



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 executione compulsorie. lxxj

---

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

rii z testiu reuerent acceptata vt debet: tradat hmoi remissionē z articulos ipsi notario pnti: comittēdo eidē vt hmoi articulos z remissionē fidelr registret. et alia q̄ i hmoi cā occurit fidelr z scribēda diligēt colligat: saluo salario suo ppetē. Hoc itaq; scō hde iudices ad istā psequē hmoi remissionē: citari mādāt pte aduersā ad dicēdū q̄ iurisdicōez ipoz iudicū: z ad recogscēdū sigillū ipsi rotulo impesū: z ad vidēdū rotulū hmoi apiri. vlt ad dicēdū cāz q̄re pmissa fieri n̄ debeāt ad certū tminū cōperē. in q̄ tmiō si ps citata nō cōpareat: iudices i p̄tumaciā ipsi p̄ abūdāt: z ad istā ipsi p̄ psequētis hēbūt hmoi sigillū rotulū p recognito. z hmoi rotulū apiat seu habeāt p apto. Quo facto iudices pdicti instā z petēte pte pdicta remissionē psequēt: citēt vlt citari mādēt pte aduersā p lras vlt nunciū sic mor̄ ē ibidē iuratiū. Si p lras: necesse ē vt sup qlibz citatiōē executiōe fiat instm̄ executiōē. als citatio n̄ cēset executā. Si autē p nūciū req̄rit notariū vt fiat relatio: et h̄ ē sup qlibet citatiōe cēsendū: in q̄ tmiō ps aduersa si n̄ cōparet: illā ipsi iudices ad istā p̄ psequēt reputabūt p̄tumacē. et i q̄ p̄tumaciā z ad ipsi p̄ psequēt instā ipaz pte aduersā citari mādāt mō pmissio ad vidēdū nōnullos testes iurare. necnō ad dādū infrogatoria. z ad vidēdū etiam ipos testes ad iurādū admitti ad certos tmiōs ppetē. hmoi si qdē tmiōs aduen ps psequēs remissionēz hēbit suos testes ad pducēdū patos: z pducat eosdē i pntia p̄ aduerse vlt i p̄tumaciā si n̄ cōparuerit. Qui testes corā iudicibz i māibz iudicū tacē cor palr per eos scptur sacrosctis ad scā dī euāgelia iurabūt dicere v̄itatē. Et iudices si psonalr cōmode examinare n̄ possent hmoi testes: tūc cōmittāt notario scribētū i hmoi cā. et elaps tmiōs ad dādū infrogatoria: ipsi iudices siue notariū vigore cōmissionis sibi facte ipsos testes examinet iuxta articulos z infrogatoria in hmoi rotulo descripta. Et nō. q̄ hmoi examē testiu debet infra duos mēses fieri post p̄sentationē cedula: rotuli: siue bulle imediare sequē. vel als. j. tminū ab audītoze statutū. als ipoz dicta nō valent.

### De executione compulsorie

lxxj.

Executio nanq; cōpulsorie ad pres decreta d̄z fieri h̄ mō: vlt  
 e In p̄mis qdē p pte impetrant hmoi p̄pulsoria pntē alicui executori cui dirigat in pntia notariū z testiu. z req̄rat vt ad executiōē hmoi cōpulsorie sub excōicatōis pena z alijs i eadē p̄tē pcedat q̄ detinētes seu in corū p̄tate hntes nōnulla iura acta actata: lras: scpturas: z p̄uilegia: p̄cessus: istra: ac alia munimta zc. iuxta z fm vim: formā: z tenorē hmoi cōpulsorie. Qui qdē executor i exeq̄ndo hmoi cōpulsoria fuabit hūc modū. vlt q̄ req̄rat tales et tales psonas pro pte ipetrantē cōpulsoria nominadas des

tinentes z habetes aliq iura seu munimeta ad cam ipam q agit fa  
 cten q ista sub excoicatiois pena in eade copulforia contenta infra  
 sex diez spaciu post reqsition z monition hmoi imediate sequen  
 oia z singula iura acta actitata seu munimeta ad cam hmoi facies  
 fia: q penes se habet: aut in nota receperit: aut eoz vera traslupta  
 in forma publica redacta nil addito vel diminuto qd facti sub am  
 imuter aut variet intellectu: tradat pncipali ab ipetranti copulforia  
 vel eius legitimo pcuratori: aut certo nuncio ad b deputato vl exes  
 cutori. Qui qd executor hmoi acta zc. sub sigillo suo ad Ro. cu.  
 trasmittat in clusa. Si ho fuerint publica originalia: no expedit vt  
 mittant in clusa sub sigillo. Sed vt aliq infra debeant trassumi in  
 pnb: expedit vt ps citeat ad videndu trassumi: nisi forsan in curia p  
 audientia fuerit citata ps ipa: aut pfixus terminus ad videndu hmoi  
 infra trassumi i pnb. et in termino debet copere ps ipetrans copul  
 foria: aut aliqs ali noie sui: petes in pntia pns aduerse si pns fue  
 rit: aut als in psumacia hmoi infra: iura z munimeta trassumi. z  
 tunc executor madabit ipsi notario vt hmoi infra: iura et munime  
 ta fidelit trassumat. et de ipf sic trasluptis: executor vna cu notario  
 transsumete collatione debet facere diligete: et ea ad ro. cu. trasmit  
 tere sub sigillo iter clusa: significado auditori cause sub sigillo suo  
 cu subscptione notarij publici qnta fides eisd traslumptis siue actis  
 fuerit adhibeda. Et nota q bonu est hie notabile psona p execu  
 tore vt officiali alicui episcopi aut aliquem aliu in dignitate pstitutu q  
 habeat autenticu sigillu. Et si no habeat sigillu: sufficit q trasmittan  
 tur hmoi acta infra: iura z munimeta cu subscptione notarij. hoc est  
 p publicu instrum in q acta infra iura z munimeta hmoi iserant.  
 et quanta fides fuerit eis adhibeda tunc p istud instrum ipsi audito  
 ri p executori insinuet. Itē si notarij esset mortuus vel absens  
 oportet scripturas de procollo vel libris extrahi: ad qd citeat aduer  
 sarij ad certu terminu ad videndu extrahi scripturas z testes desup  
 citatos ad phibendu testimoniū veritati de recognitione man pso  
 ne z fidelitate ac legalitate notarij mortui vel absentis. z veritate res  
 pra comittit alteri notario exactione iurū z munimetroz hmoi.

**De executione litterarū execu**

torialiu z pcessuū sup eisdem.

LXXII

In executione litterarū executorialiu z pcessuū sup eisdem eman  
 natoz est modus pcededi q sequit. Na facto pcessu sup hu  
 iusmodi executione p executori: pncipalis ps psequens hmoi  
 executione accedat cu notario z testibz ad aliquem executori pncipa  
 lem in pnb: si aliqs fuerit in pnb: et petat si hmoi executor in esse

c