



UNIVERSITÄTS-
BIBLIOTHEK
PADERBORN

Corpus Juris Canonici

Gregor <XIII., Papst>

M. DC. LXI. Coloniae Munatianae, 1661

De Statv Regvlarivm. Titvlvs XVI.

[urn:nbn:de:hbz:466:1-62953](#)

De voto & voti redemptione.

Alexander IV. Fratribus predicatoribus & mi-

nibus.
Non solum a: & inf: Licit zelum animarum ha-
bitantes eas lucrari Domino solliciti cupiat, non de-
bet deinde rationis, ne unde spiritualis profectus que-
sus, fatus dispendum subsequatur: vobis de fratribus
notorum confito in invitate obedientia, & sub pena
excommunicatiois autoritate praesentium dicti dñis
subvenimus, ne ante annum probationis clausum / qui
efforme in subditum fragilium humanae regulare-
ritur / quicquam ad profectum vestrum ordinis
sunt, seu renunciacionem in seculo faciendam recipere,
ne inimicum intra hujusmodi annum aliquatenus im-
pedit, quo minus intra ipsum ad aliam religionem, /
quam malitia, transire: vel / nisi major tamet quam
evidenter confer illius vitam voluisse mutare
quidem non presumitur, nisi clara probatione, vel
comprobacionibus in diebus ostenderetur dominino ad seculum
et, facta de sua voluntate processerit, presumatur.
Quod forte contra hanc nostram prohibicionem quen-
dam recipere, pradisperferit, determinans eum (qui
tunc recipit fuerit) nullatenus vestro esse ordinis al-
lius, vosque receptione quorundam est profectio
nem in ordine fore ipso facto suspendens, & infuger
peccatores obiciendos qua fratibus spissis ordinis pro cul-
pam magistrorum obsecutivit.

CAP. III.

Item, non solum extenditur ad omnes mendicantes: in a-
do ne proficiat ex profredigione, cui sit: nascit autem generaliter
dignitatem annum, b. d. secundum Zen.

Bonifacius VIII.

Confutatione b. Innocentianam, que prohibet
convertitam professionem recipi ante annum proba-
tionis clausum, p. memoriae Alexandri. Papa I V. pra-
dictor notus ad fratum predicatorum & minorum
victoriarum declaravit extendit. Unde nos pari si-
militudine rationis induxi, declarationem eandem ad
alios canticum ordinis prorogamus. In aliis
autem religionis profecto expresse vel tacite fieri pos-
tulationum mutatio. Sed expresse emissa (etiam fe-
cata) habitatione mutato (III regiae & praecise obli-
pi, que proficiens ab profecto. Tacte vero facta
cum probationis annum per suscepitionem habitus (qui
probationis tantum datur) non illi specialiter, cuius
causa est defectus, & generaliter religioni alicui re-
cipienti obligat, si statim aperte sit: si scilicet & voluntu
se statim perseveret.

CAP. IV.

Propositum regulem rationem intra annum probationis (ex-
cepto capitulo) non est altera conferendum: interim ra-
tione per aliud beneficium deforvari, aliquanta eidem subfin-
ita pertinet, sicut vivere potest, n.d. tom. de Fan.

Ideam Parviflora capitulo.

Decretum & illius, qui religionem ingreditur, non
aliquantam probationis annum alicui conferendum:
Nisi ut la pium secedat alienus e: qui confiterit, quod
cum voluntate absoluere mutare, vel profectionem expre-
sionem fecerit, seu scienter habitum receperit profectorum
decimatione eudem beneficio per alium deferviri debe-
bit, etiam tamen sibi congrua de ipsius provenienti portione.

a. Id. anno quod canonizatio novissima Concl. Trident. circa
anno 1545. f. 2. iiii. de regal. & monachal. ea. is-
tis quodammodo non videtur sacerdotum Concl. Trident. f. 25. quod
non sacerdotum, cap. 15. c. Vid. l. premissa. Csd. de impu-
tatione sacerdotum, f. 25. id. 1. de reform. cap. 1.
b. Idem. C. de Episc. & cler. f. 25.

CAP. V.

Secundum votum solenne religione, derogat priore simplici. h. 2.

Ioan. de Fan.

Idem.

Q. Vi a post votum à se de certa religione intranda e-
& simili, religionem aliam etiam laxorem ingrediatur
& proficiens in ipsa, potest (voto non obstante priori,
qui tanquam simplici, per secundum solenne notitiori de-
rogatum) manere licite in eadem. Pro voto tamen non
completio, erit etiam penitentia imponeenda.

CAP. VI.

Vacante monasterio conveniens novum recipit Monachum, si
communiter ad Abbatem, & ei spissas: si ad Abbatem solus
fons, h. d. Dominicus.

Idem.

Sed solum Abbatem pertinente creatio Monachorum,
eo defuncto nequibus novus Monachus à conveni-
tio. Alias potest, si eorum creatio specialem insulm
ad utrumque.

DE VOTO ET VOTI RE- demptione.

TITULUS XV.

CAP. I.

Votum solennem per suscepitionem faci ordinis, vel per pro-
fessionem sacerdotis alicui dereliquibus per fidem Apostolicam ap-
probatis, dirimus matrimonium, post contractum: alicui clausum
pedis, & non dirimus, h. d. secundum Zen.

Bonifacius VIII. Bitren. Episcopus.

Q. Vod. b. votum debet dici solenne, acat di-
fundendum matrimonium efficax, nos confundere
voluisti. Nos igitur attendentes, quod vobis fo-
lennitas ex sola constitucione ecclesie est inventa: ma-
trimonium vero vinculum ab ipso ecclesie capite, cum or-
dinum conditore, plenum in paradiso, & in statu ianocen-
tis institutum, unionem & indissolubilitatem accepimus.
Præfentis declarandi duximus oracula functionis, illud
solum votum debere dici solenne, quantum ad post con-
tractum matrimonium dirimendum, quod folle-
nium fuerit, per suscepitionem faci ordinis. Aut per pro-
fessionem expreflam vel tacitam faciam alicui, de telli-
gionibus per fidem Apostolicam approbas. Reliqua
verò vota, eti quandoque matrimonium impediant
contrahendum, & quanto manifestius sunt emissa, tan-
to propter plurimum scandalum, & exemplum durior pos-
sidentia transgressoribus debeat: non tamen refuta-
dere possunt matrimonia post contracta.

DE STATV REGULARIVM.

TITULUS XVI.

CAP. I.

Monachus: sacerdotis vel exprefla, clausuras monasterii escas
non possunt, nec alti ad illos morari: nisi causa legitima & sapientia
in licencia intercessus.

Bonifacius VIII.

P. Exclusio & deterrabilis querandam moni-
strium statui (qua honestatis laxitas habens, &
monachal. molesta: lexusque verecunda im-
prudenter abjectis, extra sua monasteria, nonnunquam

a. Vid. B. Thom. 2. 2. q. 11. art. 3. C. q. 10. art. 4. & 2. b. Vid.
B. Thom. 2. 2. q. 11. art. 3. c. q. 10. art. 2. & 3. q. 11. art. 2. d. q. 10. art. 2. e. q. 11. art. 2. f. q. 11. art. 2. g. q. 11. art. 2. h. q. 11. art. 2. i. q. 11. art. 2. j. q. 11. art. 2. k. q. 11. art. 2. l. q. 11. art. 2. m. q. 11. art. 2. n. q. 11. art. 2. o. q. 11. art. 2. p. q. 11. art. 2. q. q. 11. art. 2. r. q. 11. art. 2. s. q. 11. art. 2. t. q. 11. art. 2. u. q. 11. art. 2. v. q. 11. art. 2. w. q. 11. art. 2. x. q. 11. art. 2. y. q. 11. art. 2. z. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q. 11. art. 2. kk. q. 11. art. 2. ll. q. 11. art. 2. mm. q. 11. art. 2. nn. q. 11. art. 2. oo. q. 11. art. 2. pp. q. 11. art. 2. qq. q. 11. art. 2. rr. q. 11. art. 2. ss. q. 11. art. 2. tt. q. 11. art. 2. uu. q. 11. art. 2. vv. q. 11. art. 2. ww. q. 11. art. 2. xx. q. 11. art. 2. yy. q. 11. art. 2. zz. q. 11. art. 2. aa. q. 11. art. 2. bb. q. 11. art. 2. cc. q. 11. art. 2. dd. q. 11. art. 2. ee. q. 11. art. 2. ff. q. 11. art. 2. gg. q. 11. art. 2. hh. q. 11. art. 2. ii. q. 11. art. 2. jj. q.

per habitacula secularium perfornarum discurrent, & frequenter intra eadem monasteria personas suspeccas admittunt, in illis, cui suam integratam voluntatem sponte devoverant, graven & offendam, religionis opprobrium & scandalum plurimorum providere fabulriter cupientes, praetent constitutiones perpetuo refrigerabiliter valitura, facimus: universas & singulas moniales presentes, atque futuras cujuscumque religiosis sint vel ordines, in quibuslibet mundi partibus existentes, sub perpetua in suis monasteriis ebere de cateno permanente clausura: ita, quod nulli carum religionem tacite vel expresse professe, frivel telle valeat, quacunque ratione vel causa (nisi forte tanto & tali morbo evidenter carum aliquam laborare conflare, quod non posset cum aliis abque gravi periculo seu scandalo commorari) monasteria ipsa deinceps egredendi facultatem nullique aliquatenus inhousex perlonz, nec etiam hominibus, Archiepiscopis, & Episcopis universitate virtute & intermissione maleficiis atrox, paucis mandamus, quatenus eorum quilibet in circumscriptione propria, in monasteriis monachis ut solitum est subiectus, sua in iiii vero, que a dicitur immediate spectant ecclesiam sedis Apostoli advenient. Abbates vero & alii, ram exempli, quoniam ex predicti ecclesiasticali, monasteriorum & collum quicunque in monasteriis huiuscmodi ibi habent, de clausura convenienti, ubi non est ipsorum monachorum expensis & fidelium elemosynis, quae ad hoc prout diligentius facienda, & de ipsi monachis inclinata, quam primum commode poterant, possint presenti, si divisa, ac noctis indagationis volens accidit, evitare: contradicentesq; rebellis ex ecclesiastica appellatione polpotia competenter invocato ad hoc (opus fuerit) auxilio brachii familiarium redire. Domini.

Sane, ut hoc salutare statuum commodius valeat observari, difficius inhibemus, ne in monasteriis ordinum non mendicantium aliqui recipiantur de cetero in foro, nisi quot poterunt, de ipsorum monasteriorum bonis sive proventibus absq; penuria sustentari: si fecus a sum fuerit, tritum decenter.

Abbatissae Principalem secularibus, ad fidelitatem sacramentorum praefundum adfratre, si non possint per procuratorem iure, per aliter excedere monasterium per aliis, abque dilatatione monasteriorum redire. Domini.

Verum quando Abbatissa vel priorissa, cujusvis monasterii pro feudo, quod monasterium ipsum teneret ab aliquo Principe, seu domino temporali, sibi debebit homagium, vel fidelitatem sacramentum praefate (nisi quod per procuratorem illud praefat possit efficiere auctum) de monasterio, cum honesta & decenti societate exire poterit eo casu licenter, homagio facto, quoniam primum commode poterit, seu fidelitatis praefatio sacramento ad ipsum monasterium a vestigio reversura: si quid in fraudem residentis, five mores claustralis, nihil fiat omnino.

Pellentur deminu tempore, per cenam ecclesiasticam, ut in suis cursu adveniant Abbatissae per procuratorem litigare. Ecclesiastice vero in temporibus & frequentibus earum procuratorem admittere debent. Domini.

Porrò, ne moniales causam, seu occasionem habeant evagandi, Principes secularares, ac alios demissos temporales rogamus, requirimus & obsecramus b per dilectionem cordis Iesu Christi, eidem in remissione pecaminum nihilominus suadentes, quod Abbatissae ipsas, & priorissas, ac moniales quacumque, monasteriorum suorum curam, administrationem, negotiis gerentes, quibuscumque nominibus censeantur, per procuratores in suis tribunalibus seu curiis litigare permitant: ne pro constitueris procuratoribus, qui ad mortai in aliquibus partibus nuncipiantur, seu alii si huiusmodi, idem oporteat evagari. Si qui vero contra presumptum, exhortatione huiusmodi rationabili, atque fanta obtemperare nolentes, cum sit iuri contrarium, quod

a. Alter etym b. legitur gravamen, offendam & religiosam. b. Non, dom. & Phil. quid verbis regativa in materia praecipitati prescriptive. c. off. 11. quatuor. 2. c. rego. not. in l. age. c. de trans. de quo vide Tiraquell. itali. de pani temperando ant remittendo. causa 24.

mulieres (praeferunt religiosas) per lepida integrantur, & a via deviet honestatis, & periculis non cum inducat, ad hoc per suos ordinis rite recedentes, & affis praetatis superioribus & inferioribus quodlibet injungimus, quod & ipsi causa seu negata, qui praeferunt religiosas, habebent agere coram plus, aut minus, aut rursum, five fin homagia, fidelitatem facientes, aut vel quicquid aliud, ipsa per procuratorem esse continet. Et tractati.

Ordinariis locorum, in subiectis monasteriis praes, immo apostolica autoritate clausum procurare debet, nisi prius hoc in aliis casibus justificato in exceptis ex iuris de causa. Dominicus.

Et quoniam parum esset condere iura, nisi diligenter executioni debite demandant, Patriarchis, primi archiepiscopis, & Episcopis universitate, & intermissione maleficiis atrox, paucis mandamus, quatenus eorum quilibet in circumscriptione proprijs, in monasteriis monachis ut solitum est subiectus, sua in iiii vero, que a dicitur immediate spectant ecclesiam sedis Apostoli advenient. Abbates vero & alii, ram exempli, quoniam ex predicti ecclesiasticali, monasteriorum & collum quicunque in monasteriis huiuscmodi ibi habent, de clausura convenienti, ubi non est ipsorum monachorum expensis & fidelium elemosynis, quae ad hoc prout diligentius facienda, & de ipsi monachis inclinata, quam primum commode poterant, possint presenti, si divisa, ac noctis indagationis volens accidit, evitare: contradicentesq; rebellis ex ecclesiastica appellatione polpotia competenter invocato ad hoc (opus fuerit) auxilio brachii familiarium redire. Domini.

DE RELIGIOSIS DOMIBVS.

TITVLVS XVII.

CAP. L

Non licet novum ordinem vel religiosam, aut habitationem creare & afflantur. Et revocati sunt ordines redditionis per Papam non approbat, creats post Cical. Domini.

Gregorius X. In Concilio generali Leg. dum.

R eligionum diversitatem nimiam (ne confundatur) generale Concilium à constata prohibitione revocat. Sed quia non solum importunum petentium inhiatum plurimorum multiplicacionem extorti, venientium aliquos prouocant, sumptuosa temeritas diversorum ordinum, propter mendicantium (quorum nondum appellatione principium) effrenatissima quasi multitudinem vellet: repetita constitutione dicti Christi inhibebatur, quia de cetero novum ordinem aut religiosam afflant, vel habitationem creare & afflantur. Contra & afflant religiones & cordines mendicantes pollicitum adinvcentos, qui nullam confirmationem habent apostolica meruerunt, perpetua prohibitione habentes & quatenus processerant, & revocamus.

a. Vid. ioff. 11. q. 3. c. rego. not. in L. age. C. de trans. b. Later. sub Invenit. II. cap. 9. c. de clement. d. faciendo, ut plurimum legitur ita: cunctos afflant religiosas & clericos, & quodam manu scriptus habet ista: cunctos afflant religiosas & clericos.