Universitätsbibliothek Paderborn

Summmula clarissimi iurisco[n]sultissimiq[ue] viri Raymundi

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Multa impediunt [et] dirimunt matrimonium

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rius ibi(Si quā ⁊c) Quātū ad ꝑmā ꝑtē vult tātū.ſi vxoꝛ tua ſit moꝛtua et aliā volueris ducere.nō ducas aliquā q̄ eſt de ſanguine illiꝰ ⁊ q̄ eſt in q̄rta linea.ſ; vltra Et dato ꝙ ipa ſolū eſſet ſibi ꝓmiſſa ⁊ nōdū carnalr cognouiſti.idē teneaꝛ.ſ.ꝙ nō ducas aliquā de ſanguine eiꝰ in q̄rta linea ſ; vltra

☞ Circa lrām nota.ꝙ caſus lr̄e ſtat in hoc.ſi aliq̄s haberet vxoꝛē quam nō cognouiſſet carnalr ꝓpter eiꝰ abſtinētiā.⁊ ſi mulier tūc moꝛereꝛ incoꝛrupta tūc ille ſpōſus adhuc nō d; aliā ducere q̄ eſt infra quintā lineā ſeu q̄ntū gradū illius linee mulieris

☞ Scḋo eſt notādū.nā ꝑus dictū eſt.ꝙ in oī coitu ꝯhiꝛ affinitas Pro q̄ eſt ſciēdū ꝙ affinitas ꝯtrahiꝛ triplr ꝑ quā generaꝛ publica honeſtas Primo mō qn̄ q̄s ꝯtrahit cū aliq̄ ꝟgine vel muliere nō ſubſecuta copula carnali.ita ꝙ vnū illoꝝ ſuppoſitoꝝ moꝛiꝛ.ſ.vir vel mulier an̄ copulā adhuc ꝯtrahiꝛ affinitas inter ꝯſanguineos illiꝰ moꝛtue mulieris vel ꝟginis .et tn̄ talis nō debet ꝯtrahere cū aliq̄ niſi in q̄nta linea Scḋo ꝯtrahiꝛ affinitas ꝑ actū foꝛnicatoꝛiū.q2 ꝑ hoc generaꝛ publica honeſtas.q2 oēs ꝯſanguinei ſt̄ iſti affines q̄ ſic cognouit iſtā.⁊ nō debet ꝯtrahere matrimoniū niſi in q̄nta linea Tertio ꝯtrahiꝛ affinitas ꝑ mutuū ꝯſenſum quē ſeq̄tur copula carnalis.igiꝛ etiā generaꝛ publica honeſtas ꝑ quā ꝯtrahiꝛ affinitas inter om̄es conſanguineos viri ⁊ mulieris

☞ Tertio notādū vti ſuperiꝰ expſſum ē.ꝙ multa ſt̄ matrimoniū impedictia ꝯhendū ⁊ dirimētia ꝯtractū.⁊ inter hec fuit enūerata cognatō Pro q̄ ſciēdū ꝙ triplex eſt cognatio.nā q̄dā eſt carnalis.⁊ q̄dā eſt ſpūalis.⁊ quedā legalis Et iſta triplex cognatio h; oꝛtū a triplici lege.ſ.a lege naturali a lege diuina.⁊ a lege poſitiua. Nā a lege carnali cognatio carnal' h; oꝛtū. q2 naturalr inter oēs ꝯſanguineos ꝯtrahiꝛ ſeu generaꝛ amicitia q̄ impedit matrimoniū S; a lege diuina cognatio ſpūalis.q2 ſacramēta habēt efficaciā a xp̄o.⁊ ideo cognatio ſpūalis h; efficaciā a lege diuina S; a lege poſitiua cognatio legalis h; oꝛtū.q2 inſtituiꝛ a volūtate humana Et de iſtis nihil ad ꝓpoſitū.ſ; ſolū de cognatōe carnali.ſ; q̄ ſunt cauſe alie ipediētes matrimoniū ꝯhendū ⁊ dirimētes ꝯtractū de iſtis ſufficiēter ꝑus dictū eſt.

☞ Vltimo notādū.ex q̄ hic ſolū agiꝛ de cognatōe carnali. tūc dubium ē vtrū ꝯſanguinitas ipediat matrimoniū Et videꝛ ꝙ nō.q2 inter adā ⁊ euā fuit maxima affinitas.q2 alteꝝ fuit de altero .⁊ tn̄ poſſidebāt matrimonium.q2 dn̄s cū eis ꝑmo matrimoniū inſtituit.igiꝛ manifeſte videꝛ ꝙ affinitas ſiue ꝯſanguinitas nō ipediat matrimoniū. Itē ex alio ſic Nulla mulier ē plꝰ ꝯiūcta viro q̄; eua fuit ꝯiūcta ade.illo tn̄ nō obſtāte adā ꝯtraxit matrimoniū cū eua.igiꝛ videꝛ ꝙ ꝯſanguinitas nō iped iat matrimoniū S; ꝙ eua fuit plus ꝯiūcta ade declaraꝛ ſic.q2 eua fuit foꝛmata ex coſta ade. igiꝛ fuit ei plus ꝯiūcta ⁊ maxie S; in oppoſitū huius ē autoꝛ in lr̄a q̄ d̄r ꝙ ꝯſanguinitas ipediat m̄rimoniū Et h̄ idē habeꝛ in Leuit. vbi d̄r.ois hō nō accedat ad ꝓximā ſanguinis ſui Vn̄ eſt ſciēdū.ꝙ matrimoniū nō d; ꝯtrahi cū ꝯſanguineis ꝓpter triplicē cām ſiue leges Primo ꝓpter dictamen legis naturalis.q2 apud oēs hoies hec lex naturalis recipiꝛ ꝙ filius nō ꝯtrahat cū matre.nec pater cū filia Scḋo ꝓpter inhibitōem legis diuine.q2 vt ſup̄ patuit tūc ꝑſone ꝓpter ꝯſanguinitatem ꝓhibentur a matrimonio Tertio ꝓpter inhibitōnem legis eccleſie;quia hodierna die eccleſia adhuc inhibet