex eadē Petri,uel ſimili infirmitate lapſus,qd ꝑce-
perit,uel decreuerit,qđ cōtra diuina militet mādata, nō ſolum
obediendū ei nō eſſe,uerūetiā cū Ap̄lo Paulo in faciem ei reſiſti
poſſe,imo debere,ac uelut per inferiora mēbra infirmitati capi-
tis,pia totiꝰ corporis ſolicitudīe ſuccurri.Et in huius exēpli pn̄tē
ac perpetuā memoriā,nō ſine ſingulari dei ꝯſilio factū eſſe, non
obſcure intelligiť,ut nō ſolū S.Petrus,ſed etiā ſalutaris eius rep-
hēſor Paulꝰ ſanctæ Romanæ eccleſiæ iuxta & ſil̄ patrocinarenť,
& ꝑeſſent,ne ſcilicet ſolū lr̄s,ſed ſenſibili quoq; monimēto huius
ſūme neceſſarii ac ſaluberrimi exēpli,aſſidue moneremur, tam
ipſa capita, q̄ nos mēbra.Qđ ſi q̄ potētiū ui armatꝰ, tm̄ ꝑualue-
rit,ut reſiſti ei nō poſſit,unū certe illud ꝑdictū appellatōis reme
diū,reliquū eſt,quo opꝑſſi releuenť.Ad qđ & ego Frater Marti-
nus Luther ꝑdictus,mō & aīo ꝑdictis ꝯfugiēs,dico & ꝓpono. Q,
cū diebus ſuperioribꝰ indulgētiæ a qbuſdā Cōmiſſariis(ut aſſere
bāt)Ap̄licis indiſcretiſſime prædicarenť,in regiōe nr̄a Saxoniæ,
adeo,ut ad exugēdas ppl̄i pecunias inciperēt,abſurda,hæretica,
blaſphema q̄dā ꝑdicare in ſeductionē aīaꝝ fideliū,& ſummū lu
dibriū eccleſiaſticæ ptātis,ꝑſertim de ptāte Papæ in purgatoriū,
ut continet eoꝝ libellus,qui ſummaria inſtitutio uocať,cum tn̄
certū ſit ex.c.Abuſionibus,Papā nō habere prorſum ullā ptātem
in purgatoriū.Deinde,una totius eccleſiæ ſentētia,oīmq; docto
rū ꝯſenſu,Indulgētiæ ſint nihil , niſi remiſſiōes ſatiſfactōis pœni
tentialis a ſuo iudice impoſitæ,ut eſt clarus textus.c.Qđ aūt. Sa

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tiſfactio aũt pœnitẽtialis ab eccleſiaſtico iudice impoſita, aliud
nõ ſit q̃ opera ieiunii, orõnis, eleemoſynæ &c. Ideoq; clauibus ec
cleſiæ remitti nõ poſſit, qđ eiſdẽ nõ fuerit impoſitũ. Itẽ ꝙ certũ
eſt ex diſtinctõe trigeſimaquinta.c. Qualis. ꝙ in purgatorio nõ
ſolũ pœna, ſed & culpa remittiť. Culpã aũt eccleſia remittere nõ
põt, ſicut nec grãm ꝯferre. Iſtis authoritatibus nixus, cũ diſputã
di more fuiſſem reluctat⁹ impuris & inſulſis illoꝝ dogmatibus,
cœperũt illi lucri ſtudio furẽtes, Primũ, publicis declamatõibus
ad populũ declarare me hæreticũ, temeritate impudẽtiſſima. De
inde, apud ſctiſſimũ dñm nrm Leonẽ decimũ, per quendã dñm
Mariũ de Peruſiis ꝓcuratorẽ fiſcalẽ accuſare, tanq̃ de hæreſi ſuſpe
ctũ. Et per eundẽ dñm tandẽ impetrãtes cõmiſſionẽ citãdi mei,
in perſonas Reuerẽdiſſimoꝝ dñoꝝ & patrũ Hieronymi de Ge
nutiis Epi Aſculani cauſaꝝ Cameræ auditoris, & Syluestri Priera
tis, pallatii mgri, per eoſdẽ me citari curauerũt ad urbẽ, ad perſo
naliter cõparendũ. Cũq; ego nec Vuittenbergæ tutus ab inſidiis,
tm̃ iter perficere nõ poſſem, nec Romæ tuto ꝯſiſtere, & paupercu
lus & imbecillis corpore. Deinde iudices p̃fati mihi multis cauſis
fuiſſent ſuſpecti, p̃ſertim ꝙ Reuerẽdus pr̃ Sylueſter aduerſari⁹ mi
hi fuerit, & dialogũ ꝯtra me iam ædiderit, & in ſacris lr̃is minus
eruditus, q̃ iſta cauſa ferre poſſit. Dñs aũt Hieronymus in iuribus
quoq; pluſq̃ Theologia doct⁹, merito timebať Sylueſtrinæ theo
logiæ ꝯceſſur⁹, & extra modũ ſuæ ꝓfeſſiõis hãc rem hr̃e. Solicita
ui per illuſtriſſimũ Prĩcipẽ, dñm Fridericũ, Ducẽ Saxoniæ, ſacri
Romani Imperii Archimarſchalcũ, Lãtgrauiũ Thuringiæ, Mar
chionẽ Myſniæ, ut cauſa ad partes cõmitterer non ſuſpectis, ſed
honeſtis & bonis uiris, tũc illi craſſa q̃dã & inſulſa aſtutia inſtruc
ti, apud ſctiſſimũ dñm Leonẽ &c. egerũt, ut cauſa in ſeipſos, hoc
eſt in perſonã Reuerẽdiſſimi dñi Thomæ ſcti Sixti Cardinalis,
tũc in Germania ſedis Apľicæ legati trãſferreť, ut q de ordĩe Præ
dicatoꝝ & Thomiſticæ factõis (id eſt) aduerſariæ, uel primarius,
facile ſperareť, ꝯtra me pro ip̃is diffiniturus· aut ut veriſiľe eſt cer
te, ut hui⁹ facie iudicis abſterritus, recuſarẽ cõparere, & ꝯtumaciã
incurrerem. Ego tñ ueritate dei fretus, ad Auguſtam multo labo
re & magnis periculis ueniẽs, humaniter quidem a præfato Re
uerendiſſimo &c. ſuſceptus ſum. Qui cum poſthabita proteſtati
one mea & obligatõe, qua uel publice uel priuatim me reſpõſu
rum obtuli, corã Notario & teſtibus, deniq; p̃ñtib⁹ q̃tuor inſigni.



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buſ uiris Cæſareæ Maieſtatis Senatorib9, ſimulq; ſubiicerem me meaq; dicta ſáctæ ſedi Apl'icæ, & iudicio q̃tuor illuſtriũ uniuerſitatũ, Baſilieñ. Freyburgeñ. Louanieñ. tandẽ & ſtudiorũ paréti nobiliſſimæ Parrhiſieñ. me ſimpl'r ad reuocationẽ urgeret, nec uellet oñdere mihi errores meos, & qb9 rõnib9, uel authoritatibus error a me intelligi poſſet, nimio ſcilicet ſuæ factõis fratrib9 affectus, & iniqtatis faciẽ aſſumẽs· tandẽ niſi reuocarẽ, abiectis p̃cib9 & uotis diſcẽdi, & infořatõis petitõib9, minas diras, ac crudeliſſimas uigore cuiuſdã Apl'ici Breuis intẽtauit, ac ne redirẽ in faciẽ ſuã, ĩperauit. Quib9 grauamib9 læſus, tũc ab ei9 iniq̃ & uiolẽta p̃ſumptõe, & p̃tẽſa ſibi cõmiſſiõe appellaui ad ſctiſſimũ dñm nřm Leonẽ decimũ meli9 informãdũ, ꝓut in ſchedula hmõi appellatõis pleni9 ꝯtinet̃. Nũc uero etiã iſta appellatõe (ut dixi) ꝯtẽpta, cũ uſq; hodie cupiã, nõ niſi ut oñdant̃ mihi errores mei, qcũq; tãdẽ id poſſit p̃ſtare, de quo denuo legitiẽ ꝓteſtor, paratiſſimuſq; ſum reuocare, ſi qđ male dixiſſe fuero edoct9. Deiñ totã diſputationẽ meã ſubiecerim ſũmo Põtifici, ita ut nec ego ampli9 aliqd in ipſa facere habeã, q̃ expectare ſñiam, quã & uſq; hodie expecto. Nihilomin9 tñ, ut audio, & idẽ Reuerẽdiſſim9 dñs Thomas ſcti Sixti Cardĩalis, ſcribit ad illuſtriſſimũ Principẽ Fridericũ &c. in Romana Curia ꝓcedi ꝯtra me, & autoritate eiuſdẽ Sctiſſimi dñi nři &c. Iudices p̃tẽſos cãm ꝓſeq in dãnationẽ meã, nõ attẽdẽtes meã fidelẽ & ſuperabũdantẽ obediẽtiã, q̃ tãta difficultate cõparui Auguſtæ, nec curãtes oblationẽ meã honeſtiſſimã, q̃ me ad rñſionẽ publicã & priuatã obtuli· Deniq; ꝯtẽnẽtes ouẽ Chři petentẽ hũiliter doceri ueritatẽ, & reduci ab errore, ſed ſimpliciter, nec audita nec reddita rõne, mera aũt tyrãnide & plenitudĩe ptãtis urgere ad reuocationẽ ſentẽtiæ, quã ex ꝯſciẽtia ueriſſimã iudico, & ad abnegandã fidẽ Chři, & uerã apertiſſimæ ſcripturæ intelligẽtiã (q̃tũ mea capit ꝯſciẽtia) ſeducere uolẽtes. Cũ ptãs Papæ nõ ꝯtra nec ſupra, ſed ꝓ, & infra ſcripturæ & ueritatis maieſtatẽ ſit, nec ptãtem Papa acceperit oues perdẽdi, in luporũ fauces ꝓiiciẽdi, & ĩ errores errorũq; mgřos tradẽdi, Sed ad ueritatẽ (ſicut paſtorẽ & Ep̃m uicariũ Chři decet) reuocãdi. Ex qb9 me læſũ, grauatũq; ſentiẽs, cũ tali uiolẽtia uideã futurũ eſſe, ut nullus etiã ip̃m Chřm audeat ꝯfiteri, nec ſcripturas ſacras in eccleſia ſua ꝓpria ꝓfiteri, atq; ita me quoq; a uera, ſana, chriſtianaq; fide & intelligẽtia, in uanas & mẽdaces hoĩm opiniões uiolẽter ꝓtrudi, & in ſeductorias ppl'i Chri-

ſtiani fabulas urgeri. Iccirco a p̄fato ſctiſſimo dño nr̄o Leone nō
recte ꝯſulto, ſupraq̄ dictis p̄tēſis cōmiſſiōe & iudicibꝰ, & eoꝝ cita-
tōe, ac ꝓceſſu, & oibꝰ inde ſequutis, & ſequuturis, & quolibet ip̄oꝝ
rū, ac a qbuſuis excōicatōe, ſuſpēſiōe, & interdicti ſentētiis, cenſu-
ris, pœnis, & mulctis, atq̄ aliis qbuſcūq̄ denūciatōibꝰ & declara-
tōibus (ut p̄tēdūt) hæreſis & apoſtoſiæ per eos uel alterū eoꝝ quō
libet attētatis, factis, & molitis, attētādis, faciēdis & moliēdis. Ipo
rūq̄ nullitate (ſuis honore & reuerētia ſemper ſaluis) tanq̄ iniqs
& iiuſtis, mere tirānicis & uiolētis, necnō a quolibet futuro graua
mīe qđ mihi ex eo uenire poterit, tā ꝓ me q̄ ꝓ oibꝰ, & ſinglis mi
hi adhærētibꝰ, & adhærere uolētibꝰ, ad futuꝝ ꝯciliū legitīe, ac in
loco tuto, ad quē ego, uel ꝓcurator per me deputādus libere adi
re potero, uel poterit. Et ad illū, uel ad illos, ad quē, ſeu quos de
iure, priuilegio, ꝯſuetudīe, uel alias mihi ꝓuocare & appellare li
cet, ꝓuoco & appello ī iis ſcriptis. Aplosq̄ prio, ſcđo, tertio, inſtā
ter, inſtatius, & inſtātiſſime mihi dari peto. Si qs ſit, q mihi dare
hos uoluerit & potuerit, & p̄ſerti a uobis dño Notario teſtionia-
les. Et ꝓteſtor de ꝓſequēdo hāc meā appellationē per uiā nullita
tis, abuſꝰ, iniqtatis uel iiuſticiæ, & alias ꝓut meliꝰ potero, optiōe
mihi reſeruata, addēdi, minuēdi, mutādi, corrigēdi, & in melius
reformādi, oīq̄ alio iuris bñficio, mihi ac mihi adhærētibꝰ & ad
hærere uolētibꝰ ſemper ſaluo. QVA qdē ſchedula corā me & te-
ſtibꝰ ifra ſcriptis, ut p̄mittit̄, iterpoſita, ꝓteſtatꝰ fuit, & ꝓteſtabat̄
exp̄ſſe, ſe per ſe ul̄ ꝓcuratorē nō poſſe ad eū accedere, a quo extitit
appellatū. tū ꝓpter metū plurioꝝ, ſibi, & uitæ ſuæ iſidiātiū, ac eiꝰ
a quo appellauit, tū ꝓpter uiaꝝ diſcrimīa. Ideoq̄ petiit ſibi a me
Notario publico cū debita inſtañ, Aplos tales, q̄les ſibi de iure de
berent̄ dari atq̄ ꝯcedi. Cui quidē petēti dedi Aplos tales, q̄les ſibi
debent̄, uel ſaltē teſtimoniales p̄ñti inſtrumēto publico extūc ex
arādos. Super qbꝰ oibꝰ & ſinglis petiit a me Notario ifra ſcripto
unū uel plura ꝯfici atq̄ fieri publicū, uel publica inſtrumētū ul̄ in-
ſtrumēta. Acta ſūt hæc Vuittēbergæ, Brandēburgeñ. dioceſis, Sub
āno, idictōe, die, Mēſe, & pōtificatu, qbꝰ ſupra. Regnāte diuo Ma-
ximiliano, Romanoꝝ imperatore, hora tertiaꝝ, ul̄ qſi, ī capella
corporis Chri, ī Parrochialis ibidē cemiterio ſituata. P̄ñtibꝰ ibi-
dē Chriſtophoro Beehr ſacris Aplica & īperiali auctoritate uice-
comite Cōſtantieñ. Et Hieronymo Papiſs Curienſis Dioceſis Cle
ric: teſtibus ad p̄miſſa uocatis, rogatiſq̄ pariter & requiſitis.

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Disputatio

facij & C… olog.

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ōceptiōe uirginis ſen
d' cū Rhomana. Cū
ciſa res fuerit, ſciā cū
octorib9, quorū nō-
tico relinquā creditu
,& de Reuchelio, q̄ſi
riſina, & Colonieñ,
i, an Criſoſtom9, an
e ſunt uiri iuſti & mi-
ntellū me eſſe effinx
tiōis uiriū, & prouo-
nymi ad Auguſtinū
grauē. Iuuenta leuis
ois poſtremo, me p
æcūq; aīo meo inſe-
riū ego nunq̄ extuli.
unt q̄plura alia quæ
ndignat̃, has res for
æraq; ioco, plurima
d dicta tua q̄ pluria
is ſapias q̄ oportet,
, iugiter & perſeue-
ri9 Chriſtū loquen-
cū fideliorem habi-



# Appellatio .F. Martini Luther ad Concilium.