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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 modo deuolue[n]do ca[usa]m ad Romana[m] curia[m] p[er]
applicat[i]o[n]e[m] i[n] partibus interposita[m]. xxxvij

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De deuolutione causarum

effectū deduces talē materiā. et admitit 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 aliq̄s cām aliquā cōmitti obtinuerit: z eiusdē cōmissiōis vigore p̄tē citare pcurauerit. et post citatiōnē hmōi ps impetrās cām hmōi p̄seq̄ nō curauit. extunc ps rea z citata cōparēs faciat citari partē impetratam ad p̄cedendū z p̄cedi 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 audīendū se vtz 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 q̄si deliberat⁹ fuerit p̄tē p̄nūciare et cōdēnare partē aduersam in expēn. Et qm̄ lites sup̄ q̄busuis causis bñficialib⁹ p̄banis z alijs q̄ p̄ tpe p̄ q̄scunq̄ p̄sonas ecclesiasticas vel seculares in Ro. curia aplica cōmissiōe mouent atq̄ tractant: intēdum⁹ fieri breuiiores. et vt litigātes ad ip̄az curiā p̄o defensiōe suoz iurū veniētes z hmōi causas p̄sequēti releuent a laborib⁹ z expēsis: Statuim⁹ z ordinam⁹ q̄ in causis in q̄b⁹ d̄ iure vel als p̄ receptū siue cōmissiōnē p̄cedit sūmarie simplr z de plano ac sine strepitu z figura iudicij talis ordo seruet: vtz q̄ sūdara iurisdicōe in p̄mā instātia cause p̄ncipalis: termin⁹ seruet ad libellā dū ad p̄mā diē: ad iurandū de calūnia ad idē. ceteri fuent p̄tē in p̄cedēti tractatu pleni⁹ habēt tā in sc̄da q̄ in tertia instātia. Verūt̄m vt termini ad articulādū: dicendū p̄ articulos: p̄ducēdū oia: z dicēdū cōtra p̄ducta de substātia iudicij cēseant existere: Statuimus atq̄ decernim⁹ q̄ ip̄oz omīssio reddat eo ip̄o p̄cessum nullū. Alioz orū vō terminoz omīssio alicui⁹: dū tñ maliciose nō fiat: sed tñ alijs q̄ p̄tingēti p̄cessū nō viciat. In alijs autē causis i q̄b⁹ p̄cedit in figura iudicij seruent etiā termini fm̄ modū in p̄dicto tractatu notatū.

De modo deuoluendi causam in partib⁹

bus ad curiā p̄ appellatiōnē in partib⁹ interpositā.

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

lans hūc modū: vicz q̄ faciat appellacionē suā in sc̄pt̄ in bona for/
 ma: q̄ facta accedat ad notariū publicū in p̄ntia testiu z legat appel/
 lationē hmōi de v̄bo ad v̄bū. et lecta: petat ap̄los instant̄ sibi dari
 si est aliq̄s q̄ velit dare: prestādo q̄ si p̄s appellate p̄ntiam cōmode
 h̄ie possit: velit sibi legitie int̄mare z insinuare appellonē p̄dictā: z su
 p̄ h̄ petat instr̄m publicū. Et h̄ factō: idē appellās tenet̄ int̄mare et
 insinuare hmōi appellatiōn̄ p̄ti appellate seu p̄curatorū: si ip̄oz aut
 alteri^o eorū dē p̄ntia cōmode h̄ie possit̄ ifra mēsem p̄^o in p̄sitionē
 dicte appellatiōis: v̄l p̄^o mēsem q̄nto cit̄^o p̄r. Circa quā insinuatōez
 hmōi appellatiōis fuabit hūc modū: vicz q̄a appellās assumet̄ sibi
 notariū publicū z testes. et accedat ad p̄tē appellatā v̄l ad ipsi^o p̄cu/
 ratorē si ip̄oz. vel alteri^o eorū p̄ntiaz h̄ie p̄r: aliq̄n̄. prestādo de ip̄oz
 absentia. et hmōi appellatiōez p̄ ip̄m añ̄ interpositā vt̄ p̄mittit̄ p̄ no/
 tariū publicū legi z publicari p̄ti appellate faciet: seu ei^o p̄curatori
 legitio. et copiā hmōi appellon̄is tradat: req̄rēdo notariū vt̄ sup̄ p̄/
 missis publicū p̄ficiat̄ instr̄m. alio q̄n̄ si illi^o p̄s v̄l p̄curatoris eius/
 dē p̄ntiam h̄ie n̄ poterit: tūc si cā fuerit̄ b̄n̄ficialis: expedit̄ q̄ i loco
 b̄n̄ficij sup̄ q̄ agit̄ v̄l in loco vbi ps appellata b̄n̄ficiata fuerit: infra
 missaz solēnia: vt̄ q̄n̄ dicunt̄ hore diei in loco b̄n̄ficij v̄l p̄s appella/
 te: in p̄ntia duoz b̄n̄ficiaroz i ip̄a eccl̄ia p̄ p̄tē appellatē v̄l ei^o p̄cur.
 aut p̄ notariū publicū legat̄ publice. z ps appellās petat ap̄los in/
 stāter prestān̄ nibilo mi^o q̄ si p̄s appellate p̄ntiaz h̄ier̄ eidē appella/
 tionē hmōi insinuat̄. et sic s̄l̄r faciet̄ i domo appellati si cōmode et
 tute accedere poterit ad domū. Sinaūr: in eccl̄ia cathedrali: i loco
 b̄n̄ficij: et i eccl̄ia parochiali sub q̄ deget z morabit̄. et bonū est affi/
 gere copias eaz i valuis eccl̄ie z etiā in domo h̄iratōis p̄s appella/
 te. et al̄s adhibere talē diligētā circa insinuatōez hmōi appellatiōis
 q̄lis adhibēda ē in executōe citatiōis legitie in p̄t̄io faciēde. Si ps
 appellās p̄seq̄ noluerit appellacionē suā: et ps appellata veller p̄seq̄
 eā in Ro. cu. expedit̄ q̄ ps appellata istet̄ p̄ copiā h̄nda appellatiōis
 sub forma publica notarij. s̄. ipsi^o q̄ instr̄m appellatiōis cōfecit. Q̄
 si ille notari^o negauerit sibi tradere copiā illi^o sub publica manu:
 accedat ps appellata ad officialē curie ep̄alis v̄l ad aliū iudicē sup̄
 h̄ p̄tē h̄ntē: vt̄ cōpellat notariū ad tradēdū copiā: p̄ducēdo instr̄m
 origiale appellatiōis p̄dicte: et citari faciat appellantē ad vidēdū dis/
 cr̄ā copiā appellatiōis illi^o sub manu publica tradi. et d̄ns in p̄ponē/
 do decretū dūmō p̄ntiam p̄s appellat̄ h̄ie p̄r. Sinaūr: in ipsi^o no/
 tarij p̄ntia petat sibi decerni copiā appellatiōis illi^o sub māu publi/
 ca. et d̄ns in p̄ponēdo decretū suū: mādet notario p̄nti q̄ scribat co/
 piā illi^o appellatiōis sub manu publica. q̄ habita: ps appellata p̄tē
 p̄seq̄ appellacionē in curia: et cā cēset̄ ad curiā deuoluta.

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