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# Fragment: Liber Extra : Universitätsbibliothek Rostock, Fragm. jur. 36

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qđ cū sup[illegible] cā q̄ int̄ ipm̄ ex una
pte. ⁊ ẜpo[illegible] sitū albeñ ex alt̄a. sr̄
qb;dā decimatōib; ūtebat̄. ad .E.
capllanū nrm̄ et ī ungaria ma
nētē. nr̄as litt̄as īpetrasset. ipe ac
magr̄. G. tc̄ q̄s utriq; tāq̄ ī arbi
tros extitit ɔp̄missū. arbitri fue
rt̄. qđ si d̄cs ẜposit̄ obtinet dece
milia saliū regaliū a rege ūga
rie ɔcedi monast̄io memorato.
ipi ab earūdē decimatoīum pe
titiōe cessaret. ⁊ ẜ. Q° ēta mādam̄
qt̄ uob ɔstit̄it de p̄missis. ē pmu
tatō de sp̄ualib; ad t̄pa ī pbet̄. p̄
dcm̄ arbit̄ū ⁊ qđqđ secutū ē ex
to r ob ro[illegible] irrit̄ē decn̄atis. De fe
odis. Innocēn̄ .iii. mauricē
Insinuatōe p̄sn̄tiū decla G epo.
rant̄. qđ gagiā quā de feodo ecc̄
tūc ab .M. dinosc̄is recepisse. ace p̄
illōc retin̄. fructib; n̄ ɔputatis ī
sortē. ita uid̄el; ut eꝗ̄ dū fruct̄
illos pcepis in sortē minime ɔ
M putādos. tōē a sinicio īq̄ r̄ ⁊ ecc̄e
tūc p feodo ipo tenet̄. ītim sīt
īmūnis. Idē archiepo medio
Ex pte tua nr̄o ē ap G lan̄.
pellatus relatū. qđ sep̄ l̄ du
bitasti utrū cū ɔtigit uasallū
unū decedē. ⁊ ad te feodū ip̄l
redire. feodū ei aly̅ r̄ dare lice
at. cū tu ius iuramēto tenearis
astrict̄ nō infeodare de nouo
romano p̄otifice īsulto. Adh̄.
si uasallū tuū feodū aliena
re ɔtigat. an ipi filiū l̄ ɔsāguy
neū ɔsortē eiusdē feodi de ipo
ualeas īuestire. Alia eꝗ̄ dubi
tatō ɔtinebat. ut cū feodū a
lienatū reperis. qđ pte faci
le recupare n̄ potes. utrū
possis alicui layco ī feodū illđ
ɔcedē. qui ⁊ illđ recupet. ⁊ ī
feodū ecc̄e recognoscat. ⁊ ẜ.
In p̄mo ḡ casu dec̄edētis libē
si uidis expedire ɔcedas. ac ī
sedo filiū aut ɔsāguineū alienā
tis īuestiēs. In t̄cio. feodū alie
natū ei potis licēr ɔcedē. p q̄
ipm̄ ecc̄ ualeat rehabē.
De pignorib; et aliis cautōib;
Null° pbr̄ Ex ɔcil' remēsi.
p̄sumat calicē l̄ patenā
r uestimētū sacdotale. aut li
brū ecc̄lsticū tabnario l̄ nego
tiatori. aut q̄lib; laico ī uadi
ū dare. l̄ femine. n̄ inistilli
tēia cā urgēte necc̄itate.
Latoē p̄sn̄tiū ⁊ ẜ. Greḡ sacdo
Lex hr̄ ut defūcti hđ lib
p debito nō teneat̄. ⁊ si res de
fūnt q̄ possit p debito addici.
Ex p̄sn̄tiū lo Alex̄ .iii. ex
torif īsinua G on̄ epo.
toē accepim̄. quod sacdos ecc̄
de osc̄. calicē argēteū. ⁊ medi
etatē uni° breuiary eidē ecc̄
p sua necc̄itate pignori obli
gauit. ⁊ ea morte p̄uēt° mi
nime recollegit. Vn̄ q̄m īdig
nū est ut eidē ecc̄e res sue p̄
sti q̄ sacris ministīys deputa
te sc̄ tali debeāt deperire. Mā
dam° q̄t° si ita ē qđ asserit̄. fi
liū ei° q ex successione ipi° pa
trimony iūs dr̄ obtinē. mone

de feodis

de pignoribus et aliis cautionibus

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[illegible] appellas ut eas recolligat [illegible]
[illegible] recti memorare. Vno
[illegible] G. soldatore [illegible]
[illegible] ac [illegible] (nomcias pi
[illegible] Sane [illegible] sanc
[illegible] nobis q̄ [illegible] cum q̄ [illegible]
h. [illegible] G. [illegible] grauit [illegible]
[illegible] filiā [illegible] ip̄e [illegible]
[illegible] p̄tatis [illegible] p[illegible]
[illegible] pignori obligatas [illegible]
[illegible] S. [illegible]
G. [illegible] possi[illegible] tas
[illegible] repetebat ab eis. [illegible]
[illegible] obligatas [illegible]
[illegible] sic [illegible] est [illegible]
[illegible] h. [illegible] p̄re suo [illegible]
[illegible] rectius nō ee [illegible]
[illegible] pignori obligatis. cū [illegible]
[illegible] i p̄dicte [illegible] adita [illegible]
[illegible] atq̄ [illegible] ad duos [illegible]
[illegible] annos [illegible] tempore [illegible]
[illegible] G. [illegible] ab [illegible] usq̄ ad [illegible]
[illegible] p̄ceptis fructibus [illegible]
[illegible] dare debet [illegible]
[illegible] pura [illegible] ab
[illegible] an [illegible] p̄te [illegible]
[illegible] iudicare [illegible] q̄d [illegible]
[illegible] iudicio [illegible]
[illegible] n̄ apparet
[illegible] [illegible] quamuis pos
[illegible] restitui [illegible]
[illegible] q̄ i pacto fuerit [illegible]
[illegible] q̄ fructꝰ p̄cepti debitū [illegible]
[illegible] pecunia [illegible]
[illegible] ultra summā recepta [illegible] sol
debent [illegible] ipsa [illegible]
[illegible] ue [illegible]
[illegible] sciencie [illegible] Dem.

Ex litteris tue [illegible] ep̄o aquen
fraternitatis accepimus [illegible] q̄
cam q̄ [illegible] & [illegible] muli
[illegible] duxit [illegible]
Sed q̄ [illegible] q̄ [illegible]
a marito [illegible] mulieris [illegible]
[illegible] fugā [illegible] ma
[illegible] uidelicet [illegible] quā [illegible]
mulier [illegible] ab eo [illegible]
[illegible] facte fuerit [illegible] man
dato [illegible] bonorum relinquentis
[illegible] soluta pecunia [illegible]
[illegible] q̄ a marito mulieris [illegible]
[illegible] ipsis spoliauit. Sz
q̄a possessiones [illegible] penes eū
[illegible] de mandato
[illegible] soluta p̄cis pe
cunia [illegible] [illegible] ex
[illegible] possessionū [illegible]
[illegible] pars u. mulieris [illegible]
[illegible] repetebat
sibi restitui [illegible] possessiones q̄
marito [illegible] delegatos
[illegible] si [illegible]
[illegible] q̄ [illegible] fuerit p̄
[illegible] q̄ mulier [illegible] dicit
[illegible] pecuniā. &
de bonis [illegible] possidet. cū
mulieribus [illegible]
[illegible] debeant [illegible]
sit [illegible] q̄ [illegible]
mulier [illegible] nō debeat [illegible]
[illegible] bona uiri mulieri
[illegible] obligata [illegible]
[illegible] ad q̄ [illegible] possident
& [illegible] mulieri ad [illegible]
[illegible]
[illegible] de bonis [illegible] p̄sen

Tab. — 220 fol. a ... g

L

dicas suspendi. eodem patruo et filiis eius
in residuo absolutis et saluo nichi
lominus ei ex iure institutionis beneficio
o legis falcidie in restitutione lega
ti prestari. Si uero tempus legitimum uolu
tati prefixit testatoris. cum inuentari
um fecit. et contra uoluntatem testatoris
lex falcidia inducatur. Nos itaque
ipsius cardi- nalis sententiam ra
tam habentes eam auctoritate a
postolica con- firmamus. Idem.
Iohannes laycis r. p. cleric. Ex
ecutores ultime uoluntatis. Ec-
clesia sancte crucis. que uenerabilibus et
piis locis de bonis suis in ultima
uoluntate legauit. mandans in su-
ccessoribus satis fieri per eosdem. per
mandatum susceptum per diocesanum
cogi debere testatoris ipsius ul
timam uoluntatem. Idem.
O chys qui in cenantis uel precis
seu fabca pro luminaribus. anniuersa
rio. vii. xx. xxx. siue aliis ad perpetu
um cultum diuinum legatis ecclesiis uel re
ligiosis piis locis canonica portio dum
tamen in fraudem non fiat. ut ea episcopus seu pa
rochialis ecclesia debeat defraudari.
deduci non debet. De successionibus
ab intestato Ex concil. ap. al
Et hoc idem inuenitur. G[re]tium habito.
tum est. de episcopis. presbyteris et clericis.
si per hereditatem uel aliorum iure titulo per
aliquid acquisierunt. donare eis liceat
cui uoluerint dum uiuunt. Si autem ante
obierint quam hoc fecerint. altari cui
seruiunt omnia perpetuo sciliceter. et in
eius tradantur. Ex concil. Tiburiensi.
Sanctio concilio allatum est. quod quidam

[margin: testato]

laici in presbytero agant. contra presbyteros suos ita
ut de incertitudini plurimum subtrahant partes si
bi uendicent siue de presbyteris suis. Interdi
cimus itaque ne hoc ultra fiat. sed sicut
tibi satis sit ad suscipiendum consilium et
agendum officium diuinum. ita nil
ab eis preter diuinum officium exigatur.
Peculium uero ipsorum diuidatur in iiii.
partes. quarum una episcopo. altera ecclesie. tercia
pauperibus. quarta pauperibus assignetur. [margin: parentibus]
et si uero presbyteri ydonei parentes. episcopus eam
recipiat. et in usum ecclesie diligenter dis
tribuat. et si quis contra hoc presumpserit a
nathematizetur. Innocentius iii. niuneh.
Cum dilectus filius abbas. Tepo.
de brulia per eum quod aduersus
eundem huic episcopum diuturni expectas
sed abbas proposuit antedictus. quod ar
chipresbyter de alerio ad participationem
orationum monasterio de brulia ob
tulit se et sua. et c. Sufficienter in
tellexim(us) esse probatum. quod dictus archi
presbyter agens in extremis. uel iu
ultimam exprimens uoluntatem. as
sumpsit se et sua monasterio contu
lisse. Unde cum requisitus esset ut conderet
testamentum. respondit se non posse
testari. quia se et sua contulerat mo
nasterio supradicto. Et licet unus testis
dixerit solum se audisse quod se et su
a obtulit monasterio quia tamen a
lii testes dixerint se hoc audiuis
se. ipsum in abbatis presentia quod
predictum est confitentem. non tanquam suffi
cientes probantes. sed tanquam uehemen
ter adminiculantes. assertioni ab
batis plurimum adiuuabant.
Quia uero pars episcopi asserebat se uel

f. 9 — 35[1]-3.

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[illegible] quibusdam [illegible] tenus [illegible]
[illegible] arbitris operaaslit [illegible]
[illegible] reliq. petit ex [illegible]
[illegible] precedentes [illegible]
[illegible] fuerit quod aceto ps [illegible]
a [illegible] in [illegible] aliu [illegible]
n in [illegible] filios masculos ex [illegible]
[illegible] decedentes . u quod [illegible]
[illegible] . Porro dcs. [illegible] . ple [illegible]
[illegible] testamenti . [illegible] medi [illegible]
[illegible] fuerit de rebs prodcis aliquib [illegible]
[illegible] suis [illegible] medi [illegible]
[illegible] bona [illegible]
[illegible] vel filio legatur [illegible]
[illegible] bona [illegible]
tato [illegible] poss [illegible]
[illegible] legari [illegible]
dis [illegible]
[illegible]
[illegible]
[illegible] uxor [illegible]
[illegible]
[illegible] testam [illegible]
[illegible] quen [illegible]
[illegible]
[illegible] se [illegible]
[illegible] se [illegible]
[illegible] precedit [illegible]

ar [illegible] solui [illegible] auilian .
diac [illegible] cau [illegible] e legum
me [illegible] habebat [illegible]
tenus [illegible] is pre [illegible]
[illegible] cau [illegible]
[illegible] quarta [illegible]
[illegible] mane [illegible]
[illegible] aulls [illegible]
[illegible]
[illegible] expsite [illegible]
[illegible] tite [illegible]
[illegible]
[illegible] iudicas [illegible]
[illegible] quod [illegible] uel ex [illegible]
[illegible] vel filios [illegible] aliis [illegible]
articulo [illegible]
[illegible] esse [illegible]
[illegible] filii [illegible] test [illegible]
[illegible] inuenitur [illegible] aulisse . cum
[illegible] de [illegible] reperitur [illegible]
[illegible] patruus
[illegible] illis [illegible] quarte
[illegible] huiusmodi [illegible]
[illegible] lega [illegible]
[illegible] tenebatur p [illegible]
[illegible]
[illegible] legata [illegible]

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Aub. Fg. 35

Guillermi de Ockham

Dialogus 1494

Sermones 1495

alii

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[illegible] 2

[illegible] tenus [illegible]
[illegible] arbitris [illegible]
[illegible] reliq[illegible] [illegible]
[illegible] precedentes [illegible]
[illegible] quod nepos [illegible]
[illegible] in aliu[illegible] [illegible]
[illegible] filios masculos [illegible]
[illegible] decedentes [illegible]
[illegible] Porro des. [illegible]
[illegible] testamentum [illegible]
[illegible] pdcis [illegible]
[illegible] suis [illegible]
[illegible] bona [illegible]
[illegible] filiis legatur [illegible]
[illegible]
[illegible] legam [illegible]
[illegible]

[illegible] cullibet
[illegible] legit
[illegible] habebat [illegible]
[illegible]
[illegible] quarta [illegible]
[illegible]
[illegible] iudicis [illegible]
[illegible] filios [illegible]
articulo [illegible]
[illegible] testamentum [illegible]
[illegible]
[illegible] parentis [illegible]
[illegible]
[illegible] legat[illegible]
[illegible]

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