



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 litteraru[m] executiorialiu[m] et p[ro]cessuum sup[er]
eisdem. lxxj.

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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 citef ad videndu trassumi: nisi forsan in curia p
 audictia fuerit citata ps ipa: aut pfirus termino ad videndu hmoi
 infra trassumi i pnb. et in termino debet copere ps ipetras copul
 foria: aut aliqs ali noie sui: petes in pntia ptis aduerse si pns fue
 rit: aut als in psumacia hmoi infra: iura z munimeta trassumi. z
 tuc executor madabit ipsi notario vt hmoi infra: iura et munime
 ta fidelr trassumat. et de ipf sic trasluptis: executor vna cu notario
 transsumete collatione debet facere diligete: et ea ad ro. cu. trasmit
 tere sub sigillo iterclusa: significado auditori cause sub sigillo suo
 cu subscptioe notarij publici qnta fides eisd traslumptis siue actis
 fuerit adhibeda. Et nota q bonu est hie notabile psona p execu
 tore vt officiali alicui epi 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 subscptioe notarij. hoc est
 p publicu instrm in q acta infra iura z munimeta hmoi iserant.
 et quanta fides fuerit eis adhibeda tuc p istud instrm ipsi audito
 ri p executorē insinuet. Itē si notarij esset mortuus vel absens
 oportet scpturas de procollo vel libris extrahi: ad qd citef aduer
 sari ad certu terminu ad videndu extrahi scpturas z testes desup
 citatos ad phibendu testimoniū veritati de recognitioe man pso
 ne z fidelitate ac legalitate notarij mortui vel absentis. z veritate ref
 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 eisdē eman
 natoz est modus pcededi q sequit. Nā facto pcessu sup hu
 iusmodi executione p executorē: pncipalis ps psequēs hmoi
 executionē accedat cu notario z testibz ad aliquē executorē pncipa
 lem in pnb: si aliqs fuerit in pnb: et petat si hmoi executor in esse

c

Intimatio executorum

Cōmissiones diuersarum for

velit. Si autē accedat ad unū subexecutorē vna cū p̄cessu z instrō sentētie seu instrumēt̄ sniaz hmōi executorialiū emanatoꝝ: req̄rēdo ip̄m vt iuxta z fm̄ p̄cessuꝝ executorialiū hmōi vim: formā: et tenorē p̄cedat. Qui q̄dē executor seruabit hūc modū: viz q̄ accedat illos q̄ fuerint p̄ p̄te p̄seq̄nt̄ nomiat̄. et hmōi l̄ras executoriales z p̄cessus eisdē intimer: p̄legat: seu p̄legi faciat. req̄rēdo eosdem subpenis z sentētijs z cēsūꝝ in eisdē p̄cessibꝝ cōtent̄: vt ip̄s l̄ris siue p̄cessibꝝ executorialibꝝ ac sentētie siue sentētijs pareāt plenarie realr̄ et cū effectu. et in ecclesia vbi est hmōi b̄nificiū sup̄ q̄ agit silr̄ debet fieri insinuatio l̄raz executorialiū z p̄cessuū hmōi ac instrōꝝ sniaz r̄ū ꝓtra q̄scūq; taz in genere q̄s in specie. et executor vel subexecutor debet p̄re p̄ncipalē vel eiꝝ legitimū p̄curatorē inducere i possessionē b̄nificij si p̄us nō fuit induc̄: et req̄rere oēs z singulos cēsuaribꝝ os ac colonos z parochianos ac alios subditos q̄tinꝝ sibi de fructibꝝ: redditibꝝ z puētibꝝ ipsiꝝ b̄nificij r̄ndēāt sine difficultate z contradictionē q̄cūq; req̄rēdo nibilo minꝝ q̄scūq; occupatores b̄nificij et alios ip̄ediētes q̄tinꝝ infra sex dies post hmōi insinuationē imediate seq̄ntē sub excoicatiois pena i eisdē l̄ris executorialibꝝ siue p̄cessibus ꝓtenta: ip̄m in ipsiꝝ b̄nificij possessionē pure: libere: z pacifice admitāt. et q̄ nō impediāt ip̄m de ceō i fructibꝝ: redditibꝝ: z puētibꝝ. et q̄ de hmōi b̄nificij fructibꝝ de ceō se nullatenꝝ intromittāt. et p̄cessibꝝ ipsiꝝ plenarie pareāt realiter z cū effectu. et enā moneat detētores q̄ sibi r̄ndēant de fructibꝝ ꝓcept̄ z exp̄n̄ in q̄bꝝ sunt cōdenati infra terminū in dict̄ l̄ris executorialibꝝ expressū: iuxta vim formā z tenorē instr̄i executorialiū siue p̄cessuꝝ hmōi ꝓdictoꝝ. q̄ si hmōi termis elapsis detētores seu occupatores b̄nificij seu alij ip̄ediētes dictū N. p̄ncipalē ne gaudere possit b̄nificio suo z n̄ paruerint executoribꝝ z p̄cessibꝝ q̄ ideo s̄ excoicati. z tūc tales vt excoicati euitādi z denūciādi. et q̄ si in hmōi excoicatione ꝓdurauerint animo indurato: debent ꝓ executorē vel subexecutorē aggrauari z reaggruari. et al̄s ꝓcedi ꝓ eosdē iuxta formā z cōtinentiam l̄raz executorialiū ꝓdictoꝝ. Et oia supradicta debēt fieri in ꝓsentia notariꝝ publici z testiuꝝ ad hoc rogatoꝝ.

Bequūtur nūc Cōmissiones

diuersarꝝ materiaꝝ fm̄ ordinē. vt infra.

Cōmissio cause sup̄ ecclesia parochiali. j.

D Ignēt̄ s. v. causam z causas qua z q̄s deuor̄ e. s. orator N. clericꝝ Lubiceñ dioē. habet z mouet habereq; z mouere vult z intēdit ꝓ z aduersus q̄ndā Jo. assertuz