



UNIVERSITÄTS-
BIBLIOTHEK
PADERBORN

**Formulare Aduocatoru[m] et Procuratoru[m] Romane
Curie et Regij Parlamenti**

Katholische Kirche / Curia Romana

Hagenaw, 6. März 1503

VD16 F 1887

De materia obiectiua. xxxv

[urn:nbn:de:hbz:466:1-70733](https://nbn-resolving.org/urn:nbn:de:hbz:466:1-70733)

mi anni pducatur ea. Eodē mō faciat i scōo fatali z in tertio. al's nisi i pmo fatali oēs tmi sint suari data petitiōe z facta. prestatōe: hmoi appellatio ē defra. et silr nisi fiat prestatio i scōa istātia: nō obsta n̄ diligētia pmissa pmi fatali: etiā appellatio deserit. et ista ē maior ves recūdia quā pcurator hie p̄t si d̄serit appellatōez. Si vō pcurator idiget remissioe ad pres i scōa istātia: tūc fuer tmiōs. z sup articul' z exceptōibz dat' i pma istātia vl' etiā ill' z nouis tūc dat' si expedit perat sibi decerni remissioez cit' q̄ p̄t: z illā perat i iudicio. et illā petitiōez deti sc̄p̄. qz notarij sepe idebite scribūt. z i ead cedula q̄ h̄ petitiōez deti q̄ n̄ stat p eū q̄ mī remissio n̄ decernat z f̄mitrat ad pres z expeditat z reportet vt cā expeditat i p̄io fatali: z n̄ d̄fat app' sua. qz si secus factū fuerit. prestat q̄ non stat p eū sed p iudicē vel par' tem aduersam.

De publicatiōe dictōz testiu xxxiiij.

i Tē in publicatiōe dictōz testiu pcur teneat hāc cautelas qz qñ testes pducunt p partē aduersā: nihil prestat q̄ eos: s; taceat: al's si aliqd p eo deponeret: n̄ pdeser sibi. S; post qz se examinati si vellent eoz dicta facere publicari: tūc vocata pte ad audiēdū volūtate iudic' sup publicatiōe p̄dicta: P̄io añ qz aliqd perat d̄ publicatiōe p̄mittat prestatōez quā scribi faciat p notariū: vl' secū poz' ret cedula i sc̄p̄. prestatōn. dicēdo: R. p. d. auditor: ego prestatō qz itēdo opponere qz psonas z dcā testiu p pte aduersā pductor' i hac cā: q̄ prestatōe pmissa peto mibi publicari dcā testiu ex aduerso pductor' z tmiū statui ad dicēd q̄. et si t̄er ne iudex p̄cludat z sniaz ferat: h̄cat secū appellōnē parā a n̄ publicatiōe z n̄ p̄firiōe tmi hmoi

Quando causa bñficialis de/

uoluit: videndū est ne p̄cessus ruat **xxxiiii**

i Tē nota qz nisi bñ aduertat multa p̄cessus ruēt. Qñ aut cā bñficial' p appellatōez deuoluit ad Ro. cu. tūc ius dat vnū mēsez appellato ad p̄pandū. deinde tps arbitrariū. i. tps qñ tū hō idiget veniēdo ad curiā de illo loco vbi appellatū est. z deinde. xx. dies. ita anteqz p̄cedi posset in cā: oportet expectare p mēsez: p tps arbitrariū: z p. xx. dies. et si añ p̄cedit: p̄cessus est nullus. Et istud notat z pbat ex. c. j. de elec. li. vj. z. c. Lupiētes. eo. li.

De materia obiectiua

xxxv

i Tē nota qz matie obiectiue d̄bēt dari i tmiō subali ad dicēdū q̄ pducta. postea vō date n̄ admittūt. S; si i illo tmiō n̄ deder' z postea vel dare: talē teneb cautelā. seruabis articulos sup ḡsa si neutri: etiā si nullaz habeas. et tunc ad oēs meliores fines et

De deuolutione causarum

effectū deduces talē materiā. et admittit cū alijs si pbari posset. vlt dabis instrumenta pbantia illā materiā: et postea articulos p verificatione. et reperere debes illa instrumenta.

Quā q̄s absoluit ab instātia iudicij xxxvj.

In causis vbi ps absoluit ab instantia iudicij z obseruatiōe terminoz. Nota q̄ qñ aliqs cām aliquā cōmitti obtinuerit: z eiusdē cōmissiōis vigore p̄tē citare pcurauerit. et post citatiōnē hmōi ps impetrās cām hmōi pseq̄ nō curauit. extunc ps rea z citata cōparēs faciat citari partē impetratam ad pcedendū z pcedi videndū put de iure. Primo ad p̄mā diē. deinde sc̄do ad idē etiā ad p̄mā diē. ac subsequēter ad idē tertio. et postremo ad idē q̄rto. ex sup̄abundanti etiā ad p̄mā diē. alioq̄n ad vidēdū z audiēdū se vicz partē cōtra quā cōmissiō ipetrata est absolui ab instātia iudicij z obseruatiōe terminoz: in q̄ termino ps dabit petitiones suā. et iudex iuxta formā eiusdē qñ deliberat⁹ fuerit p̄tē p̄nūciare et cōdēnare partē aduersam in expēn. Et qm̄ lites sup̄ q̄busuis causis bñficialibz p̄banis z alijs q̄ p̄ tpe p̄ q̄scunqz p̄sonas ecclesiasticas vel seculares in Ro. curia aplica cōmissiōe mouent atqz tractant: intēdum⁹ fieri breuiōres. et vt litigātes ad ip̄az curiā p̄o defensiōe suoz iurū veniētes z hmōi causas psequēti releuent a laboribz z expēsis: Statuim⁹ z ordinam⁹ q̄ in causis in q̄bz d̄ iure vel als p̄ receptū siue cōmissiōnē pcedit sūmarie simplr z de plano ac sine strepitu z figura iudicij talis ordo seruet: vicz q̄ sūdara iurisdicōe in p̄mā instātia cause p̄ncipalis: termin⁹ seruet ad libellā dū ad p̄mā diē: ad iurandū de calūnia ad idē. ceteri fuent put in p̄cedēti tractatu pleni⁹ habet tā in sc̄da q̄ in tertia instātia. Verūt̄n vt termini ad articulādū: dicendū q̄ articulos: pducēdū oia: z dicēdū cōtra pducta de substātia iudicij cēseant existere: Statuimus atqz decernim⁹ q̄ ip̄oz omīssio reddat eo ip̄o p̄cessum nullū. Alijs orū vō terminoz omīssio alicui⁹: dū tñ maliciose nō fiat: sed tñ alijs q̄ p̄tingēti p̄cessū nō viciat. In alijs autē causis i q̄bz p̄cedit in figura iudicij seruent etiā termini fm̄ modū in p̄dicto tractatu notatū.

De modo deuoluendi causam in partibz

bus ad curiā p̄ appellatiōnē in partibz interpositā.

XXXVII

18
Lendū est q̄ qñ appellatio interponit in p̄ntia p̄ p̄ncipalis. i. p̄ appellate vel ei⁹ legitimi pcuratoris: tunc causa eo ip̄o est deuoluta dūmodo sup̄ h̄ appareat p̄ns cū instro cōfecto z cōstet de mādato pcuratoris. Sed si appellās p̄sentā p̄ncipalis partis. i. partis appellate cōmode habere nō potest circa appellatiōnē interponendā. ac vt cā bene deuoluat: seruabit appel