



## Formulare instrumento[rum]

Köln, 28. Januar 1502

Declaratio no[n] [con]sumt[ion]is gratie expectatiue in vim [com]missionis

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## De declaratione

In quo ppareñ. in iudicio corā nobis magistro. **A.** pcurator re p̄dicto noſ mine quo ſup̄ pcuratorio z quadā cedula citatōis audiētē in ip̄a audiētia publica debite executā facto repetita. Citatorūq; in ea p̄tentorum nō ppareñ. p̄tūmāciā accuſatū. ip̄osq; p̄tūmāces reputari p̄ nos iſtanter poſtulan. Nos tūc. Jacob; de muciarellis ordinari⁹ auditor; dīctos citatos nō ppareñ. reputauimus. put erāt ſuadere iuſticia p̄tūmāces. z in eoz; p̄tūmāciā ad ſupradicti mḡri. **A.** pcuratoris vltioriē iſtātiā eodē citatos ad docendū et fidē legitimā faciendū ſe dīctis litteris executorialib; v̄ p̄mittit; executis et iudicialiter coram nobis reproductis realiter z cum effectu paruiffe obediuiſſe et attēdiſſe. Alioq; ad audiendū et vidēdū ſe penas et cēſuras in dīctis litteris p̄tentas incidiffe declarari p̄mo ſc̄do terſio ad idē. necnō quarto ex ſup̄abundāti ad oēm eoz; maliciā quincēdā p̄ audiētia publicā p̄dictam citari fecimus et mādauiimus ad certos p̄emptorios terminos p̄petēñ. cū die; p̄petentiū interuallis. Quibus quidem terminis zc. v̄ in alio inſtrumēto declaratōis mutatis mutādis. Attēdi. paz; p̄deſſe ſentētias ferre et expēſas taxare niſi executio earūdem debite ſublequeret. q̄q; humilib; paz; p̄deſſet obediētia ſi inobediētia rebellibus nō obeſſet. Et quoniā ex dīctis litteris executorialib; et eaz; executione ac etiam actis accitatis cauſe h̄mōi coram nobis habitis et exhibitis inuenimus p̄ſatum. **A.** ex aduerſo p̄ncipalem intruſum fuiſſe et litteris executorialib; iuxta eorūdem tenore minime paruiffe et intrēdiſſe ac executionum ſentētias et alias penas et cēſuras in dīctis litteris p̄tentas p̄terea dānabiliter incurriſſe. Idēcirco auctoritate ap̄lica noſtri ḡn̄alis officij in hac parte p̄miſſa ad dicti mḡri. **A.** pcuratoris iſtātiā dīctū dñi. **A.** ex aduerſo p̄ncipale intruſum ſentētia executorialib; p̄tētas incidiffe declarauimus ac noſtram declaratoriā ſentētia deſup̄ in ſcriptis p̄mulgauimus in hūc q̄ ſequitur mo; dū Chriſti noie inuocato zc.

### Declaratio non conſumptionis gratie expectatiue in vim commiſſionis

Queris et ſingulis zc. Auditor; Joh. zc. in Rho. curia reſidēs iuſdex et p̄miſſarius ad inſcrip̄ta auctoritate ap̄lica ſp̄cialiter deputatus Salutem in dño et p̄nitibus fidem indubiam adhibere. Pr̄ides Sanctiſſimus in xp̄o pater zc. quadā p̄miſſionis ſiue ſupplicatōis cedulam nobis zc. p̄ certum ſuum curſore p̄ntari fecit h̄mōi ſub tenore Dignet; zc. Quicūq; dem p̄miſſionis ſiue ſupplicatōis cedula vigore p̄parentibus eoz; nobis honorabilibus viris dñis. **A.** rectore zc. ex vna. z. **A.** ex aduerſo p̄ncipalibus ſeipſis volentibus v̄t aſſeruerūt litium anfractus euicare et partium h̄inc inde laborib; et expenſis parcere ac ad pacem bonam et concordia inter ip̄os deuenire ac omnes z ſingulos neceſſarios z oportunos qui de iure ſtulo z p̄ſuetudine ſacri palacij cauſaz apoſtolici in h̄mōi cauſa ſeruari debent z poſſunt terminos ſimul z ſemel in eodem p̄textu ſeruare. Et niſiſtominus p̄tra p̄miſſione nobis Johāni iudici z p̄miſſario p̄ſato factam et p̄ntatam ſe niſi dicere vel opponere volēñ. ſed in nos Joh. iudicem et p̄miſſariū publicatū tanq; in eoz; z h̄mōi cauſe iudicem p̄petēñ. et

## folium LVIII

nrām iurisdicōem p̄sentētes. Nos tūc sup̄dicts. f. r. A. exaduerso p̄n  
cipalibz corā nob p̄ntibz volēn. p̄sentēn. z req̄ren. in cā hmōi ad obseruan  
tā oim z singuloz terminoz. de stilo curie obseruari solitoz rite z legit  
me duxim. p̄cedendū z p̄cessim. Et deīn p̄ dñm. n. p̄ncipalē quandam  
summariā peritōem inseri. insertā in scriptis oblatā hmōi sub tenore. Des  
tit zc. Tandē hō v̄llis p̄mit. p̄ nos z diligēter inspectis oibz z singulacis  
actitat. lris instrumētis z p̄cessibz alijsqz iuribz z munimētis in hmōi cau  
sqz corā nob p̄ dictas pres dat. z exhibitis ac p̄ductis. ipsiqz cū debita dilē  
gentiā recessit. facta q̄qz de illi. cū nōnullis iurisperit. relatōe plenaria et  
fidelit. ac cū eis matura deliteratōe p̄habita de eoz p̄silio z assensu ad nos  
strā in hmōi cā. p̄ferendā definitiua inīam p̄cedendū duxim. z p̄cessim.  
eāqz p̄terea q̄ vidim. z cognouim. B. in his scriptis tulim. z p̄mulgas  
mus in hūc q̄ sequit modū. Christi noie zc. Ad vlteri. grām aplicam dis  
cri. Jo. ad q̄cumqz bñficia ecclia stica cū cura vel sine cura sibi debita vel des  
tenda cū oibz melioribz mō via iure causa z forma q̄b de iure potuimus  
et debuim. p̄seruauim. ac tenore p̄ntium sanā z illesam reseruamus ip̄s  
samqz talē remāsisse z de p̄nti remanere tenore p̄ntium declaram. Que  
oīa z singula vobis oibz z singulis sup̄radictis z vestz. cuiuslibet intīmam.  
insiniam. z notificamus ac ad vestrā z cuiuslibet vestrū noticiā deducis  
mus z deduci volumus p̄ p̄ntes zc. In quoz oim zc.

¶ Littere declaratōnis excommunicationis. vide  
sub verbo excommunicatio

## De depositione

¶ Instrumentū depositi cū obligatōe de restituēdo

In noie dñi amē zc. Pont. Sanct. anno. vi. in mei notarij zc. Cōstitue  
rus honorabil. dñs. A. ex certa sua scia z sp̄ōrana volūtate nō p̄ metū  
fraudē siue aliā machinatōez circūuent. publice z palā p̄fessus fuit et  
recognouit q̄ ex cā veri z puri depositi z in depositū z noie depositi ad se  
recepit in p̄mpta z parata et numerata pecunia ab honorabilibz v̄rs dñis  
A. B. C. ibidē p̄ntibz tradētibz et deponētibz. p̄ se suisqz heredibz et suc  
cessoribz q̄buscūqz legitime stipulan. recipiē. c. ducatos auri de camera bo  
ni z iusti ponderis p̄ ipm ad custodiendū et seruandū periculo dāno. et for  
tuna dicti. A. et eiusdē. B. C. suisqz heredibz et successoribz in postez res  
stituendū ad oēm ipoz simplicē requisitōem z petitiōem vbiqz et quocūqz  
eisdē. B. C. suisqz in postez heredibz et successoribz expedies fuerit et vi  
debit expedire. Et si ipi p̄ recuperatōe dictoz. c. ducatoz auri petitiōn. z re  
quisitōe p̄dictis. aliqd̄ damni incurrerint vel exponēdo fecerint seu interesse  
passi fuerint occasione nō restitutiōis dictoz. centū ducatoz. illa dāna ex  
pen. et interesse ip̄e. A. vult ac voluit et p̄misit eisdē. B. C. D. reddere et  
implere. p̄ q̄b ipm. A. seipm suosqz heredes et successores ac bona sua q̄  
cūqz mobilia z imobilia p̄ntia et futura vbiqz et n̄tia p̄dictis. B. C. suisqz  
qz in postez heredibz et successoribz stipulan. et recipiē. vt supra obligas  
nit et p̄p̄thecauit ac etiā camere aplice et cuiuslibet alteri. curie ecclia stic