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Murner, Thomas

[S.l.], [1526]

Instituta Helvetiorum

urn:nbn:de:bsz:31-35467

Visual Library

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Institutu Heluetiorum Doctore Thoma Murnero sistrante et memorante

1526.

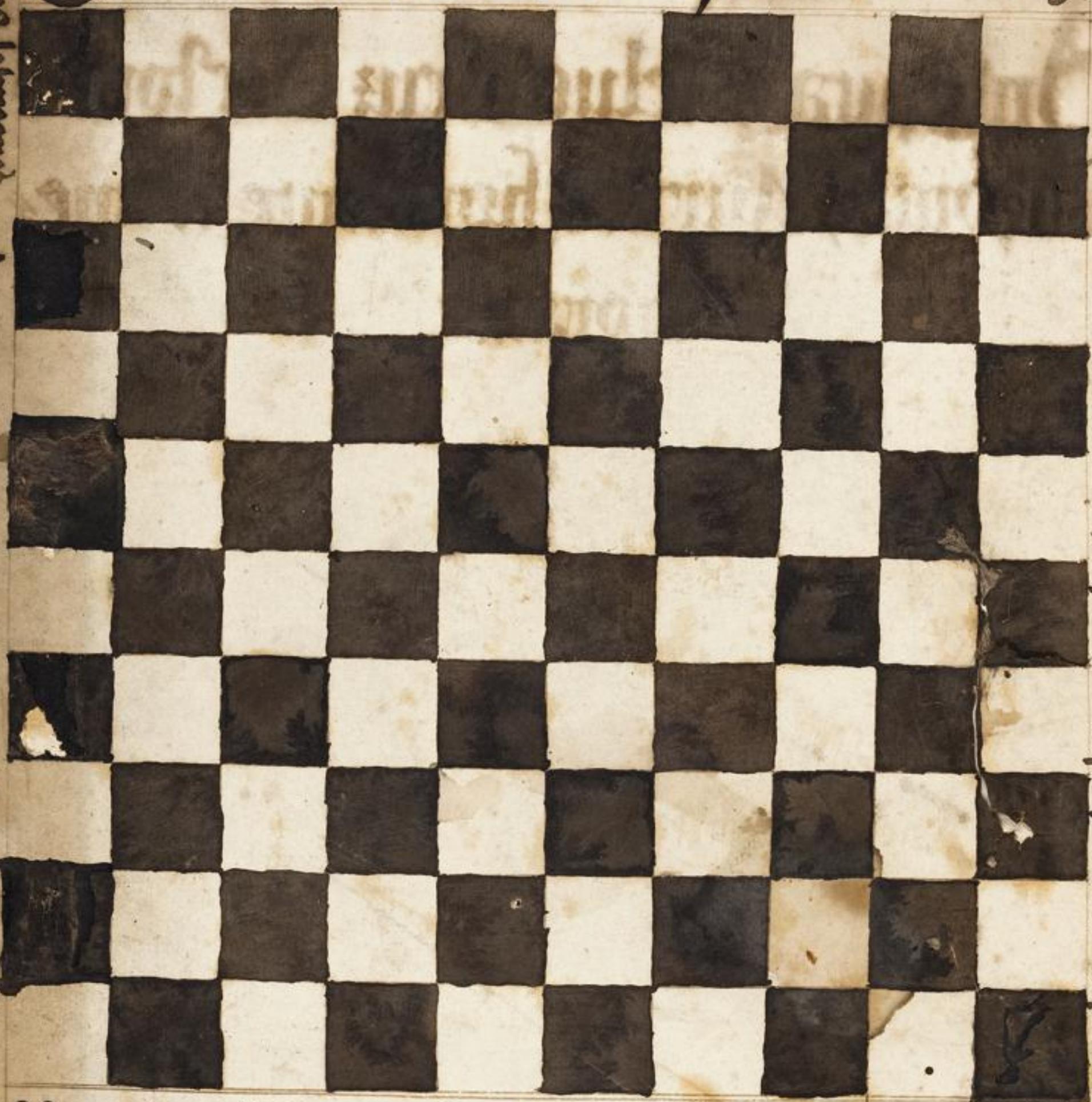
Thomas iste Murnerus .s.s. Theologiæ Doctor Ordinis fratrum Minorum Conuentualium Parochus fuit Ciuitatis Lucernensis Anno salutis .1526. Contra nouos illos hæreticos suo tempore erumpentes, multa præclare gessit ac edidit, quam ob causam dum ab illis insidiæ illi struuntur ac undiq; crucifige clamitant, maluit bonus ille uir atq; fortis fidei catholicæ propugnator ipsorum furori cedere lubensq; expulsus ab Heluetiorum finibus quam sui causa ripas et negotia Heluetijs relinquere, discessit uero Anno .1529. quo nimirum primum bellicus rumor inter ipsos Heluetios propter fidem exorsus est.

Großherzogl.
GYMNASIUM
Offenburg

II

Scaccis vniuersalis Institutionum

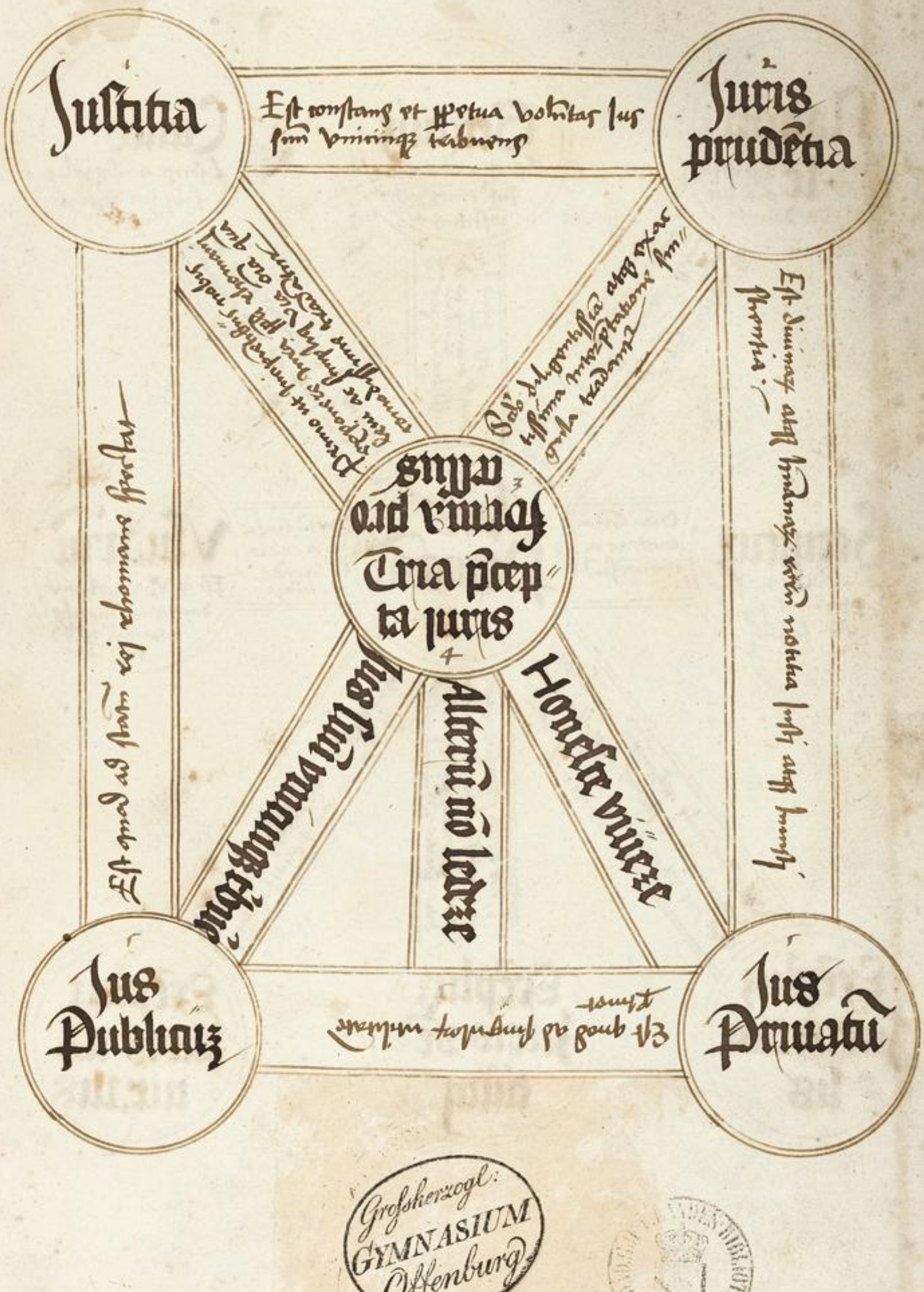
Auctoris tabule



Auctoris tabule est alius ab illo qui ante ipsum fuit

Capitis est titulorū tractus ℔ paragraphorū series diuisorum

De Justitia et iure



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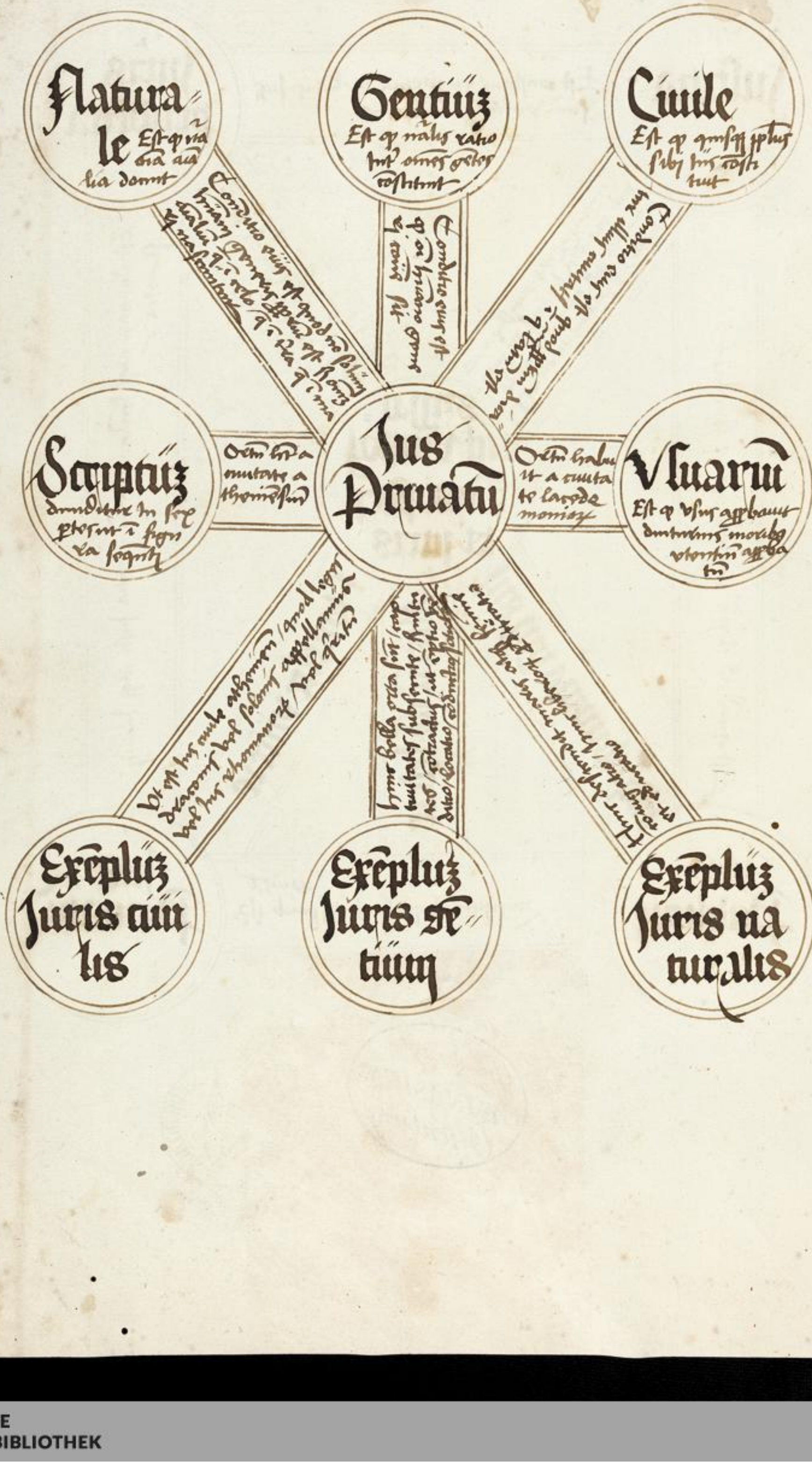
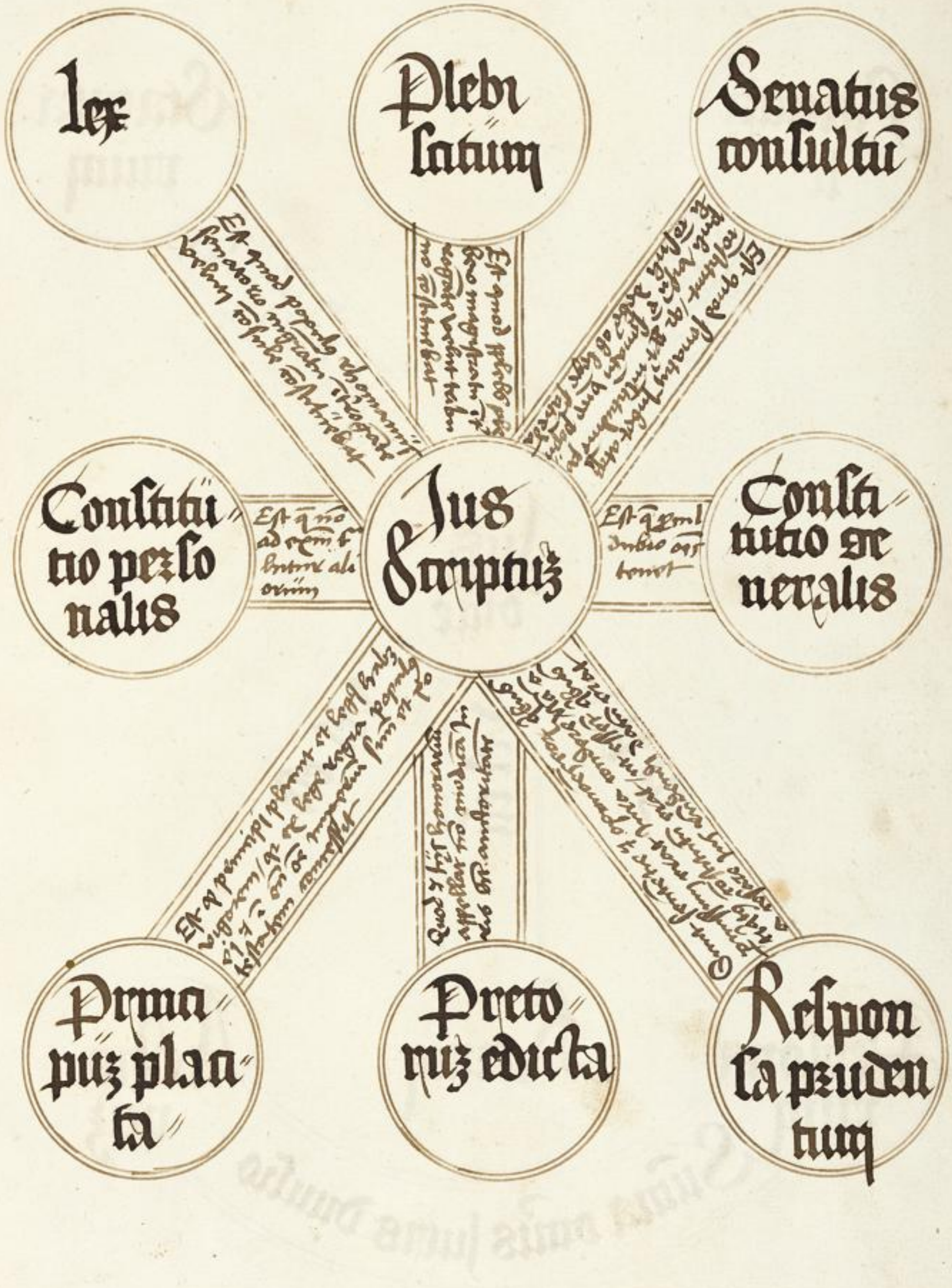
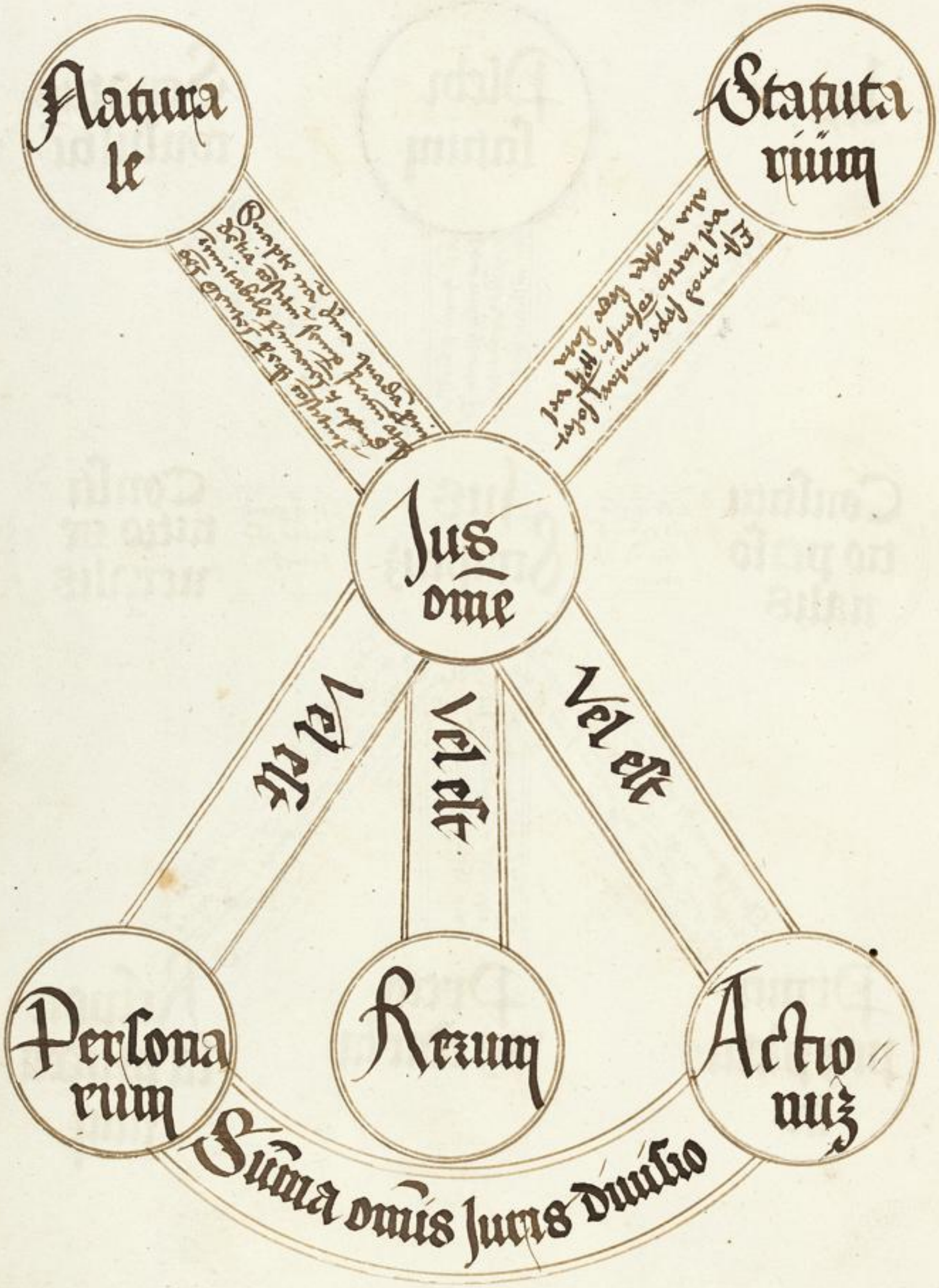
De iure naturali



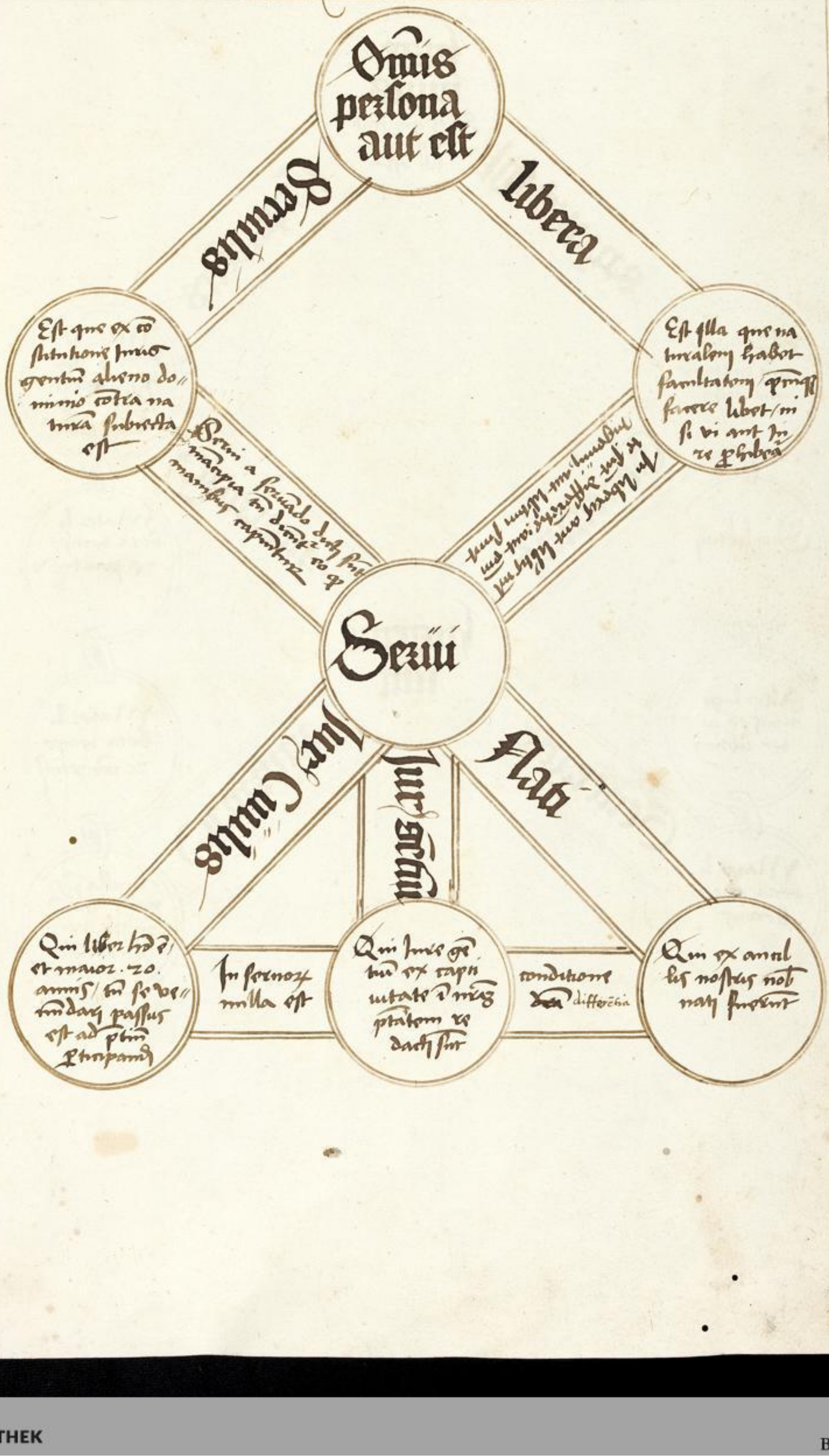
senatuum et auuli



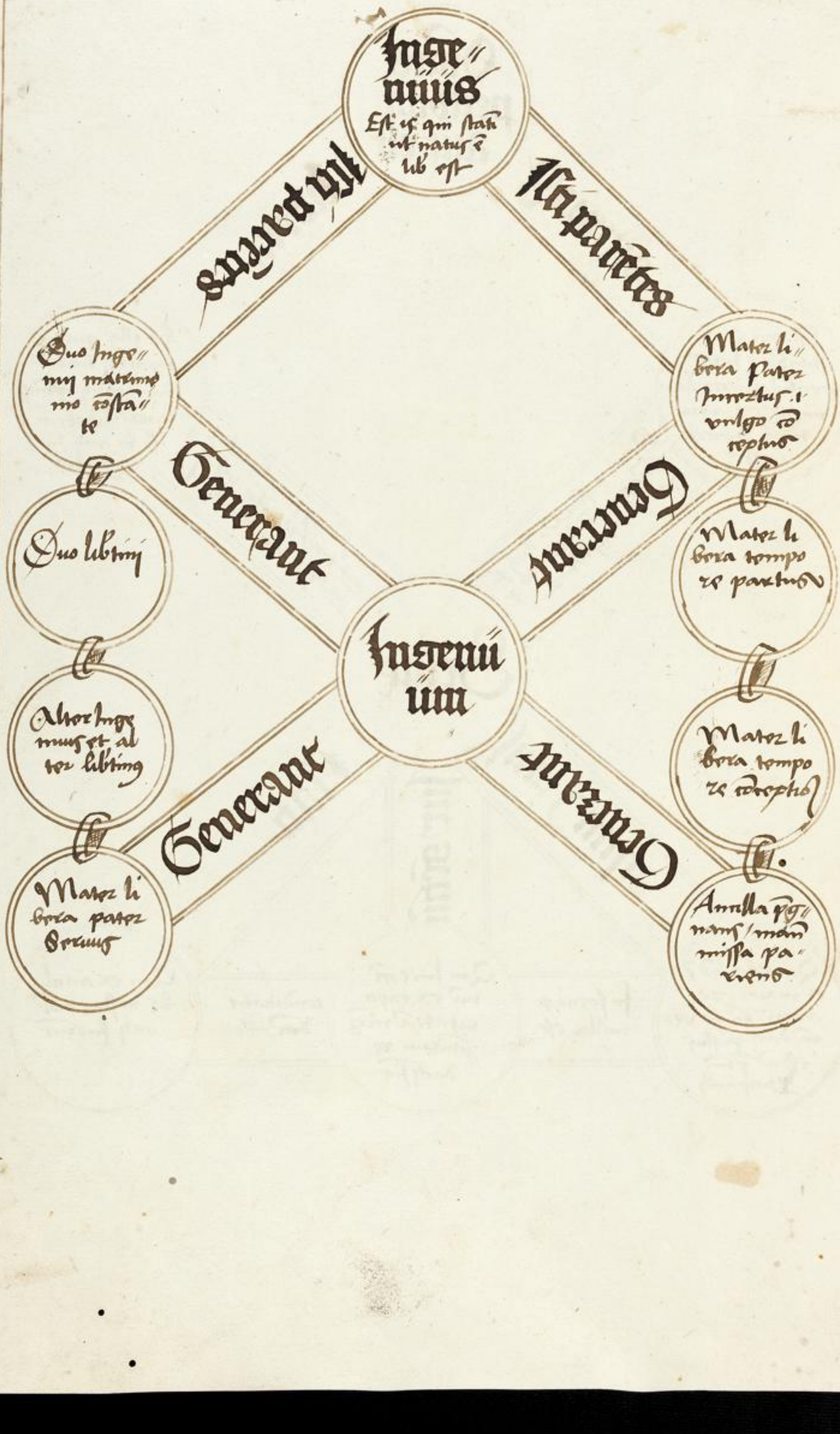
De uze náh sentúm et cáuh



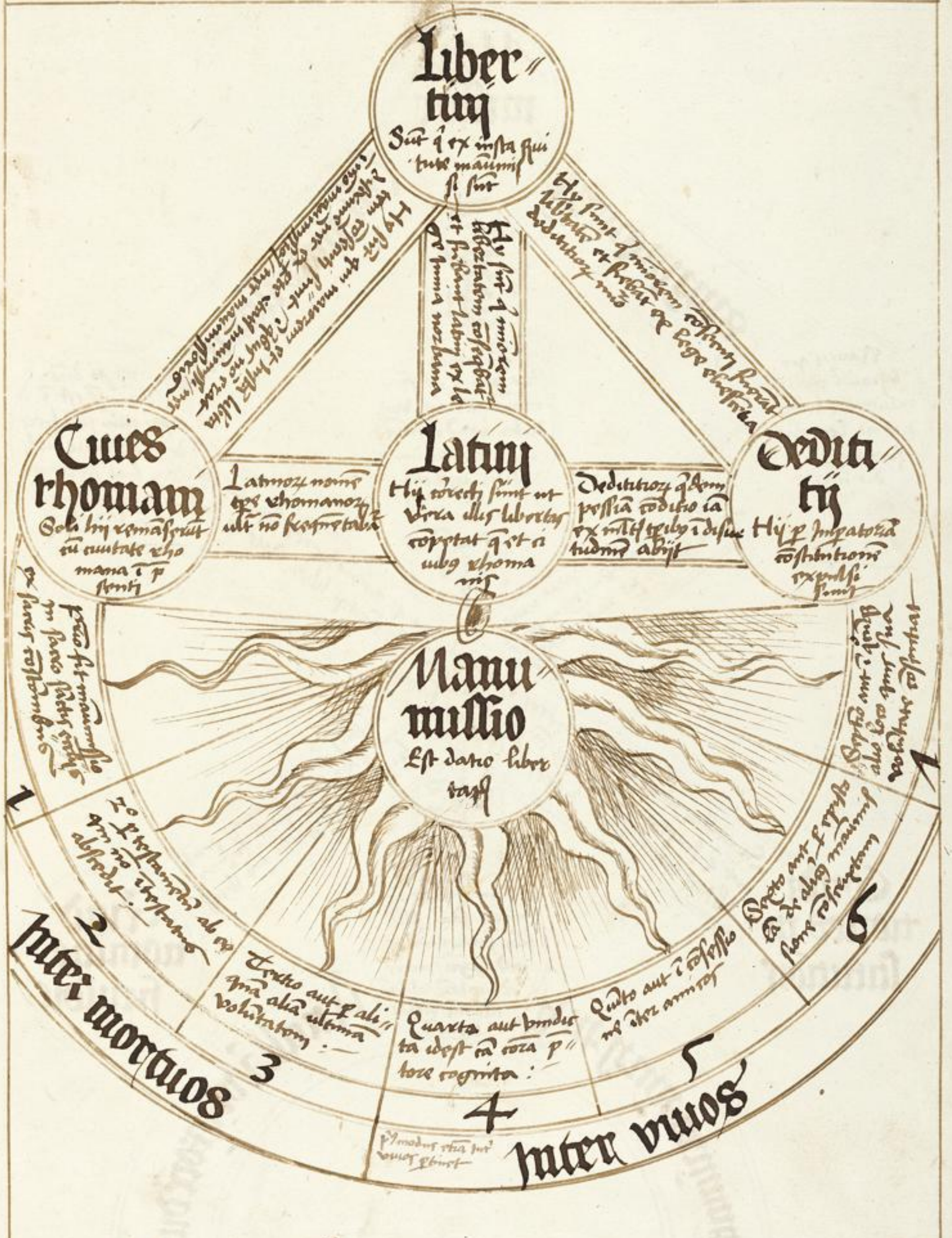
De Jure Personarum



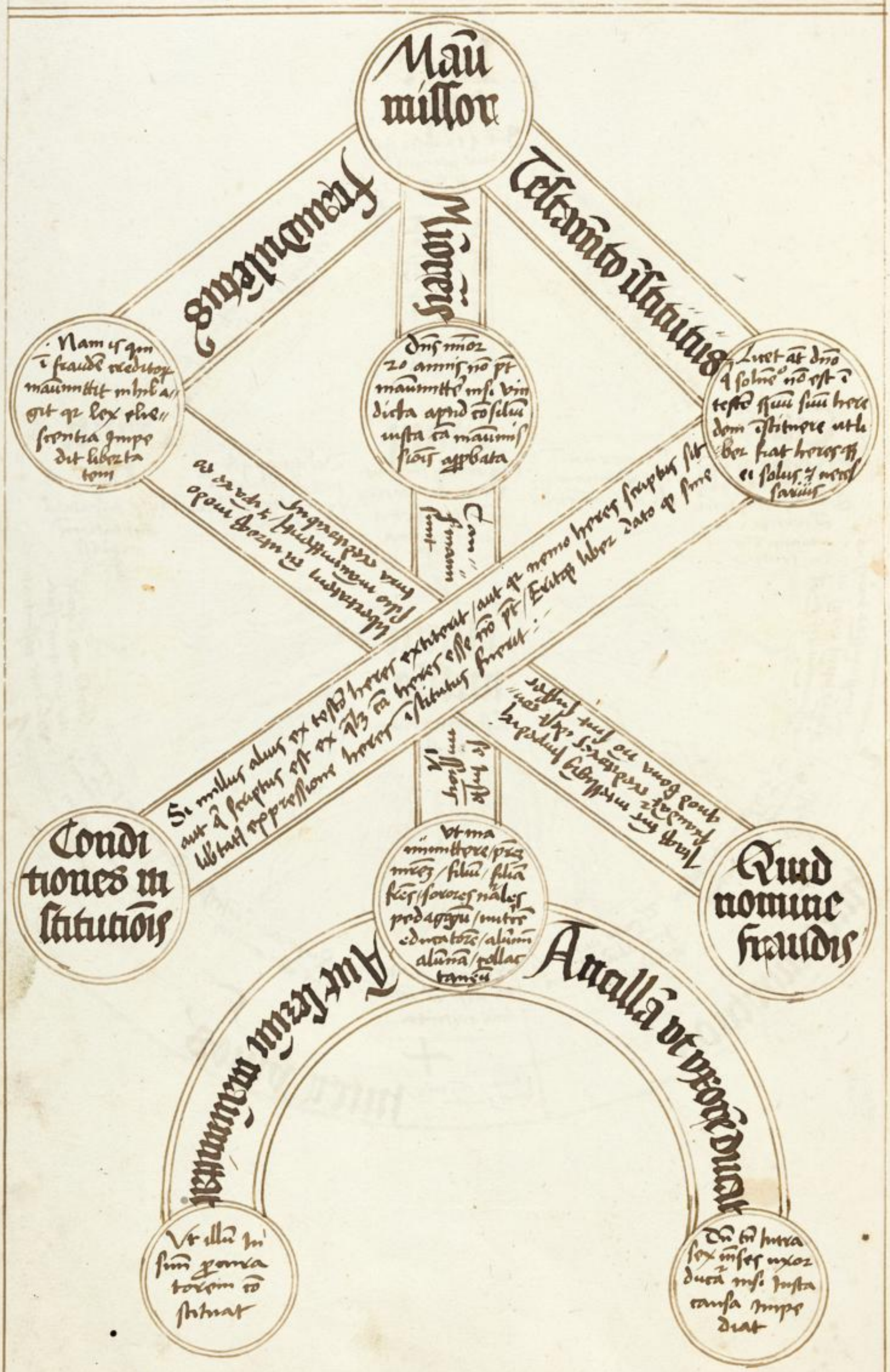
De Iasenuus


Iasenuus
Est ens qui stat ut natus ē ub est
Iasenuus
Quo ingo mi matrimo nio iosta te
Mater li bera Pater Fratres i. sanguis virgo ē ophra ondos
Generant
Quo lubrim
Mater li bera tempo re partus
Iasenuus
Abor ingo mus et al ter lib'ing
Mater li bera tempo re adoptiō
Generat
Mater li bera pater Orcus
Generat
Annilla pg nans / mam missa pa rentis

De libertinis



Quib? ex causis manu' no licet



De lesr fulia canina tollenda

De hys q̃ sunt a iure: De patre

Potestas iuris dicundi

Sed hoc tempore imperio meo sunt cognita iudices sui

Potestas Romana

nullus horibus q̃ sit locus sic ea legibus sup̃ mandare

Autoritati Consulto

Potestas domini

Reverendo domino

Tenor Rescripti

Cõmunitio ut seruos

Potestas patria Est

Iuris gentium

Ius ciuile

Filiorũ

Qui ex te et ex uxore tua nati sunt in tua potestate sunt

Nuptie ex ambobus matrimonium est

Nepotũ

Qui ex filio tuo et uxore eius nati sunt desinunt esse in tua potestate

Filiarũ

Qui tui ex filia tua nascuntur in potestate tua non sunt

De nuptijs

Contrahe pñt ai voluntu patrum sic patrati nolentu

Volunt

Valati pubes res

furiosi filius

frie vi impotentes

furiosa filia

Patrati et libertini loco suu no contrahere no possunt

Aūus

Si latra ꝑhibit ñ

Soluta adoptione

Pater

Avia

Ena stante et dl

esse nuptie fiunt

Mater

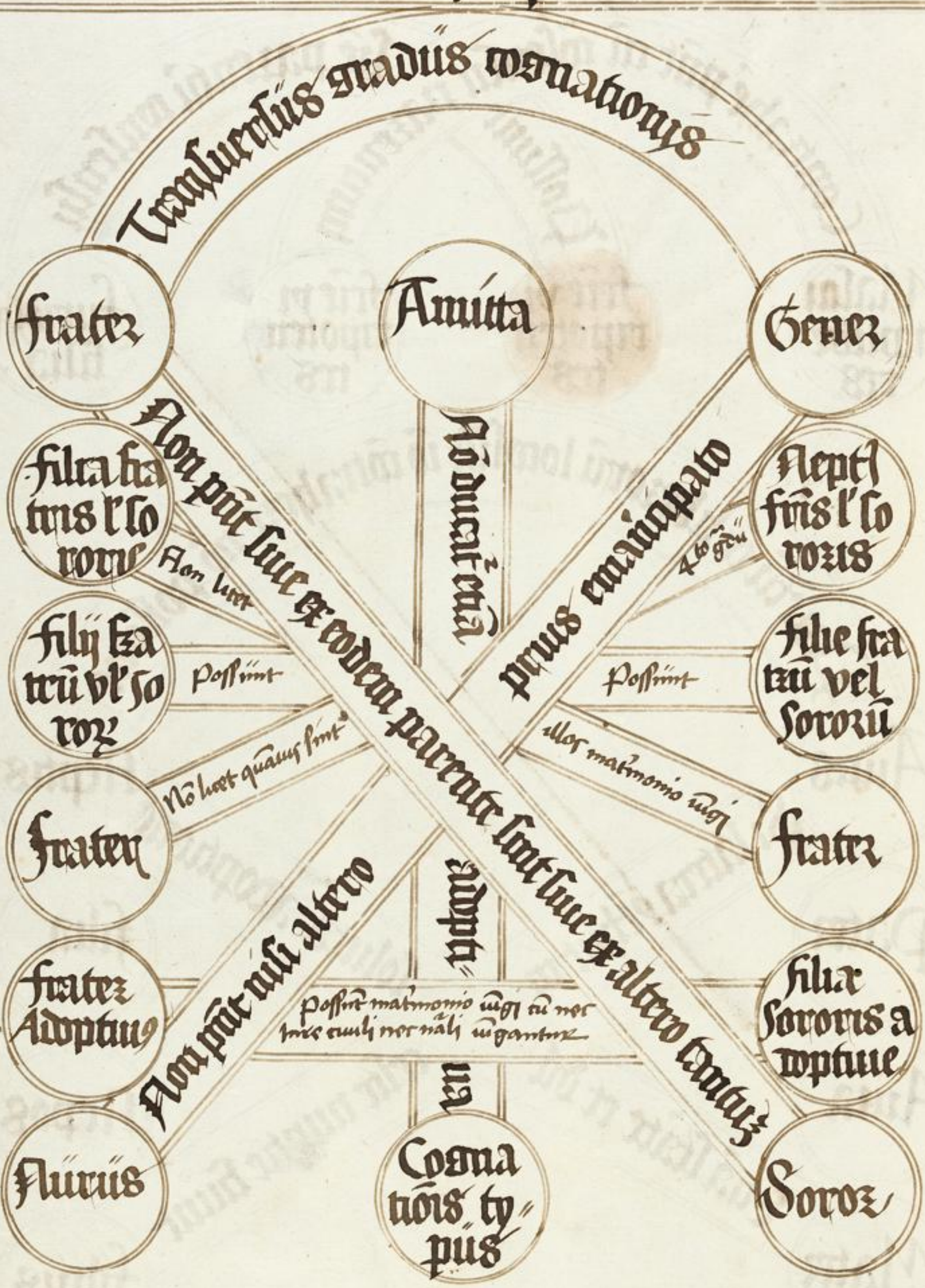
Neptis

filia

Nepos

filius

De Arbore


Transuersus gradus cognationis
Amitta
Genet
frater
Filia fratris vel sororis
Neptis filii vel filie
Filius fratris vel sororis
Filie fratrū vel sororū
Frater
Frater
Frater adoptiuus
Filius
Filia fratris adoptiui
Soror
Cognatōis typus
Non potest fieri ex eodem parente
Ascendendo
Descendendo
Non potest fieri ex altero tantum
Non potest fieri ex altero
Adopta
Non licet
Possint
Possint
4to gdu
Nō licet quamuis sint
Illos matrimonio iungi
Possint matrimonio iungi cū nep
tis cum filii nepotis iungantur

De Nuptijs

Prima

Filius vxoris p mortuc

Socrus

Filia post dmortuu & alio p̃ ata

Fluvius

Filia vxoris mat̃ pmortui

Noverca

Seruul' matio

Typus

Pena pena

Pene temere et ille/ gitue contra hom̃

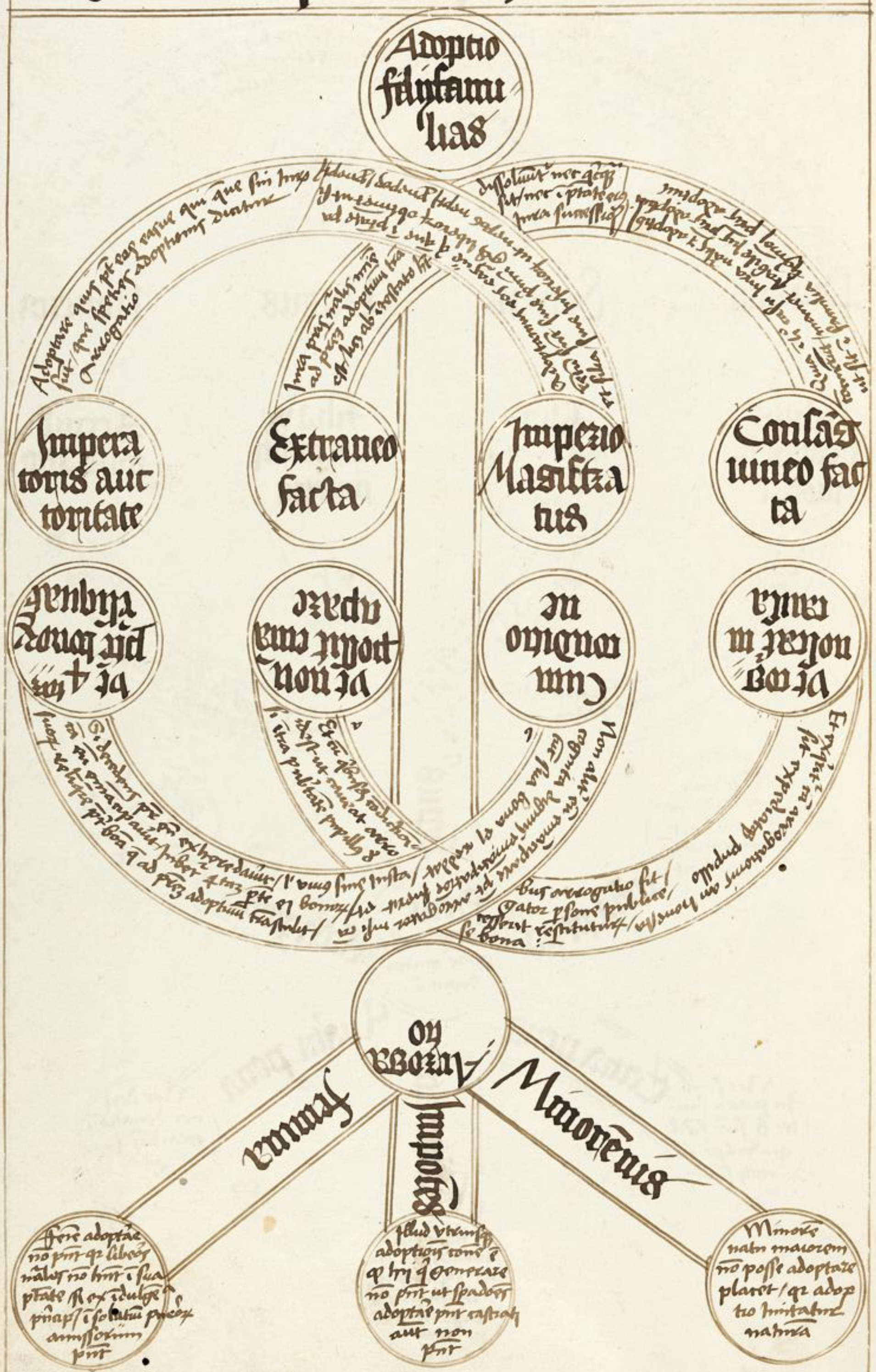
Sda pena

Tcia pena

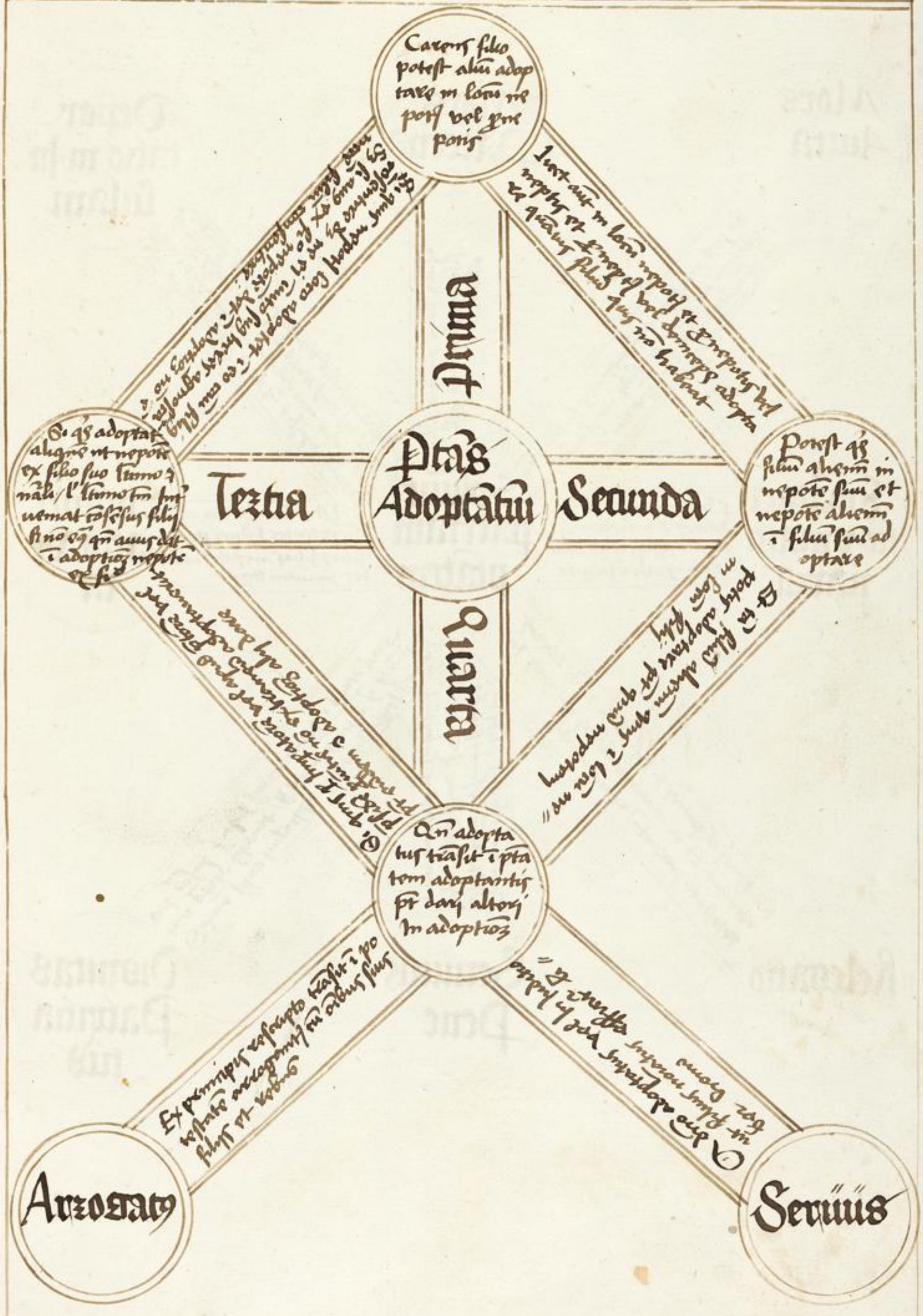
Quarta pena

Adiutus

De Adoptionibus


Adoptio filiifamilias
Adoptare quis pt qui sui iuris
Adoptare quis pt eas que sui iuris
Adoptare quis pt eos qui sui iuris
Adoptare quis pt eos qui sui iuris
Impera toris auc toritate
Extraneo facta
Imperio Magistra tus
Consu lumo facta
Cum consulto
Cum consulto
Cum consulto

De Adoptionibus



Quuby mois úis patre po soluut²

Mors Auita

Mors Paterna

Deportatio in Insulam

Emancipatio y manu naria

Solūit patriam ptatem

Emancipatio vera

Relegatio

Seruitus Pene

Ossuitas Patritatis

Quib⁹ mor⁸ ius patrie po ſoluunt⁹

Captiui
tas

Reuerſi

Preſen
tes ſp

Mortes
apud ho
ſtes

Recupera
ti

Capto filio vel nepote ĩ ſuſpenſo eſt ius paternum

Numera
lis

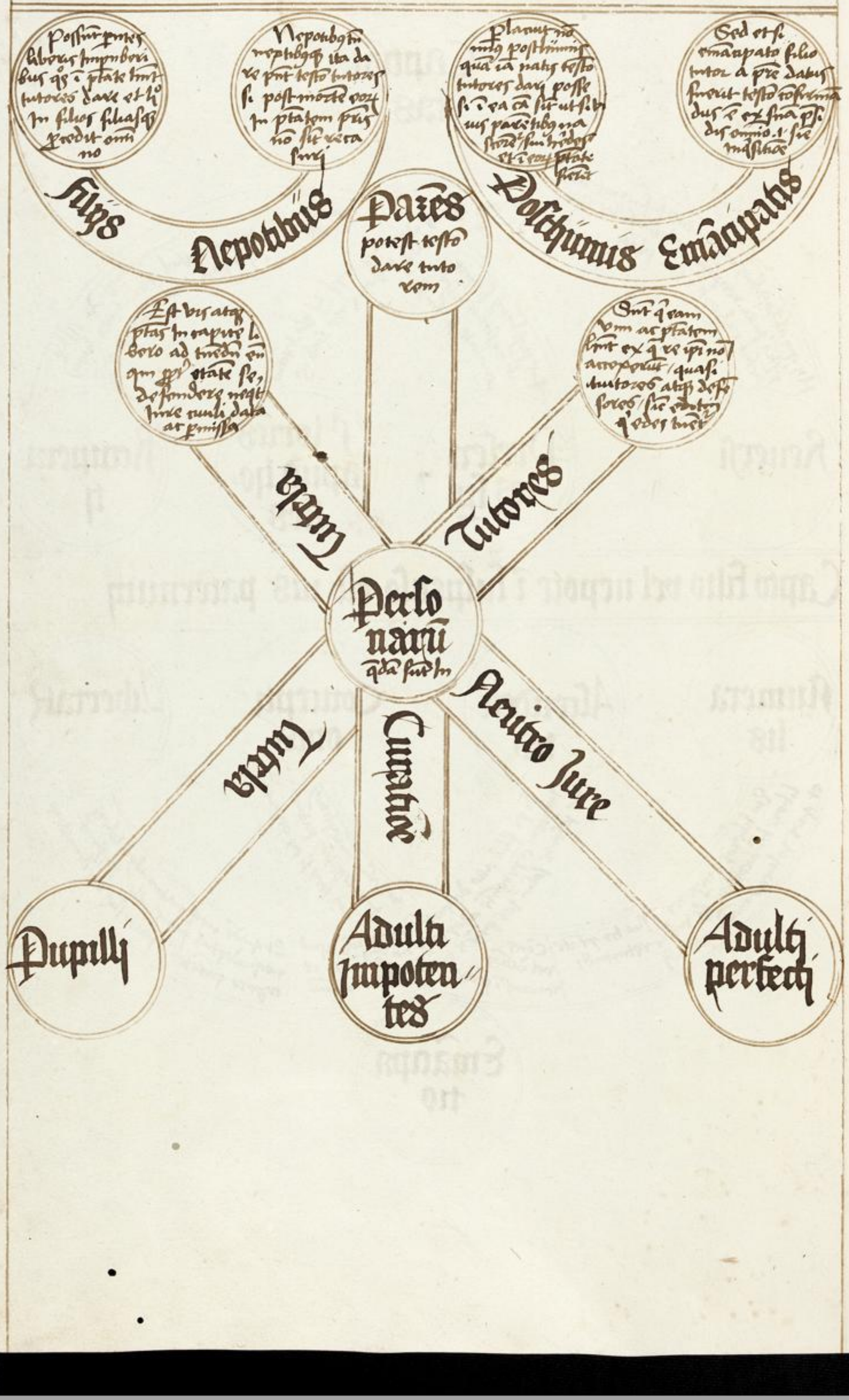
Aſcenden
tis

Concepti
uus

Libertas

Emãcipa
tio

De Tutelis


Filius
Possunt patres liberos impuberes qs ē plato tutores dare et hō in filios filiasq; q̄ dut omnino
Nepotibus
Nepotibus ex nepotibus ita demum post testo tutores si post mortē aui in platonem prius no sit reuersus
Patres
patres post testo dare tuto rem
Postumus
Plautus no minat postumis qua ea natis testo tutores dari posse si ea ea sit ut si ei uus pater ex nepotibus suos post testo dare et ē plato sinat
Emancipatis
Sed et si emancipato filio tutor a pre datus fuerit testo tota mandatus ē ex ea p̄. dat omnio. i. sue mancipio
Furiosis
Est uis atq; plato in caput liberorum ad tuendum eum q̄ furore se, de furiosis negotium nulli data aut permissa
Quib; q̄ eam rem ex q̄ re ipi no aptum erit / quasi tutores atq; curatores / sic edictum q̄ edes tuet
Tutela
Curatores
Pupilli
Adulta impotentes
Adulti perfecti
Perlonarum qda fudm
Cuiusq; aetatis
Alieno Jure

Qui tesd tutores dari possunt

Pater l' filius fa[mi]lias

Seruus Proprius

Testamento tutores dari possunt

Si quis h[abu]s l' filiis tutores dederit etiã posthumis dedisse videt[ur] q[uo]s filios appellatione posthumi et posthumã continet

Seruus Alienus

Pr[a]ec[er] tutelã tessel dat[ur] tutor sicut cui liber erit utilis tor dat[ur]

Tesd tutores dari

Furiosi l' minor 25 ann[is] tutor tessel datus tunc erit cu[m] cepe[rit] aut a[d]o[lescens] 25 ann[is] fuerit factus

Tutor Datiolus

Adrogatus tamq[uam] hered ex certa re vel sub conditione hered aut legatis institutionibus posse dari tuto non videt[ur]

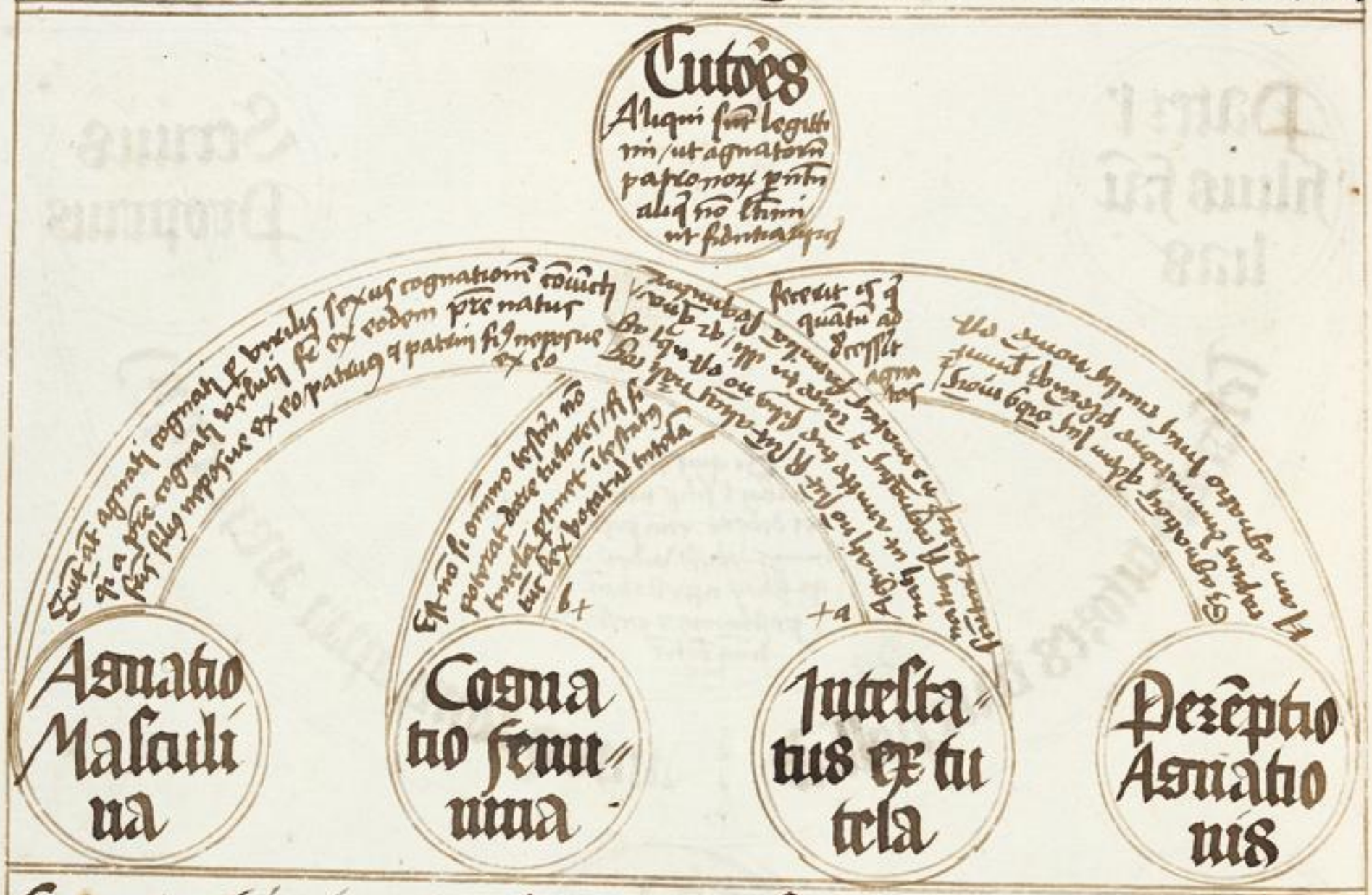
Appellatione liberor nepotes et deinceps contin[e]ri videmus appellatione posthumi et posthumi filii et q[ui] quia ultimo loco nati sunt

Certe aut ex die vel tempore tutor dari non potest ut Ephesi

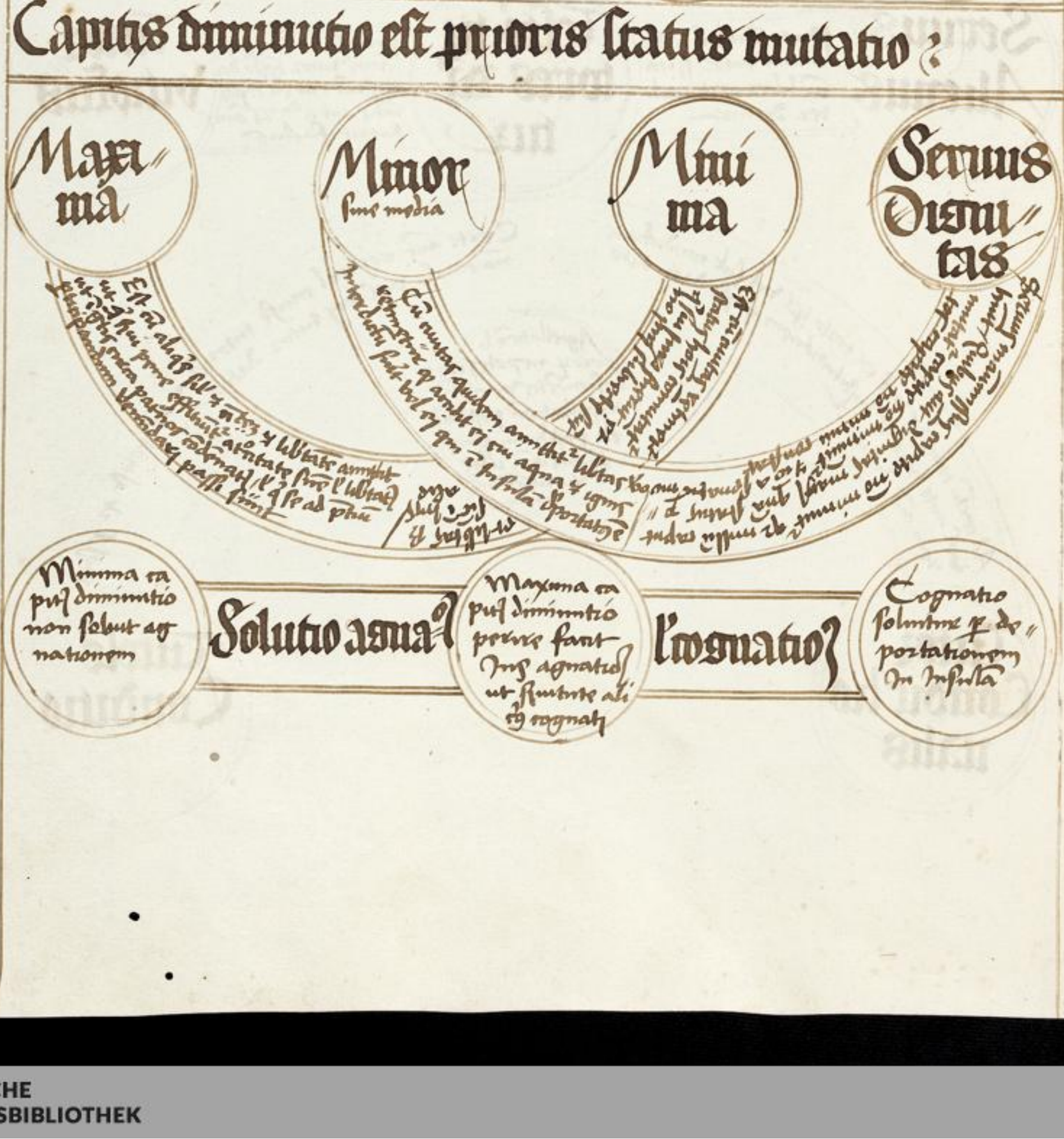
Tutor Conditionalis

Tutele Conditio

De lra as tutela De ca dmutoe



Capitis dminutio est prioris status mutatio ?



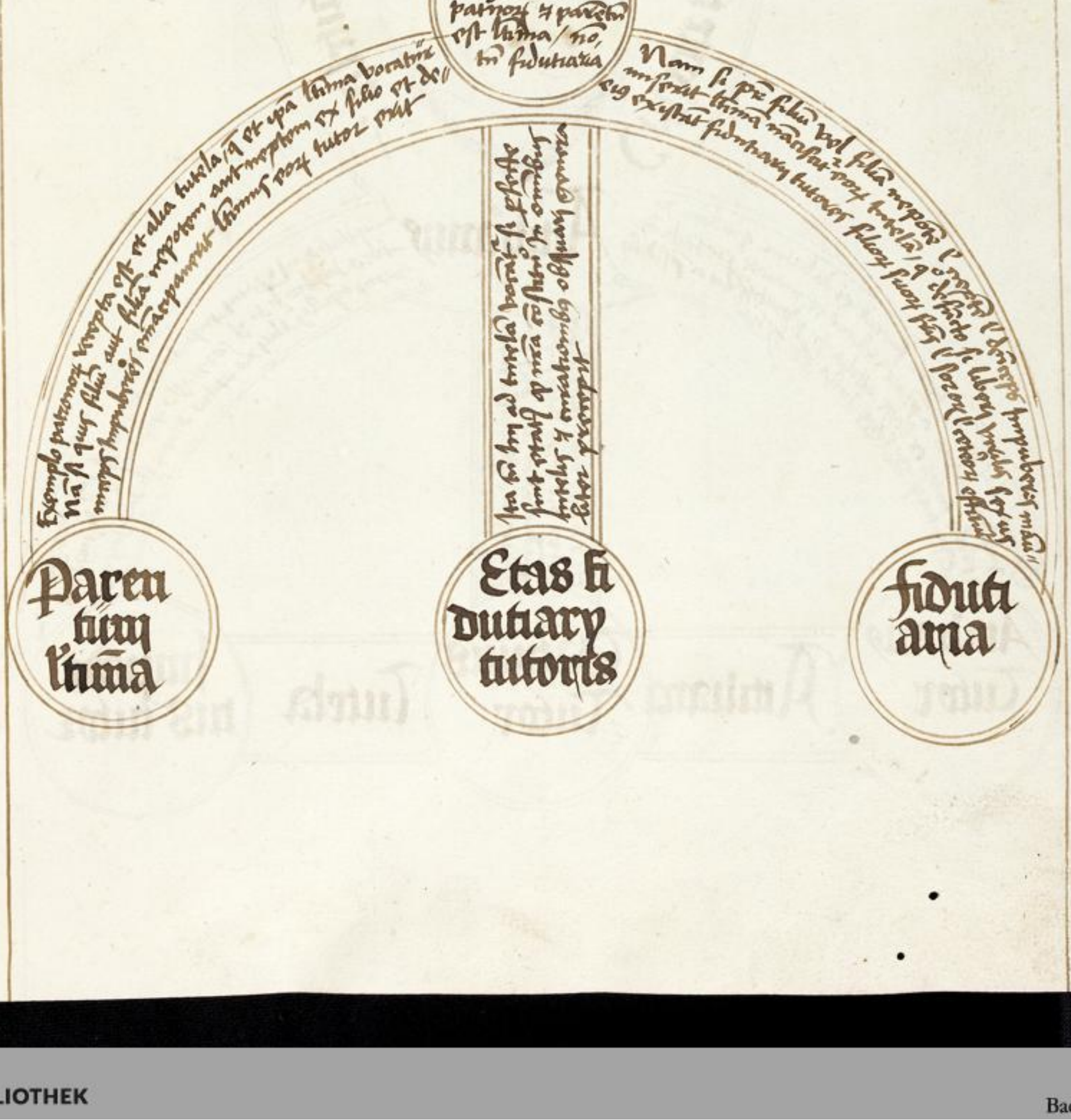
De patronis: parentibus et fiduciaria tutela

Quo dicatur lis fiducia

Patroni

Ratio tutele

Tutela patroni et parentis est lis/ non fiduciaria



Parentum lis

Etas fiduciary tutoris

fiduciaria

De Attiliano tutore et qui ex lege Iulia da

Si facultates pupilli / adulti vsq; ad ccc solidos valeant defensores eius / cui alius tutores et curatores creare prohibetur quia grauiora onera subire possunt

In loco attiliâ et tutia / necessaria cautionem a tutoribus exigenda re saluâ pupilli fore necesse de capitibus tutoribus ad ministrationes quæ causa fuerit

Si hi / inter se unum ut plures pluresve pupillo aut pupillæ ex diuisione tutores creauerint vel magistratus unus plures si non sint magistratus pupilli sed tutores

Venus tutor

Attilianus

Si unus omnino tutor supersit si debatur quidem in urbe romana a pretore vel in maioribus ptc tribunis plebis tutor ex lege attilia in prouincia vero a presidibus ex lege iulia et titia

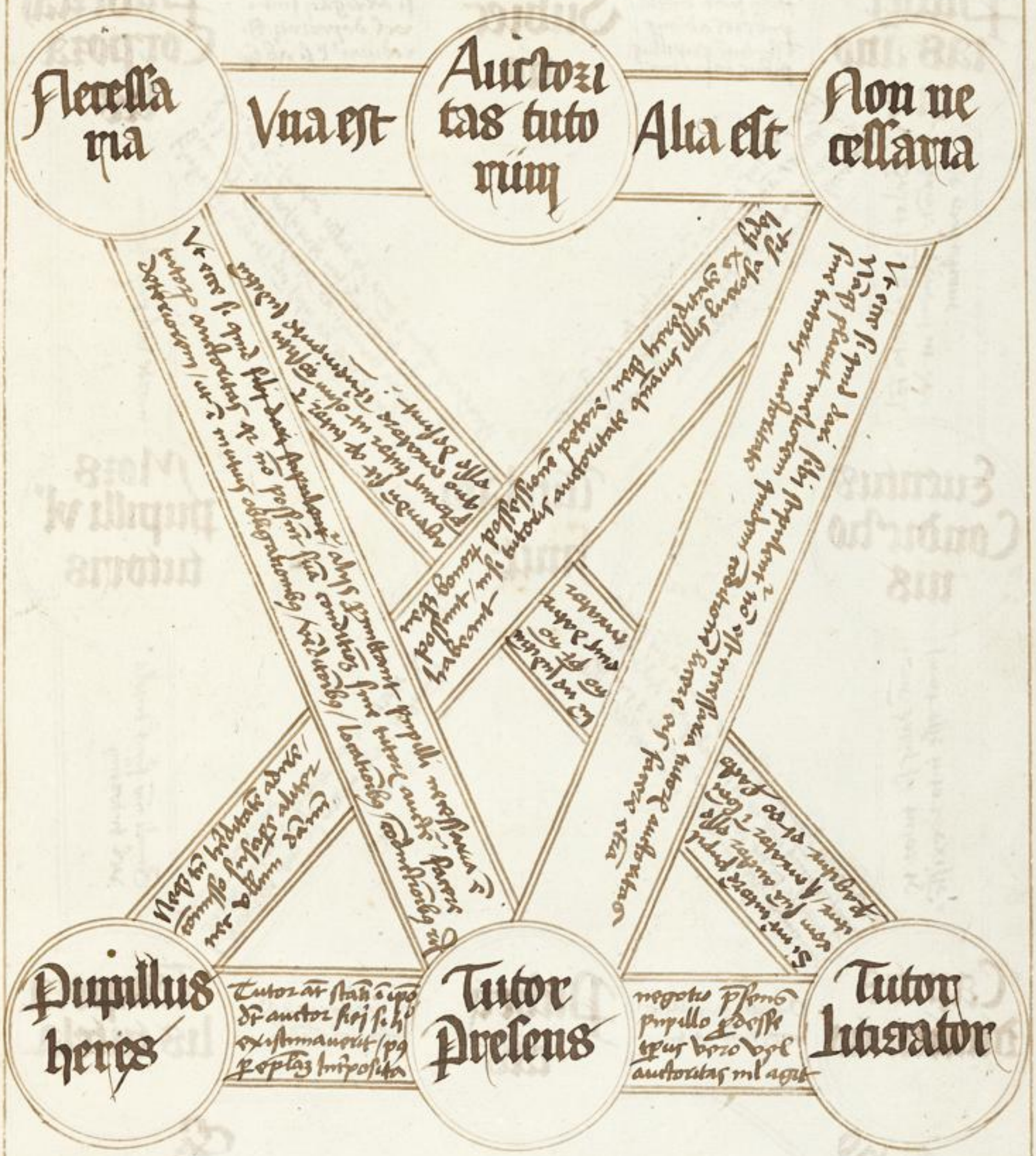
Attiliana

Datiuus Tutor

Tutela

Impedi tus tutor

De Auctoritate Tutorū



Quibus modis tutela finitur

Puber-tas ãno rum

Item finit tutela pubres adim finitur pupillus pubes capitatem

Subiectio

si arrogati sint vel deportati si redigat l si ab ho

Puberitas Corpora lis

Euentus Conditio nis

Tutelam finit

Mors pupilli vl tutoris

Capitis diminutio

Pupilli pupillaq reperiunt a tri

Pubertas

eu pubres esse tela liberatur

Tempora lis tutela

Exulatio

Sufpitio

Qesunt esse tutores qui bol remouentur a tutela de qd quod suspecti si sunt

Qesunt esse tutores q ex testa nō esse exposant et ornus administrad de tutele depo nunt

De Curatoribus

Etas ad
xxv annorū

furiosi & et g dign lucid
sunt tm curatores stat
qr iz tabulas & scripta
& eor l'ps sues ex ignitude

Furiosi
Prodigi

maiores xxv ānis
agnatos ex he
ros sibi vrbis
eis dat curatores

Oātes
Curatores

Pupillus
infans vl
Absens

Masculi impuberes
sub potestate
sui patris

Alieni dati
& non pt
sibi ex curatore

Item cum adole
no agnatis pter
ratores sm st ad

Juvēs

Item cum adole
no amplius pter
ratores sm st ad

Pupillo

Furiosi curatores
qua & latem ne
cessa ōāz dāj pt

Perpe
tui pubetes

Pupillo

Impūbes l'alia ne
dato curatore
audiendi pupillo

De Cu
ratoribus

De satisdatione tutorū l' curatorūm

Tutores vel curatores

Oblatio Satisdationis

Tutor testamentarius

Votis plurium platus

Pretorij tutor l' curator

Ex mā lutione

Subsidiaria actione tenentur hij

Subsidiaria actio datur contra eum qui satisdare noluit

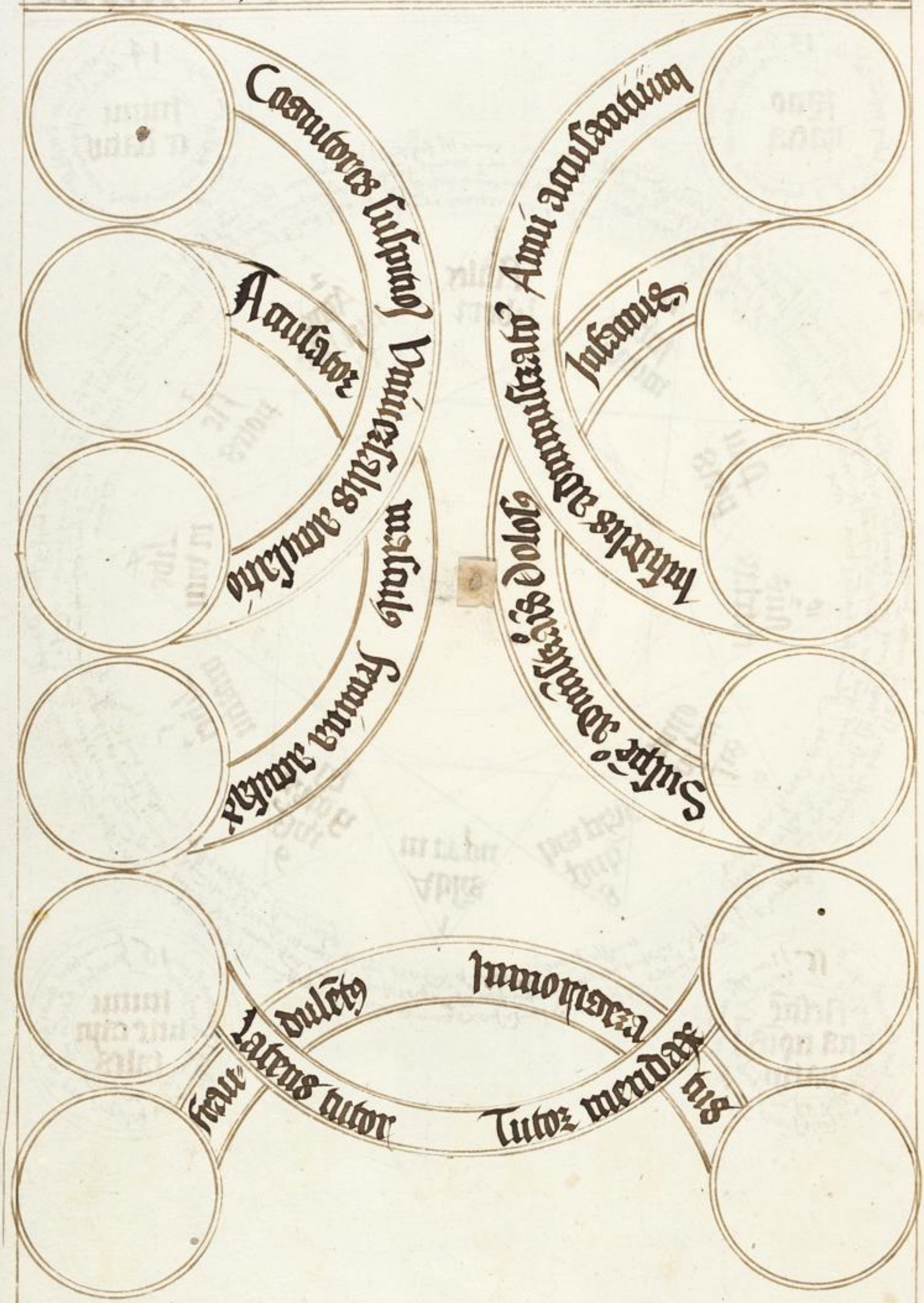
Quibus tutor testamentarius

Quibus tutor vel curator satisdare non cogitur

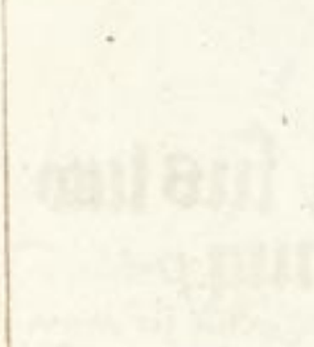
Quibus tutor vel curator satisdare cogitur

De excusationibus tutorū l' curatorū

De suspectis tutoribus l' curatoribus



Memoria titulorū primi libri

				
V	V	V	V	VI

Secundus liber de rerū diuisione

Hec naturali luce communia sunt omnibus

- Aer
- Aqua p fluens 1. de se loquitur
- Mare Iuris gentium etia est / & q̄ no sunt iuris gentium sunt et mare
- Littora maris non ipse ad littus maris accedē habet dū in a vallis & mo minuit se ab undis

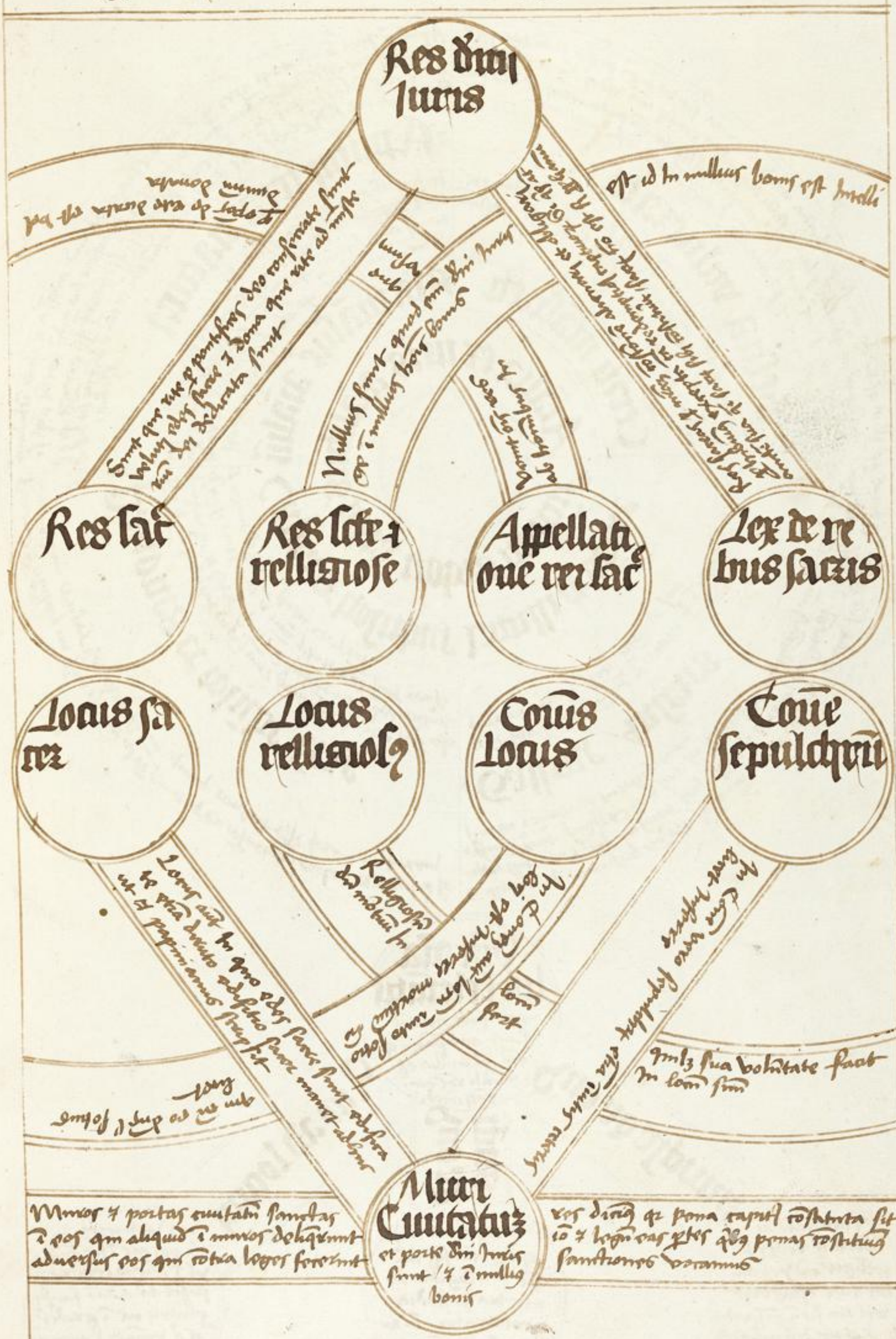
Hec publica sunt

- Fluuiorū Iuris piscandi ibus cōe est in porta flumbrosa
- Portus Est aut littus maris quatenus hyberni fluctus maxime excurrunt
- Vlus riparum publicus est ipse cursus fluuius & ripe q̄ sunt vsq̄ quo hyberni fluctus ad littus
- Vlus littorum publicus est ipse cursus maris & littus vsq̄ quo hyberni fluctus maxime

Quedā res sunt

- Quedā dominium nāles q̄ vocā tur / quedā res ciuiles / est aut tus gentium vbi stues res ciuiles
- Non singulos verum q̄ plurimos tantas hus sunt ut theatra stadia et similia et si q̄ alia sunt cōmunia quanta cūq̄

De rezum diuisione



De rerū diuisione in animalibus

In alluuionibus et mē pmixtione

Jus alluuionis

Per alluuionē ꝯ quod ita paulatī no possit quātū ꝑcipi adytatur

Alluuio Est incrementū aquaꝝ latens

ꝺ videt adiūcī adiacēt ut videat quoq; mombo

Violenta Deportatio

Insula Maruia

Insula Alluuia

Insula Proxima

Insulaꝝ Aggr

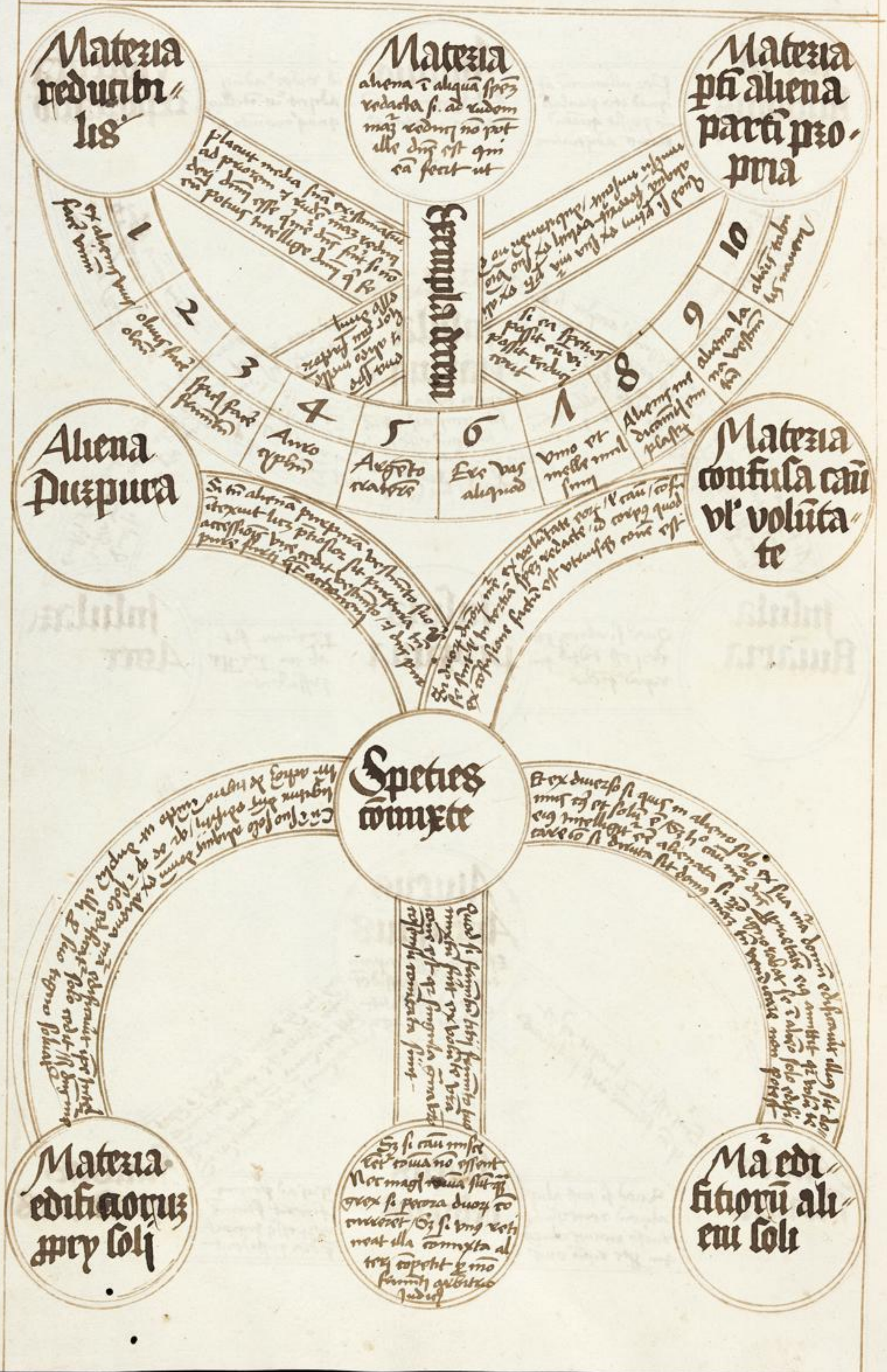
Alueus Antiquus

Alueus Nouus

Alueus redieus

Fundus mundatus

De rerum diuisione



In materie permixtione

Edificator bone fidei

Certe illud constat si in possessione constituto edificatore soli dns petat domus sua esse non soluat ptiu me z mercedes fabrox posse eu exceptiox doli mali repelli vtiq si bone fidei possessor fuerit qm edificauit / qz si scisset solu alienu esse posset illi obstare qd tenere i alieno solo edificasset

Sementator bone fidei

i alieno solo seminando pt se exceptiox doli mali tuetur ne repellat

Scriptor bone fidei

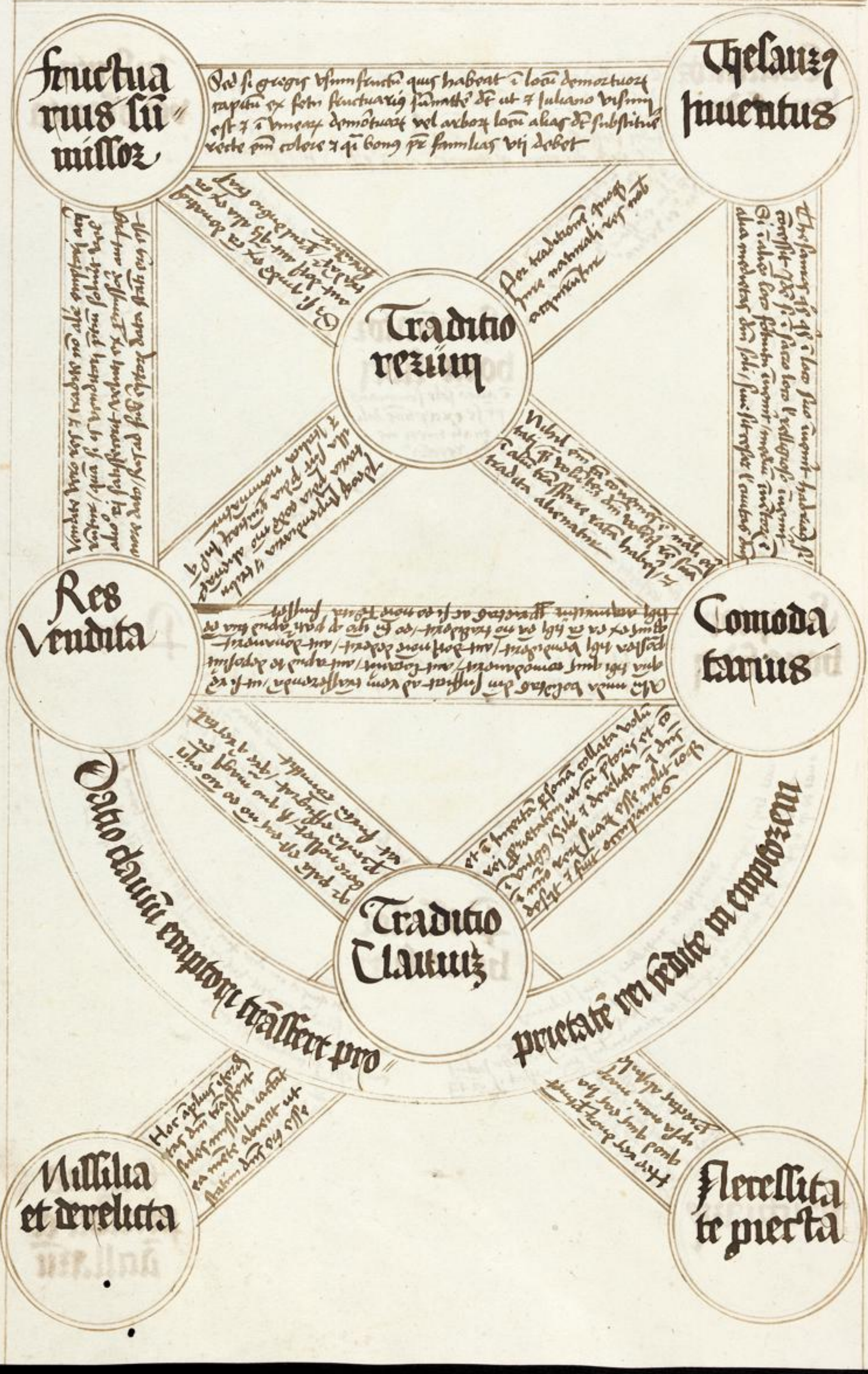
Pictor

Pollellor bone fidei

fructuarius

fructus pendu et dallazu

De rezum diuisione



De rebꝰ ꝙꝝ ꝯ De seruꝝ ꝛu predioꝝ

Res ꝙꝝ pozales

Iuta et Seruitutes rusticoꝝ p dioꝝ

Iuꝯporales

Quotuplex ꝙ ygitur

Rerum

quedã

sunt

Pmũ vt actus

Scdm vt via

Scdm vt aq̃ductus

Est huꝯ agroꝝ dr̃ende ꝯ fundoꝝ alterius

Est huꝯ cũnch ꝛ agendi ꝛ ambulandi huꝯ nã vtꝝ vt actꝰ via ꝛ ſꝛ

Est huꝯ cũnch ambulandi huꝯ agendi ꝛumtꝝ l' vehiculi ſgr̃ ꝙ hꝫ vtꝝ actꝰ no hꝫ ſ ꝙ hꝫ actꝰ l' hꝫ ꝛag uh pt etiã ſue ſumpto

Est huꝯ cũnch ambũlandi huꝯ no etiã ſumptuũ agendi vel vehiculi

Vrbanoꝝ predioꝝ ſtura et ſeruitutes

Exemplaꝝ

ſex ſunt

Constatuno Seruitutis

1

Qꝛ ſunt ſex ſtuꝝ urbanoꝝ predioꝝ

2

Qꝛ ſtura ſeruitutis

3

Vt ſtillicidiũ vel flumen recipiat quod ſuos edes ſuas

4

Vt ſtillicidia l' fluꝫ recipiat ꝛ aqua l' ꝛ eluuia l' non rompiat

5

Ne alteri ſuꝫ edificiũ ſuꝫ ne luminibus ſuis officiat

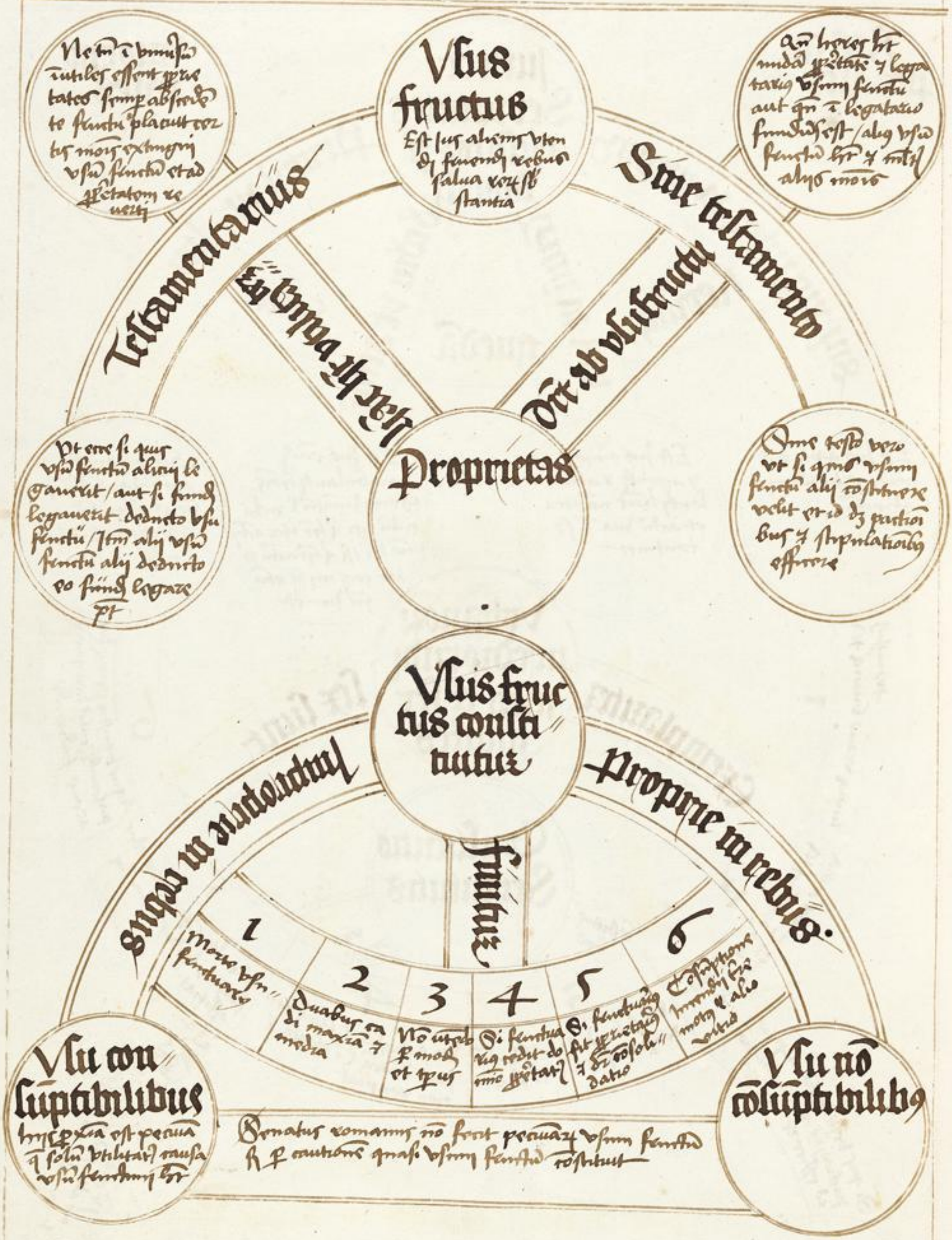
6

Qꝛ ſtura aquæductus

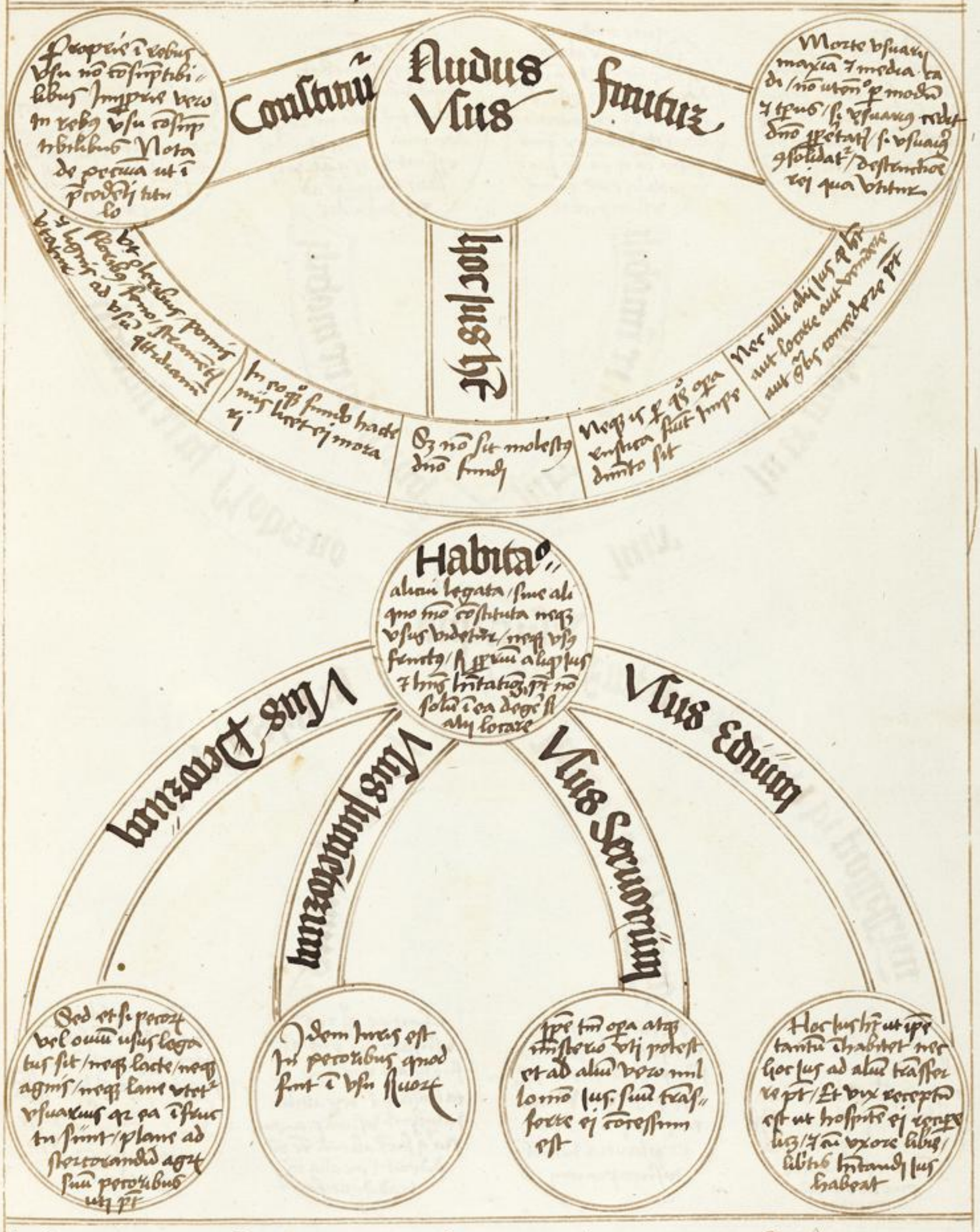
Contractu

Vltima voluntate

De Vsufructu

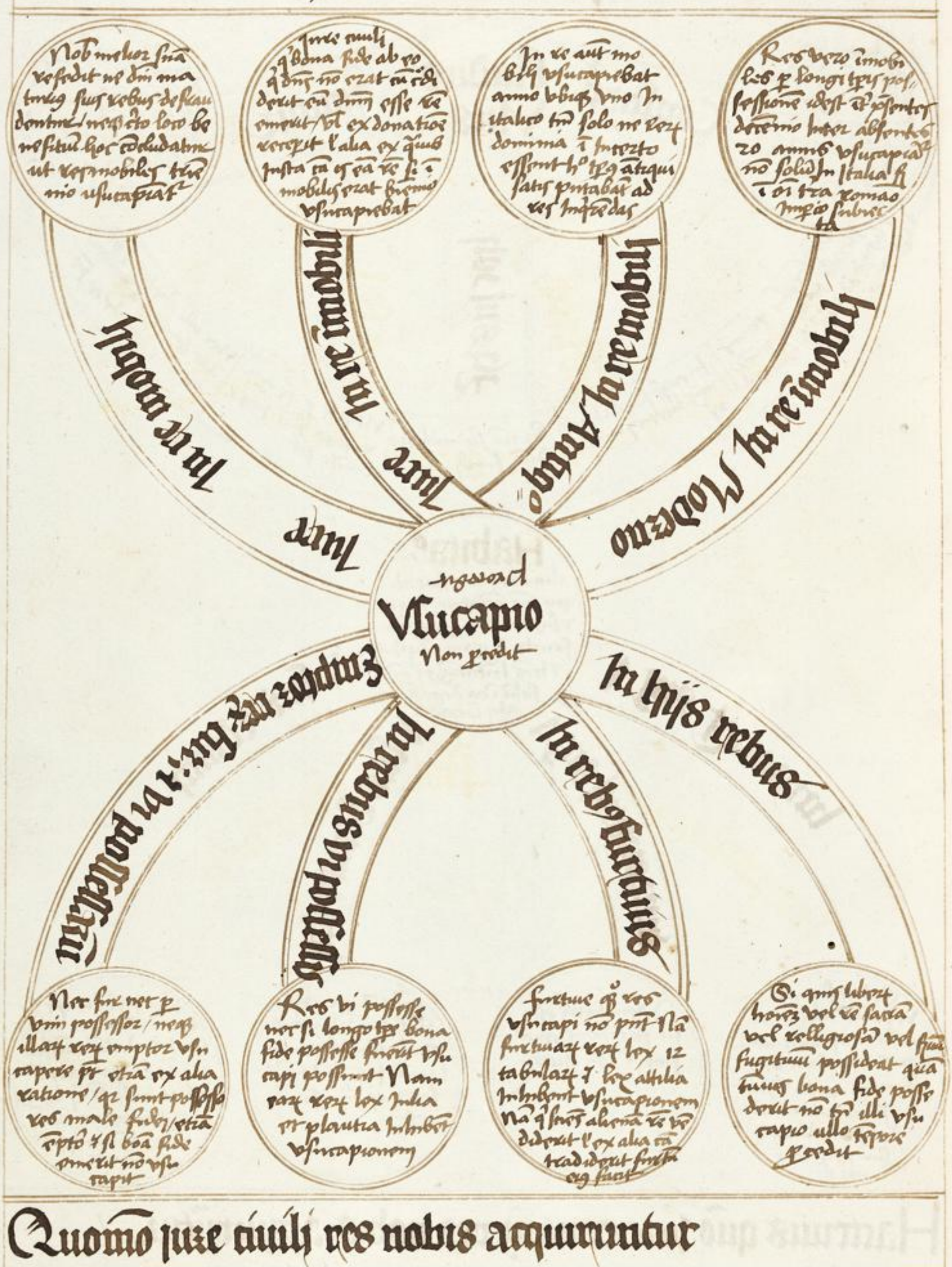


De vsu et habitatione



Hactenus quo iure derivati res nobis acquiruntur

De Vsucapionibus et longi tem



Quomodo iure ciuili res nobis acquiruntur

pons prescriptionibus

Res aliena nobis mancipari cum bono fidei

Traditio

Res sua

Emptus

Locatio

Usucapio

Possessio derelicti

De Donationibus

Quibus alienare licet vel non

Maritus

Marcus dotale p̄dium tuta mihi lege p̄legem Julia p̄hibetur alienare quamuis ipsig̃ sit dotis causa ei data / statuig̃ de nouo ut eadem res q̄ in p̄dium talis solo posite sunt vendere aut alienare vel obligare

Creditor

Creditor pignus ex pacto suo quauis ea res non sit alienare pt / Ex hoc forte est q̄ voluntate debitoris intelligit pignus alienare non tm hoc solo s̄ rōne juris ut possit

Vir

Hoc quod supra de marito dictu est adeo est verū ut neq̃ uxor cum consentiente viro mutuo det neq̃ servus mihi quidē fugitiuus existimet substantie rei tm mutatur

Uxor

Nostra constat consultum est et certus modus impositus est ut pignora distracto possit vendere ex tenore utriusq̃ pti creditoris et debitoris satisfactum est

Pupillus

Nulla res sine tutoris auctoritate alienare pt / doctus si sine eius auctoritate mutuā pecuniā dederint nullā obligationē contrahunt ideoq̃ vindicari possunt si extent / Si autem recepti sunt bona fide a

Debitor pupilli

Ex re domus pupilli vel pupille solutio sine auctoritate tutoris non potest ut ad quod solutum non est compareat ut si filius mihi eq̃ alienato res sine tutoris auctoritate vendita est

Debitor

Proinde quamuis hi qui habent tutores creditores debitores pupillares soluere ut puta iudicatum sine auctoritate celebrata non permittat / quoniam subscripto / iudex pecuniam / debitor soluit si hanc solutionem retractare

Debitor alienationis

At ex contrario omnis res pupillo et pupille sine tutoris auctoritate vendita datur pt / doctus si debitor pupillo soluat nihil est debitori tutoris auctoritas / aliquin non liberabit

Per quas psonas vob acq̃ritur

Adquisitio rerum

Ex hereditate

Ex testamento

Ex donatione

Ex traditione

Ex vsucapione

Ex lege

Ex constitutione

Ex vsufructu

Ex accessione

Per quas psonas vob acq̃ritur

Possessor bone fidei

Possidens

Servum Alienum

Acquisitio non liberorum

Liberum hominem

Acquirit p̃ eum

Et h̃ p̃ dē p̃ ex̃ nra p̃sona mihi ac quirj posse / excepto eo q̃ p̃ liberam p̃sona velit̃ p̃ pcuratore placi non solu strontibus sed etiã notarijs vob acq̃rj possessionem

Liberū ho et seruꝰ alieng bona fide possessus acquirat possessionē ex re ipsa et opibus suis ex quibꝰ casibꝰ liber ho acquirit sibi et suus dño suo / et ita p̃ eos tm acquirit nobis domini et possessio

Ex hijs itaq̃ apparet p liberos homes quos nos vtq̃ tm scientes habere nos bona fide possidere ite p̃ ancillas nostras et quibꝰ nos usufructū habere nos possessiones hereditarias nobis vendere vob acquirere posse

Hec res · Hec res per vniuersitatē

Possessio

Addictio

Acquirit

Et hoc p̃ dē p̃ ex̃ nra p̃sona mihi ac quirj posse / excepto eo q̃ p̃ liberam p̃sona velit̃ p̃ procuratore placi non solu strontibus sed etiã notarijs vob acq̃rj possessionem

Si quis liberos filios suos vel omnes ad vos transierint

Si quem aere ceu quo vel omnes ad vos transierint

Si cui bonaliber tatis conser vandas ea vobis addicta fuerint vel omnes ad vos transierint

De testamentis ordinandis

Testamentum

Testamenti factio

Testamenti solennitas

Testamentum militis

Testamenta parentum inter liberos

Testamenta inofficiosa

Codicillorum

Testamentarie

Presumpta

Subscripto

Iubens

Et cetera

Testamenti
ac eo appellatur
quod testatore m
ne fit

Ex nullo pactum
Ex nullo pactum
Ex nullo pactum
Ex nullo pactum
Ex nullo pactum
Ex nullo pactum
Ex nullo pactum
Ex nullo pactum

De testamentis ordinandis

Consti⁹ nes admit tendo⁹ te staz

Vetteres quidam homines appro⁹ et ⁹ a testamentis testimonij repellebat[ur] quod ⁹ testandi facultatem habere non videbantur

Seruus liber reputatus si ⁹ te sti⁹ eo dñi testi⁹ simul obierint

Patrz i filius ⁊ ⁹ qm in ptate eius est

Fratres duo qm i eadē patrz ptate sut ⁊ hō intelligē ⁊ alieno negotio

Legatarij qz nō sunt pure sui ⁹ sores ⁊ alie ⁊ sone ⁹ no negotiū ⁹ tis mortis

Fideiu millarij ⁊ hmōi qz i ⁊ ptate sunt

Isti nō pūt ⁹ Isti ⁊ testes esse pūt

Isti in testam Testes i testamto

Qui in po testate filii testatoris

Heres scriptus

Qui in ptāte heredis est

Patrz heredis

Fratres heredis

Testamē⁹ torum or dinatio

Quoniā triplex genus

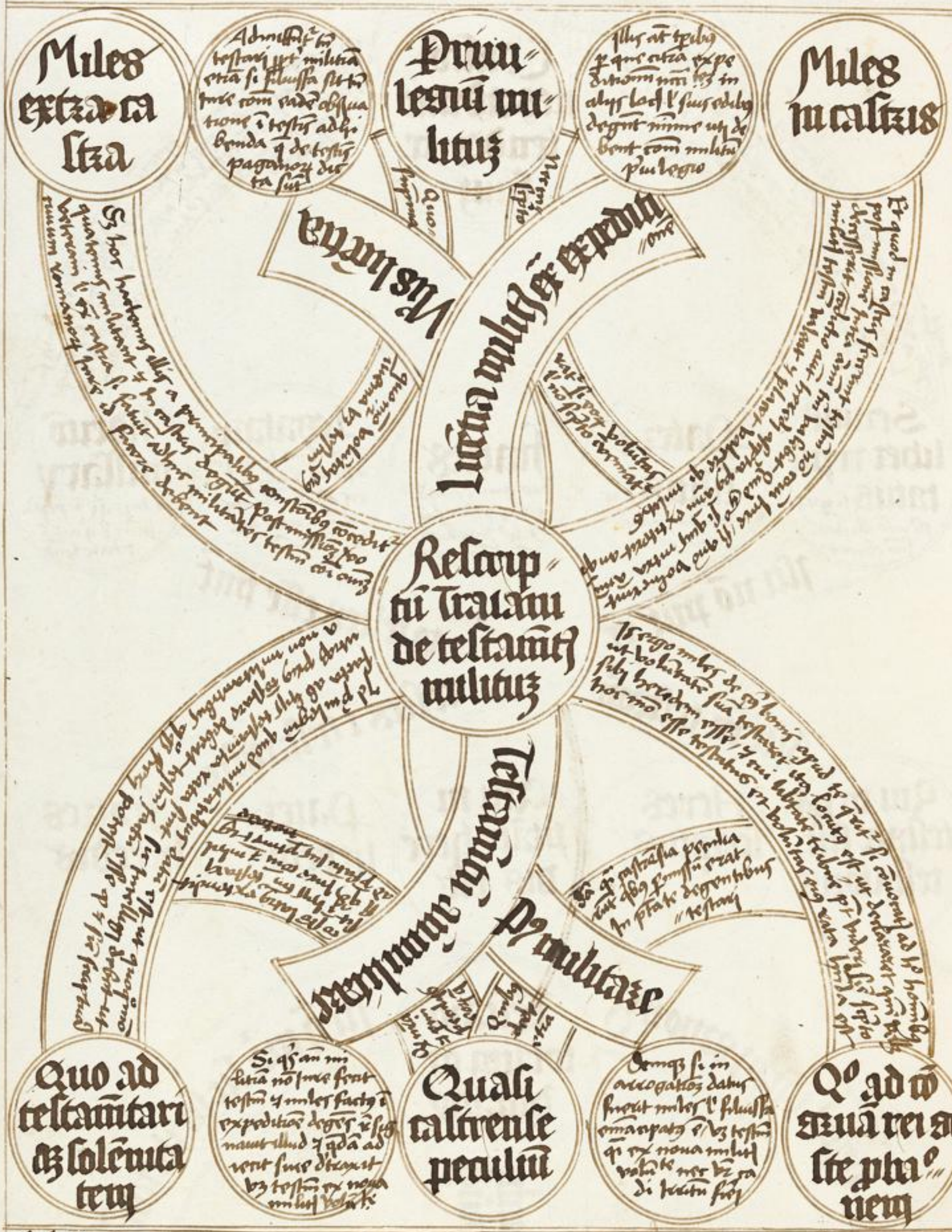
In q̄ mā² lit ⁹ scribendi

Si ⁊ hmōi testiū plurib⁹ codicib⁹ scriptū ⁹ sedm obtinentem in obseruatio⁹ cibus factis q̄ testatū ⁹ tra mentis ⁹ q̄ sint ta imminet hmōi necessitatibus

Si quis aut sine scripto voluit ordinare testm̄ tres ⁹ uij ⁊ testibus adhibitis ⁊ sua voluntate ⁹ ra est ordinata Quāq̄ testm̄ scriptis ⁹ tis nulli

Nichil aut interest testamentū in tabulis aut in chartis membranis ⁹ ue vel in alia materia fiat

De militari testamento



Mutus et surdus miles testamentū facere potest

Quibꝰ nō ē pmissū facē testamētū

1 Aurelius

1
Hij qm alqno
tuj fuberti sunt
testi fatremꝫ sui nō
sunt adro. qꝫ si pter
rog pmisit mihi
lo magt testaꝫ
pot

2 Sempronius

2
Potest facē testi
miles de rebus q
in castris acquisit
qmanus sit sub
patria pta
te

3 Maelius

3
Franciscus testandi
militantibꝰ bñ ancꝭ
gressa fuerat Nuncꝭ
Augusti Verus
z dñs hadria
ni

4 Valerius

4
Postea vero sub
scriptione dñi Adri
ani pta dimissis
a militia idest
veteranis cō
cessū est

5 Titius

5
Si milites testari
fierent de castrensi
pecunia ptinebit
hoc ad eos qui
hereditatē reli
quūnt

5 Mutius testis

6
Si vero testati de
cesserint milites la
borū vel fratribus
superstitibꝰ ad pare
tes post hoc
mittit

6 Manilius

7
Id qd miles in
stte acquisit pē adi
mē nō fit / nec pter
eos redutꝰ vende pōt
l alit negotiatꝰ / aut
e cōe ea alicui ta
bg stipendij mi
nui

7 Mutius

8
Pē hostē agit q̄ ca
strense peculiū l q̄
castrense peculiū fuit
si quis alius filiusfa
milias testū fecerit cum
pe z lucē sine testi
facta decessit

8 Licinius

9
Impuberes testū
facere nō pōt qz ad
ferē nō est nec ad
eum ptinet si qo
spēa tempos mihi
facta sit

9 Sempronius

10
Furiosus testū fa
cere nō pōt qz animū
iudicium alienū est z mēte
caret / nec ad rē fa
ciet qd postea re
perit mihi frater

10 Sempronius

11
Pdigg cui ora sua
bona intacta sunt
testm facere nō pōt
si an interdictū
suoꝝ bonoꝝ
potuit

11 Titius

12
Surdus si sic iuro
nō audit nō ut q̄
tarde audit testm
facere nō pōt

12 Valerius Publicola

13
Mutus si sic
tui eloqm mihi
pōt / nō qui tarde
loquit testm
facē nō pōt

13 Caius

14
Si ff pg testm fac
re adversa valitudo
aut qd̄ alio casu mū
tus aut surdꝰ esse
coepit tabu mihi
comig magt
sig testm

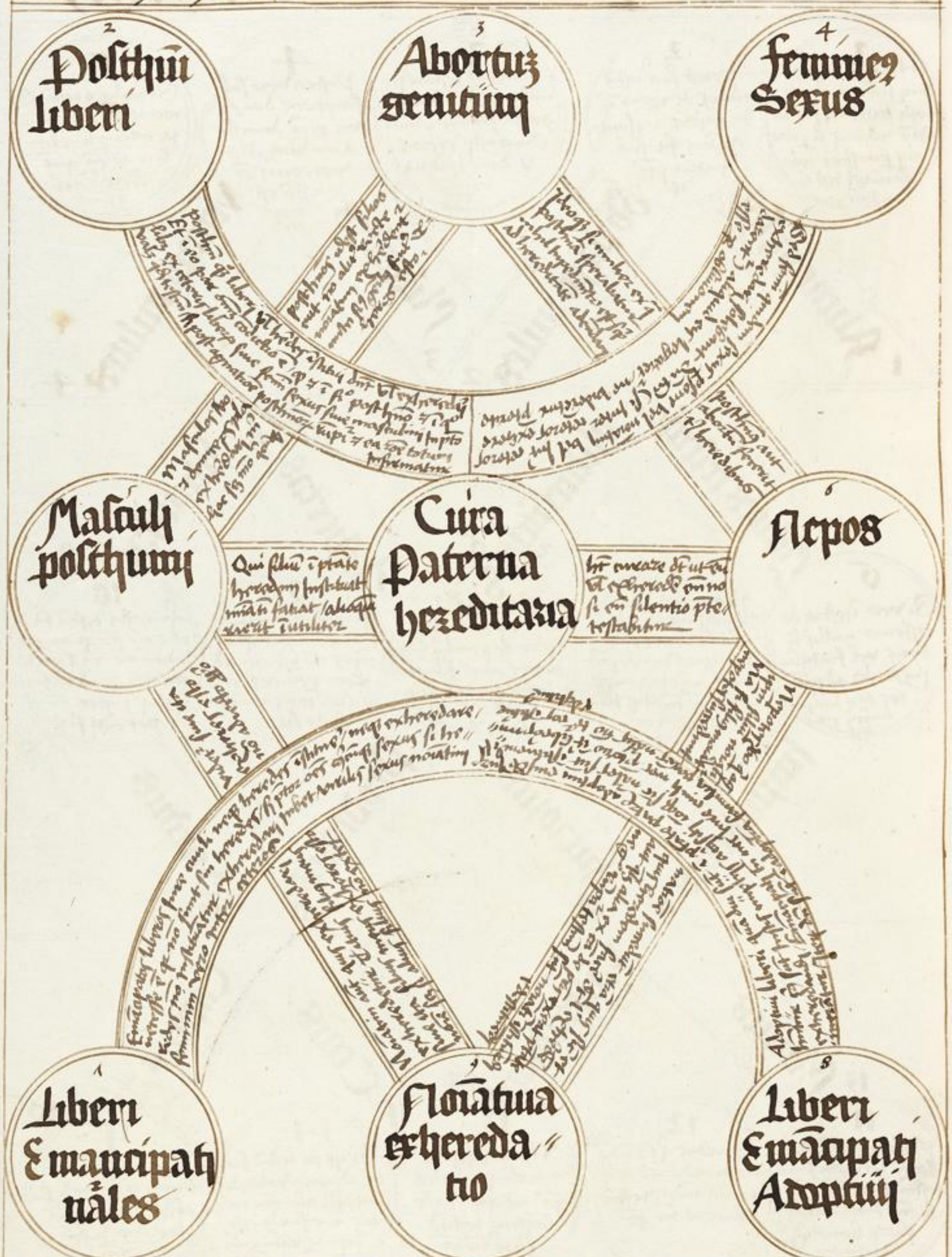
14 Caius

15
Cecus at nō pōt
facere testm nisi p
obstrationē qua
lec diu testimo
nij subscriptū sit

15 Capitolinus

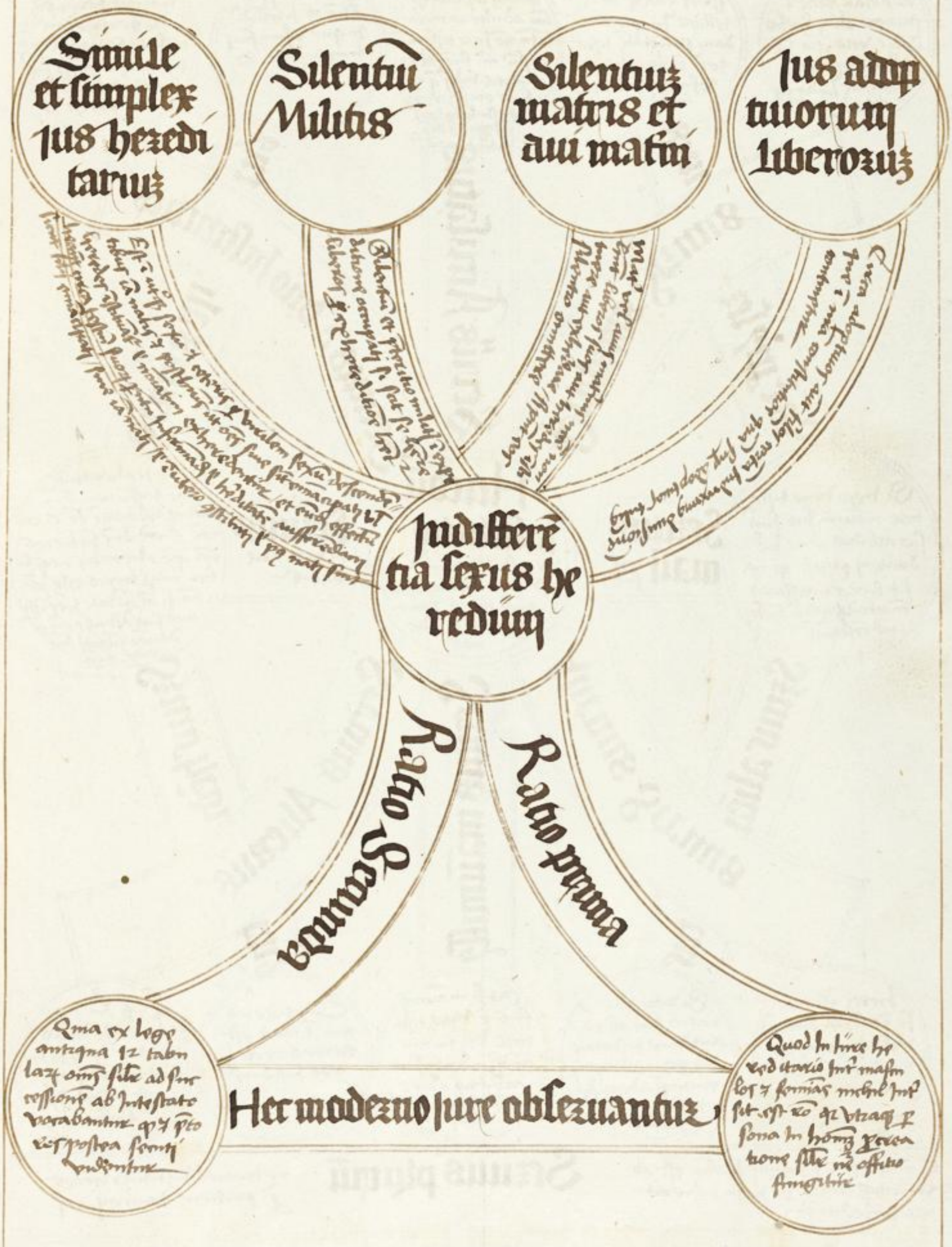
16

De exheredatione liberorū



Hec omnia antiquo veteri jure obseruata fuerunt

De exhezedatione liberorum



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Baden-Württemberg

De hezedibus instituendis

Hezedū instituto

Seruus alienus

Seruus a dño manumissus

Seruus manumissus

Seruus proprius

Seruus plurium

De heredibus instituendis

Numerus hezedum

Plures equalitez instituti

Quilio hereditat

Plures inequalitez instituti

Partes Accrescendi

Exemplum

Partes Decrescendi

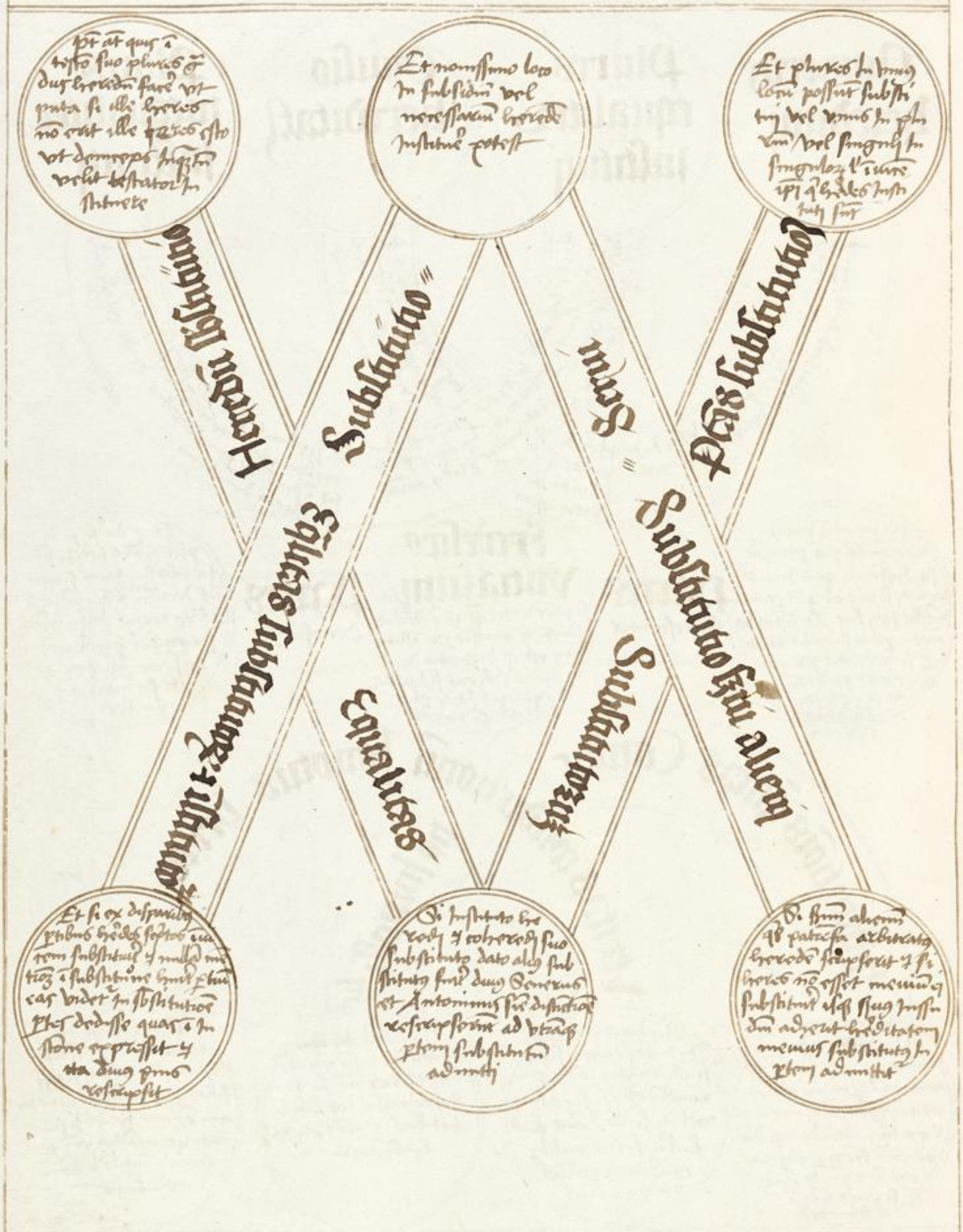
Hereditates quibus Conditiones

Varietas conditionum

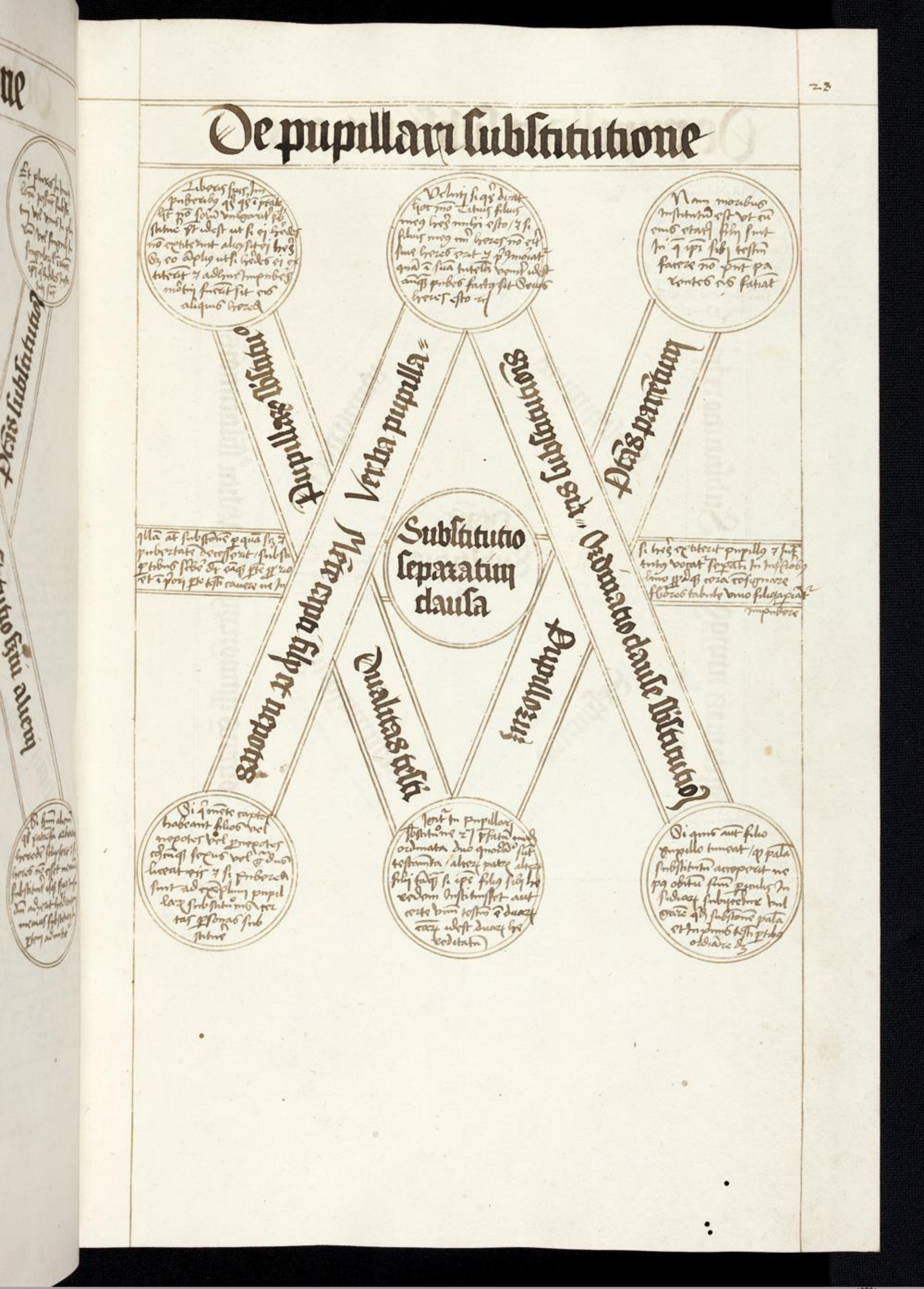
Impossibilis

Hereditates quibus conditiones

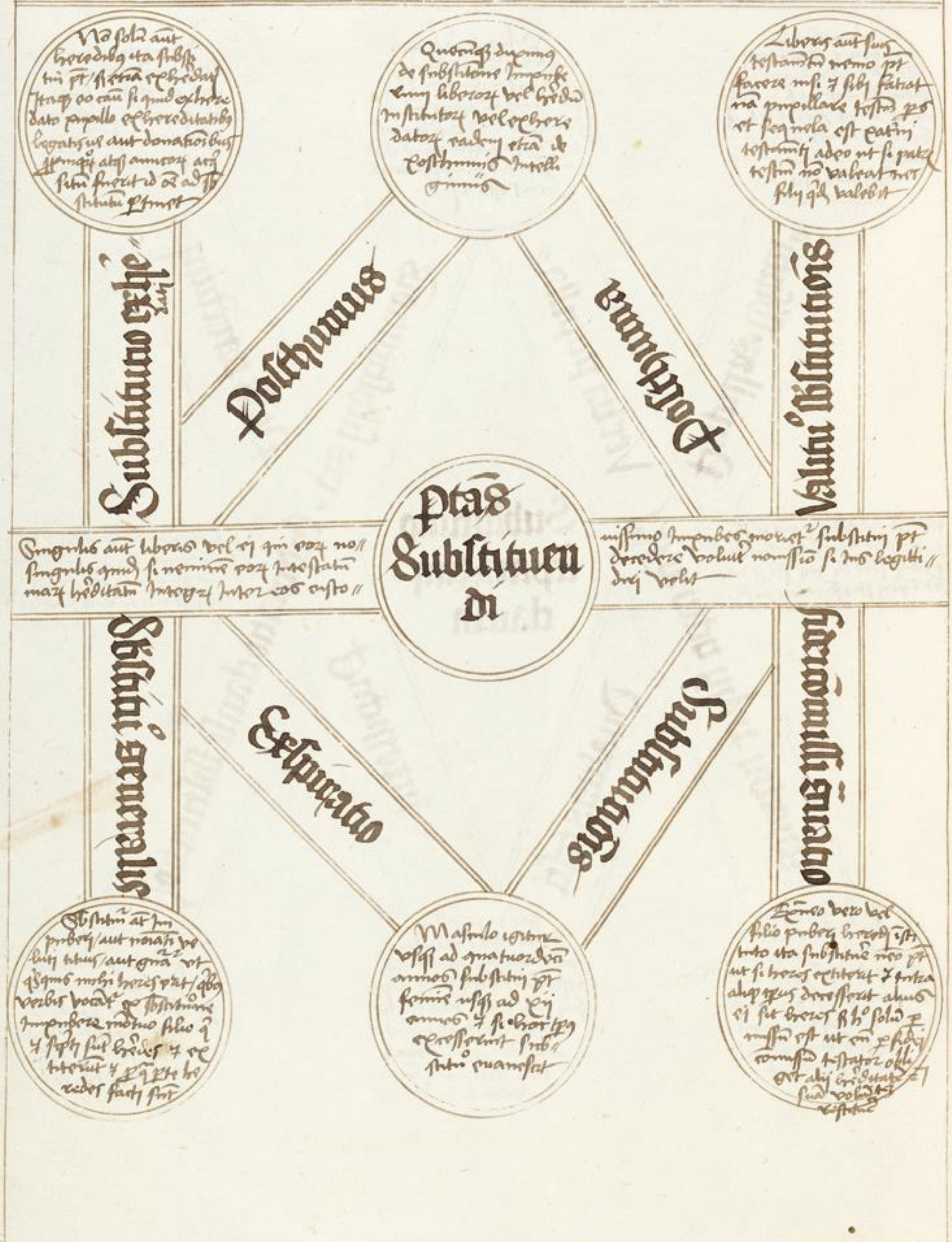
De vulgari substitutione



De pupillari substitutione



De pupillari substitutione



Quibus modis testamenta infirmentur

Valor testamentorum

Ruptia testamentorum

Sedm testm iure pfectuz

Duo pcz facta testamenta

Capitis diminutio

Residuale certa testamenti

Posterius testm iure factum

Non admittit hæditas negs tabule no bone fuere Iustitutio imperatoris facta rog q hec ita permpti rebocta sit in quibus ipe ob eam rem 7 c hæ institutq erat ybendo Negs qs muda vere hæredis nomo admittet/negs qs bella strapud eu iure auctoritas desit aliquid adoptiuz Ordo hoz duu Senatus 7 Antonimus sepissie rescripserunt Licet eni Ciuiles legibus solutj sumus attamen legibus viuim

De Inofficioso testamento

Inofficiosum testamentum

Est qui liberis inque ascendentes aut descendentes aut collaterales / quasi non sanae mentis officio petant

Postulabunt

Adoptivi

Querela inofficiosi testamenti

Fratres et Sorores

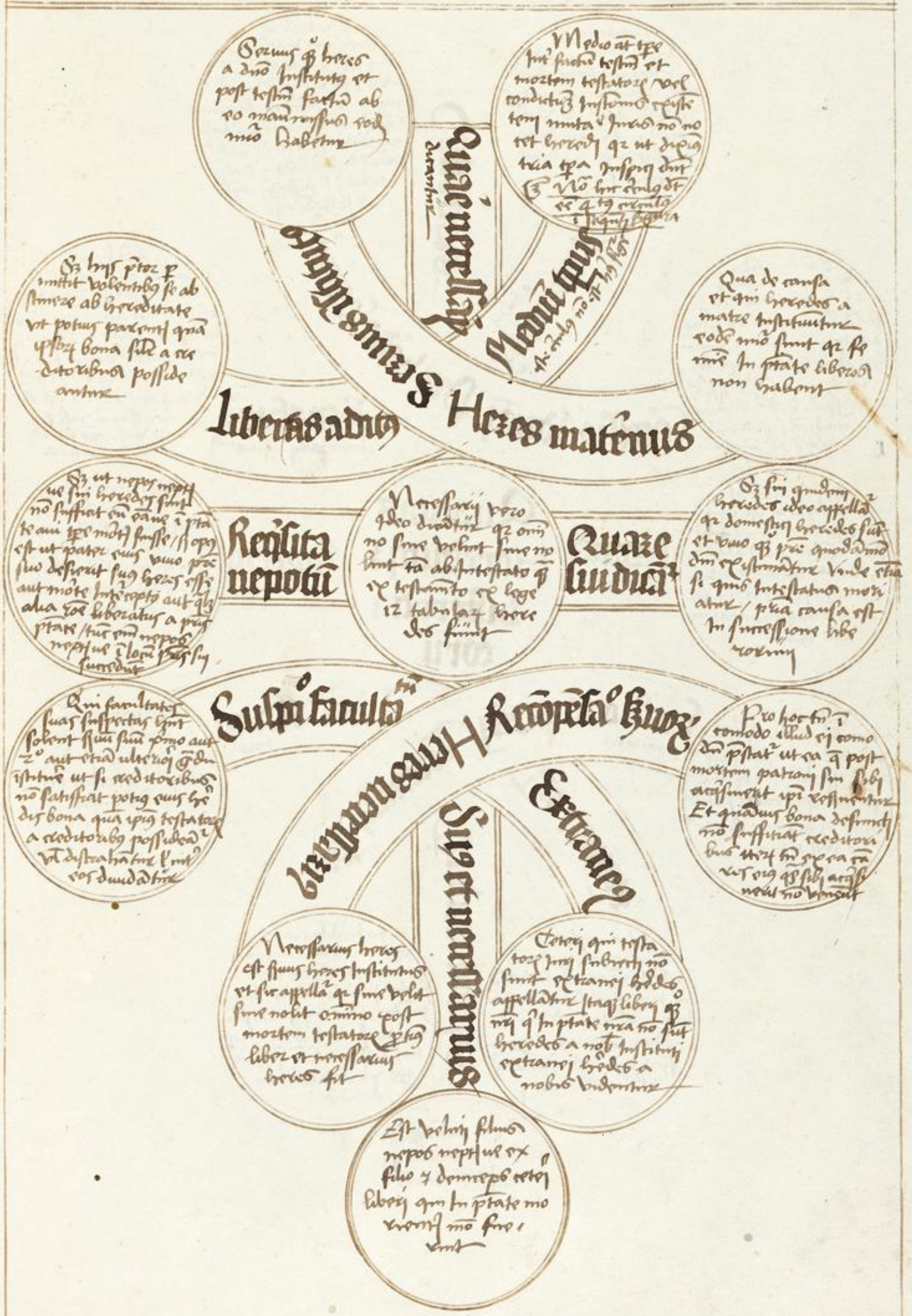
Repellitio a querela

Distinctio de Accusando

Accusatio tutoris pro Pupillis

Petitio Accusantium

De heredū qualitate ⁊ differentia



De heredū qualitate et differentia

Qualitas Heredum & differencia eorū

Cōcilio Adrianj

Probidentie

Senatus consulta

Beneficium

Mutata libertas

Mutatio

Facto te[stamenti]

Testamēti

Libertas data

Temporis momenta

Extraneus hēs

De legatis

Una legatorum

Legatum datum

Olim

Vna

Quibusdam

Legatum mancipii

Legatum rei alienę

Legatum rei obligatę

Legatum rei suę

Legatum rei propriæ

Legatum rei alienę

Legatum rei suę

Legatum rei obligat

De legatis

Alienatus fundus legatus

Legatum liberationis

Legatum dotis

Legatum

Res pignorata

Legatum

Fundus legatus

Servus heredis

Servus alterius

Servus ordinarius

De legatis

Si grex legatus fuerat & postea ad vna ouem pueruenit & postea dubitat vendicari potest / Grex et legatum et ouis cui & est testim sim ggi ad vtil legatu
Si pendul legatu fuerit fine dupl pmiu ad vel deredit vno testatore legatum suu & dno rst
Pendula ait mihi legatu fuit malum mihi no det quamuis si vnq mali mihi fuerit suffecit si no admat & ita dum pendet & Antonius & Sabinus
Ita ait ciuilis res ff mihi legatu fuit & quod debet et alius legat ut actiones suas legatarius exerceat vnq testato petenti no datur
Pendu ait legatu & mihi & Titio & Seio & Titio aut mihi legatum est
Si grex generaliter sine vel eos alia legetur electio legatario est mihi aliud testator dixerit
Optauit legatariu vel testator ex suis vel alijs vnu optare legatariu suffecit habebat olim in solutione & no mihi qui legatariu nunq optauerat ad hoc legatariu non habebat
Si p mea culpa hoc actum est ut fieri plures legatarij existerent alij optio exclusa est & dissentiat a reliquis in sorte dominium non dissentio
Legari mihi aut illi solui potest no q dum testimoni facto est
Pendu ait mihi & Titio & Seio

De legatis

Hodiernus

Postumus Alienus

Suus Heres Cum Legatario

Suus Heres Cum Legatis

Legata et libertas olim

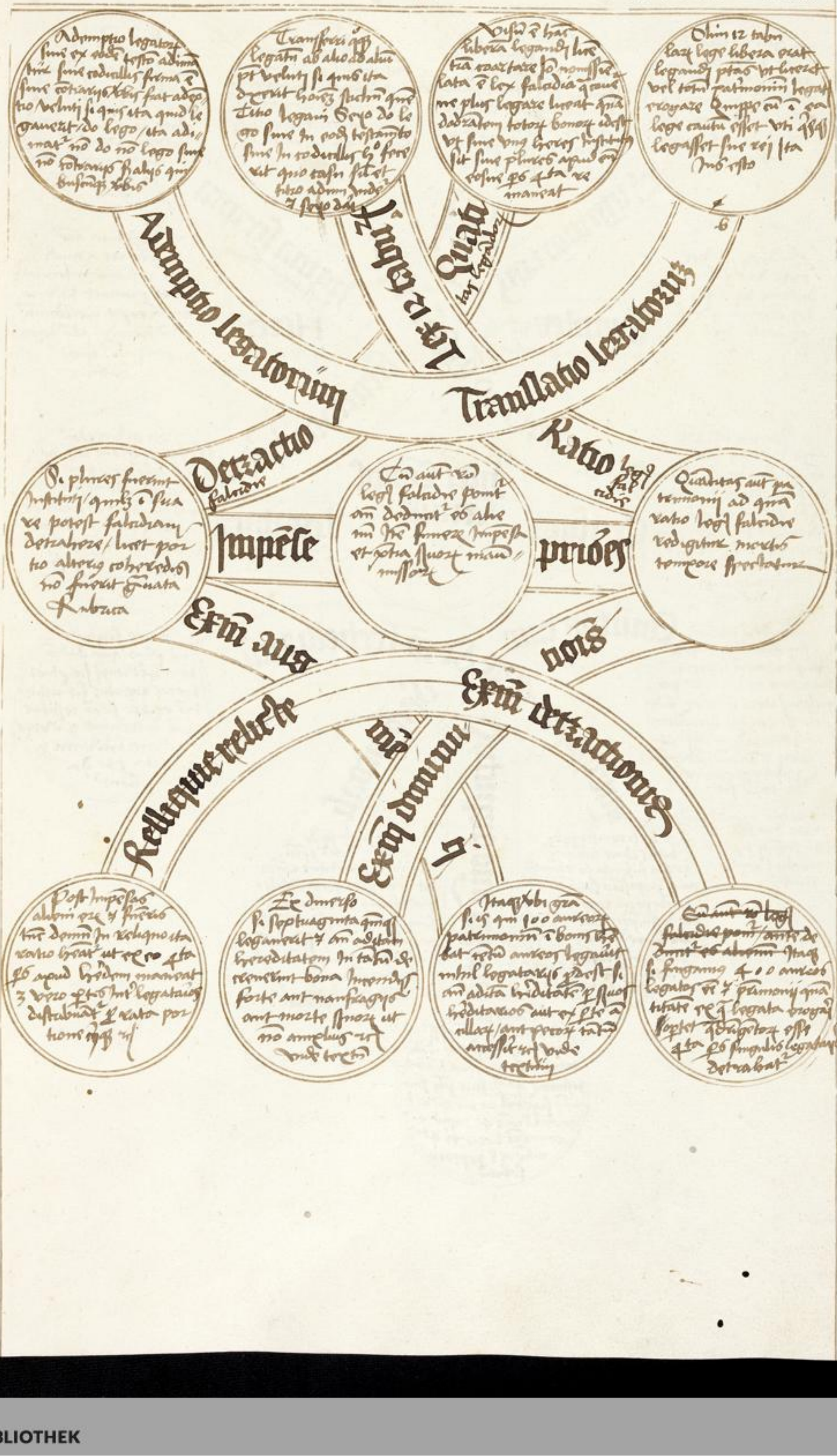
Legata et libertas modo

Non Heres Cum Legatario

Non Heres Cum Legatis

Heres Pene Legabat olim

De adeptione legatorum: De lege falcidia



De fideicommissariis hereditatibus

Fideicommissarius

Fideicommissum

Fideicommissi Testamentum

Fideicommissum Singulare

Fideicommissum Universale

Codicillus

Fideicommissum Familiae

Fideicommissum Hereditatis

Fideicommissum Ex. Tit. Trebellianum

Fideicommissum Ex. Tit. Senatusconsultum Pegasianum

Fideicommissum Ex. Tit. Senatusconsultum Trebellianum

Fideicommissum Ex. Tit. Senatusconsultum Pegasianum et

ad senatusconsultum trebellianum

Quid autem impe-
dit heres stricti iuris
datam hereditate adire
necessitas ei imponit tota
hereditate voluntati fideicō-
missario restituā / & omnes ac-
tiones utiles in & contra eū transfe-
rre actiones utiles h̄o se no
trebellianō solo re
stitas ei impu-
nitas

Nota q̄ quidam
ulterius in predicti se-
natusconsulti & iuris dispositione
duas sententias & ordine
pon̄ vtraq; sua & illud q̄
a prudentib⁹ retulit q̄ ad
ea / trebellianā restitu-
nata dz hec & isto
pon̄ no hec

Nihil at hec ob-
stat q̄ minus aliquis ex asse
heres existat aut tota hi
reditatem aut q̄ pte resti-
tuere rogat̄ an re pte he-
res existat aut tota ea pte
aut ptem q̄ restituere
rogat̄ fideicō-missū
suscipiat & pte & to-
ta hereditate

Si q̄ rem alicui
re dederit sine cuppta
q̄ tacz coluerit heredis sui
do vel alia re rogatus sit
restituere hereditate sibi ma-
nifeste se eo trebellianō restitu-
turū fuisse. Unde ac si q̄ta pte
relicta rogatus restit-
uere reliquā hereditatis
restituere

Alterius rei
simili modo si q̄ta pte
relicta rogat heres ei
dem restituere hereditatis ptem
similit̄ actiones et
debitores quib⁹ transfuderit
ad fideicōmissarium & qua
diu ante remanent
apud heredem

Calus 1

Calus /2/

Calus /3/

Calus 4

Grauato de restituendo

Fidei pmissa

Cōstituto noua

Fidei pcepta

Cautela

Legata relicta

Legata pmissa

Oz illud inducit
q̄ alterius rei simili mō
deducta sine cuppta ali-
qua re restituē hereditas
in solidū ex eo sena cōsulto actio
nes transferunt̄ & res q̄rendi
apud heredē sine dolo ma-
le hereditarie apud
eū manent q̄ fideī
legato ei debe-
ta

Qui rem hereditariam
bona re aliqua de-
ducta aut cuppta restituē
aliquis hereditate rogatus
est in qua maxima pte he-
reditatis consistit̄ eque il-
lud transferunt̄ actiones
& eum debitores debi-
ti cum restitui hereditas
an expectat solu-
tum

+
Ille cui ab intesta-
to bona deferūtur rogat
et rem fideicōmissa re
stituere fideicōmissum
est Quidā de resti-
tuendo totam here-
ditatem vel ptem he-
reditatis ei dimi-
sit

Eadem fere iuris
sunt & si debitor
pluribus dederit cuppta
tibus rebus restituere
heredi rogatus sit
Idem iuris est si rem
simplicem deduxit
sub testimo

Oz mos rogatus
fuerit ut si testator
fideicōmissi heredes suos com-
moriatur l' hereditate l' aliquā re
dei commissa restituat & si
possit dari mens scripto ei aliud
manifestius / rogat̄ a fi-
dei commissario ad in
tendimus ex
verbis testis

+
Post hostiensem
quibus senatus cōsultum
ut si qui rogatus esset
hereditate restituere quā
haberet & eos ptes restitu
ere atq; ne lege falcidia
et legata retinere co
gerentur

Et q̄ prima fi-
dei commissa tabula
a fidei heredis pendent
et ta nomē q̄ma fideicō-
missum percipiunt deo dumtaxat
Iustino ad necessitatem
simile ea deducunt

+
Ille aut qui ex
fideicōmisso rem pe-
tebat ptem hereditatis
legatarii & tanq; loco
rei q̄ ptio dabatur
q̄ si ei soli legata
essent q̄ petebat hēdi-
tatem

Isti duo dubij ptimet
ad prudentum sen-
tentiam & ordinem
sequuntur

Fidei cōmissarius

De singulis rebus per fideicommissum relictis

Res propria siue aliena

Singulus

Libertas

Alienus

Obligatio r̄ hūs

Legatarius

Libertas

Fideicommissum

Legatarius Testatoris

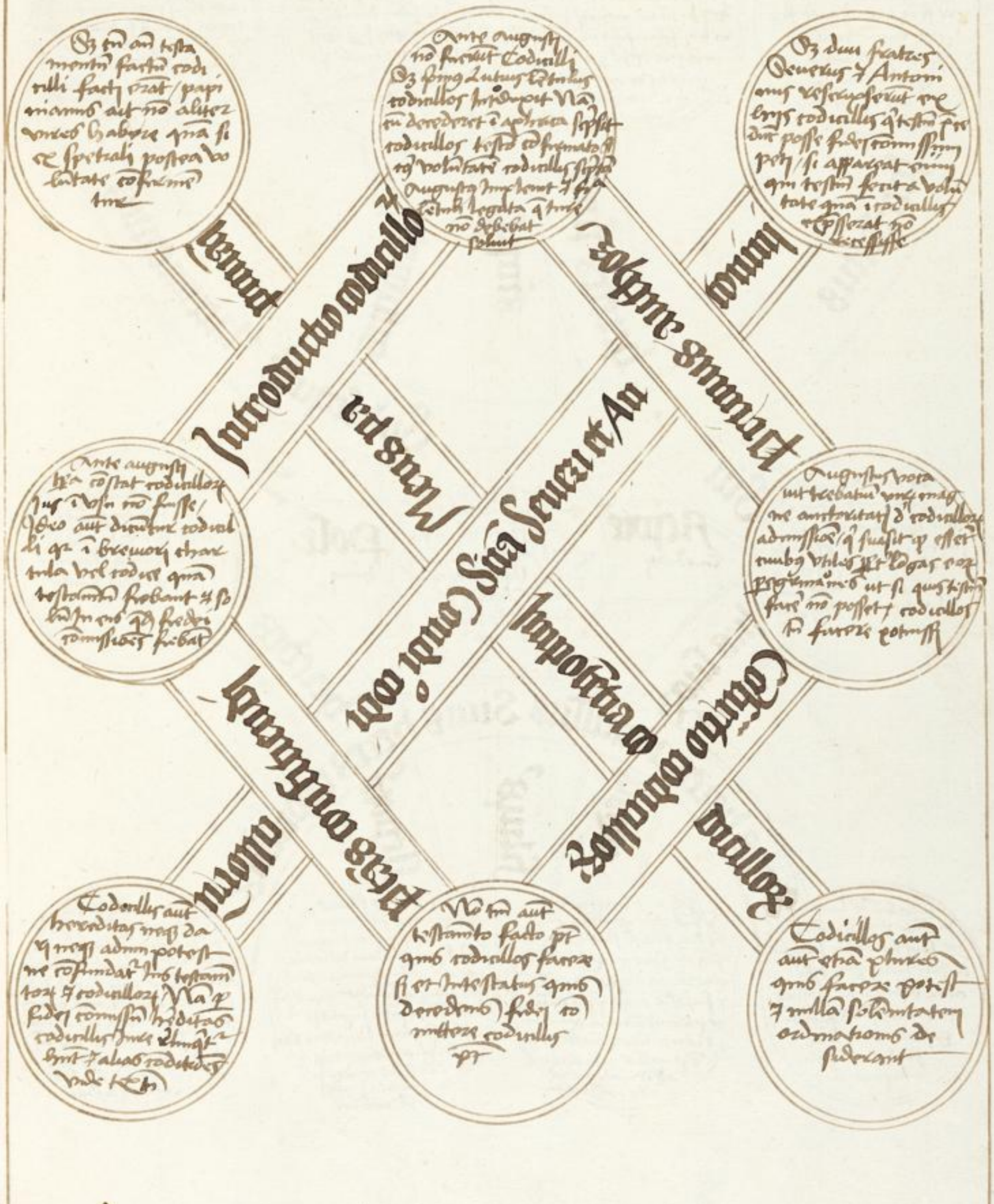
Legatarius

Libertas

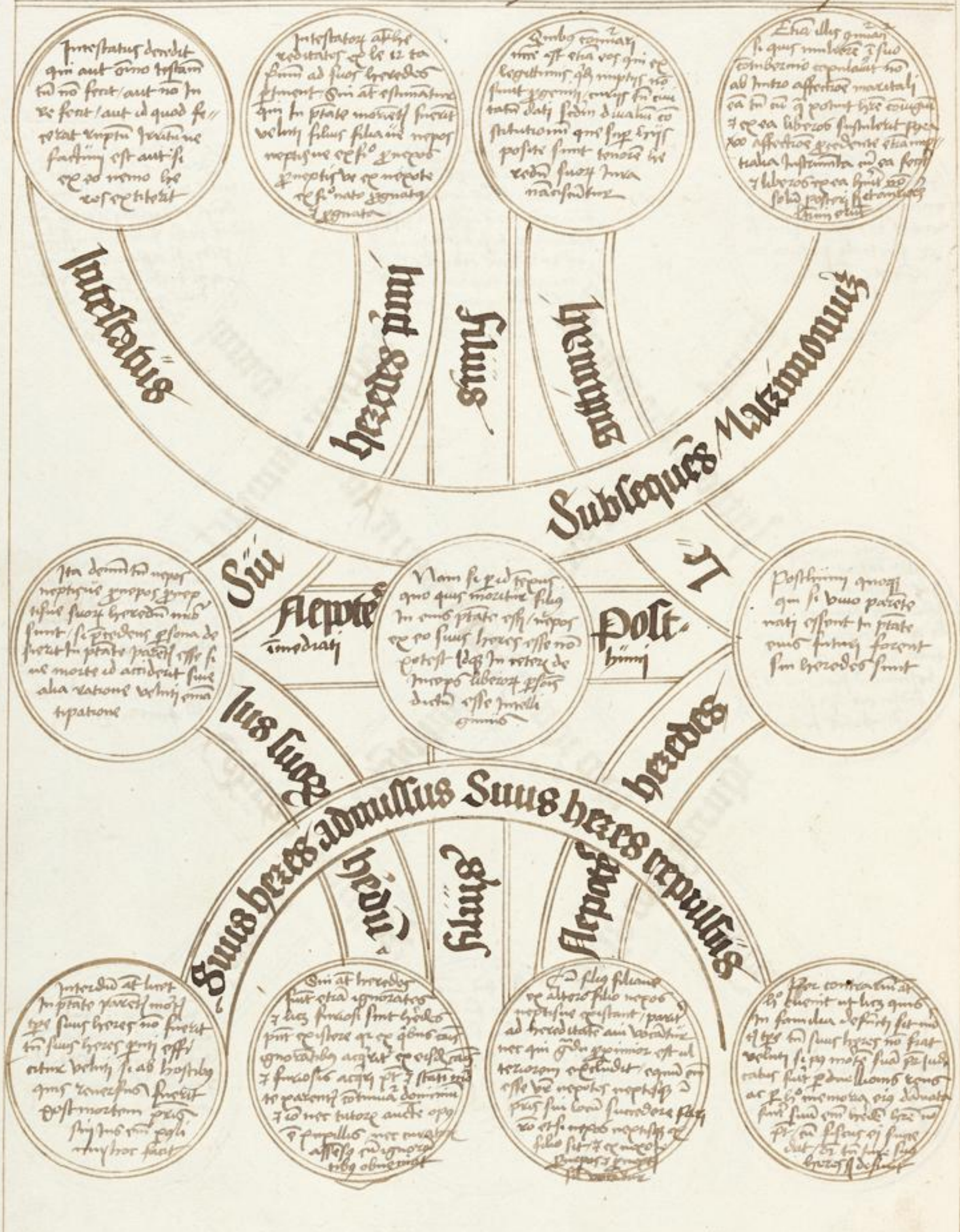
Testamentum

Valuit fideicommissum

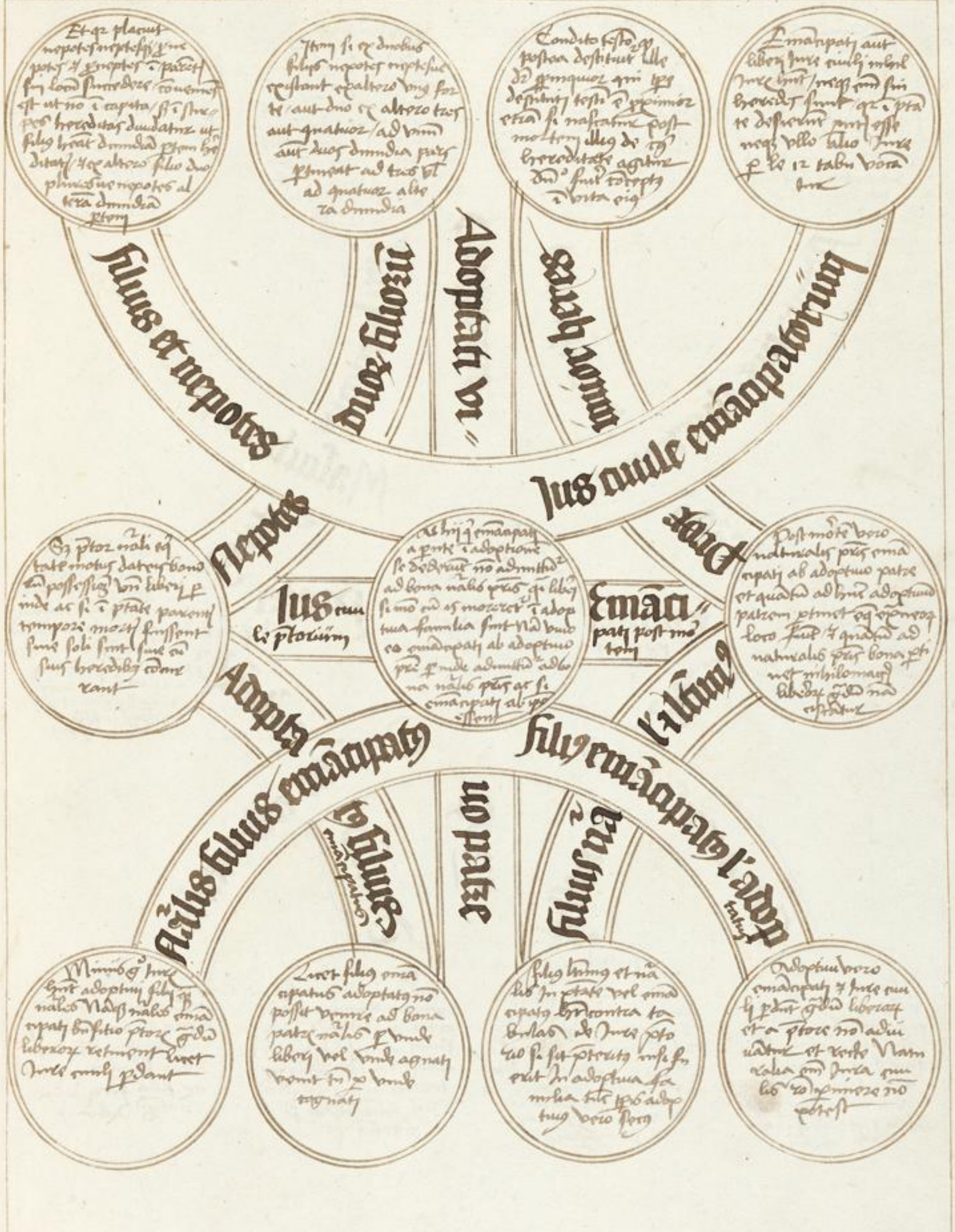
De Codicillis



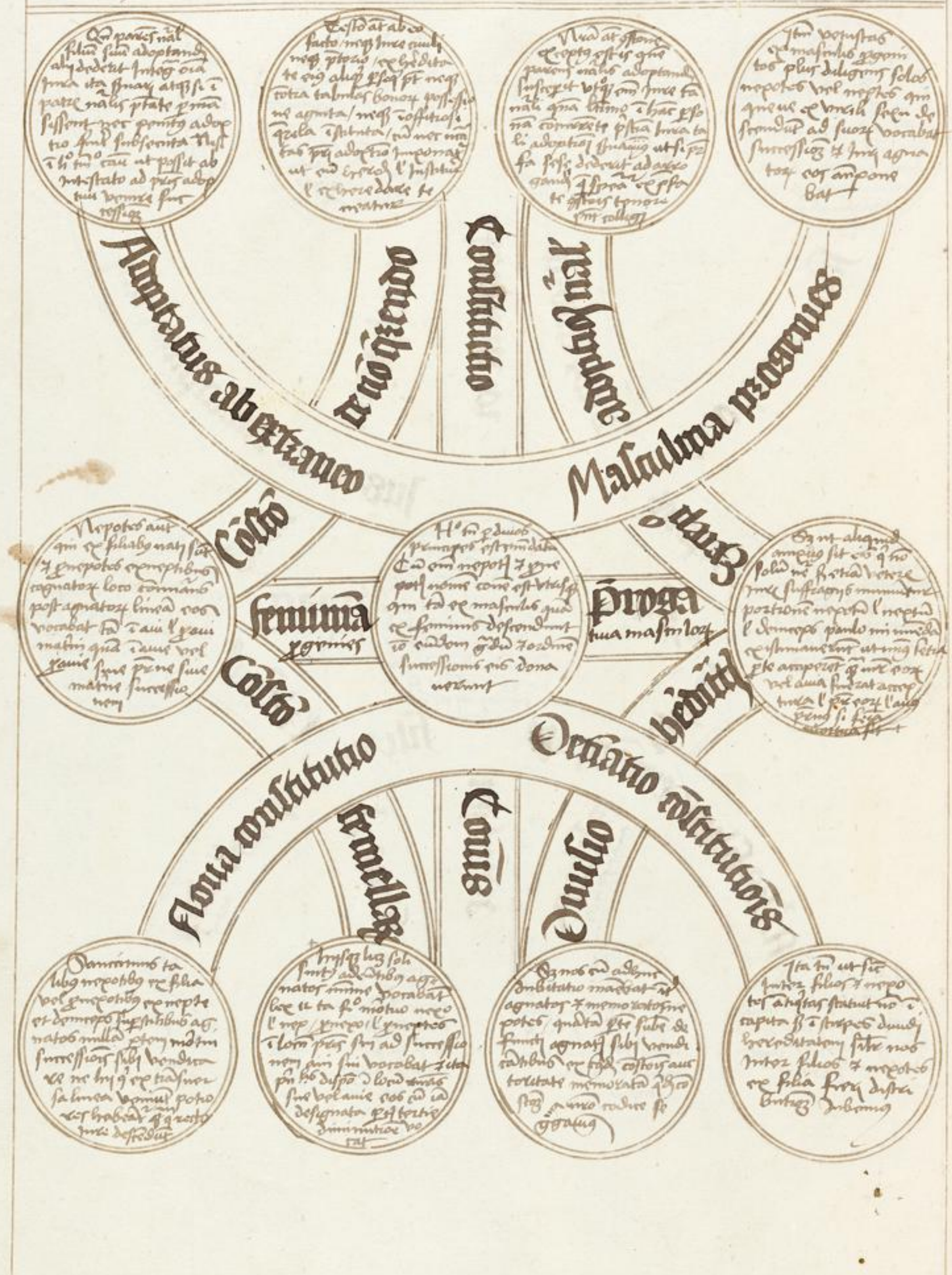
Liber Tertius De hereditatibus



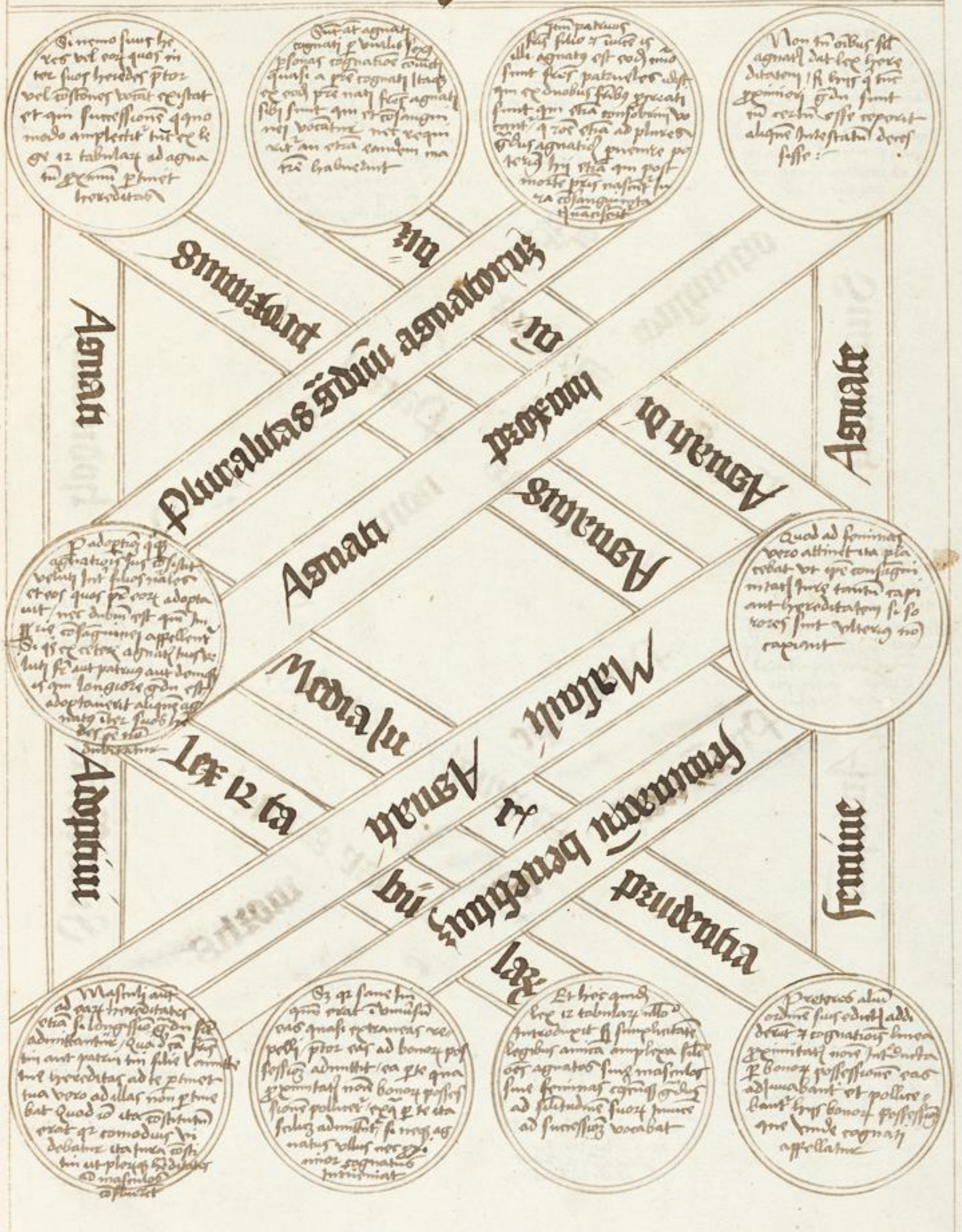
que ab matestato deferuntur



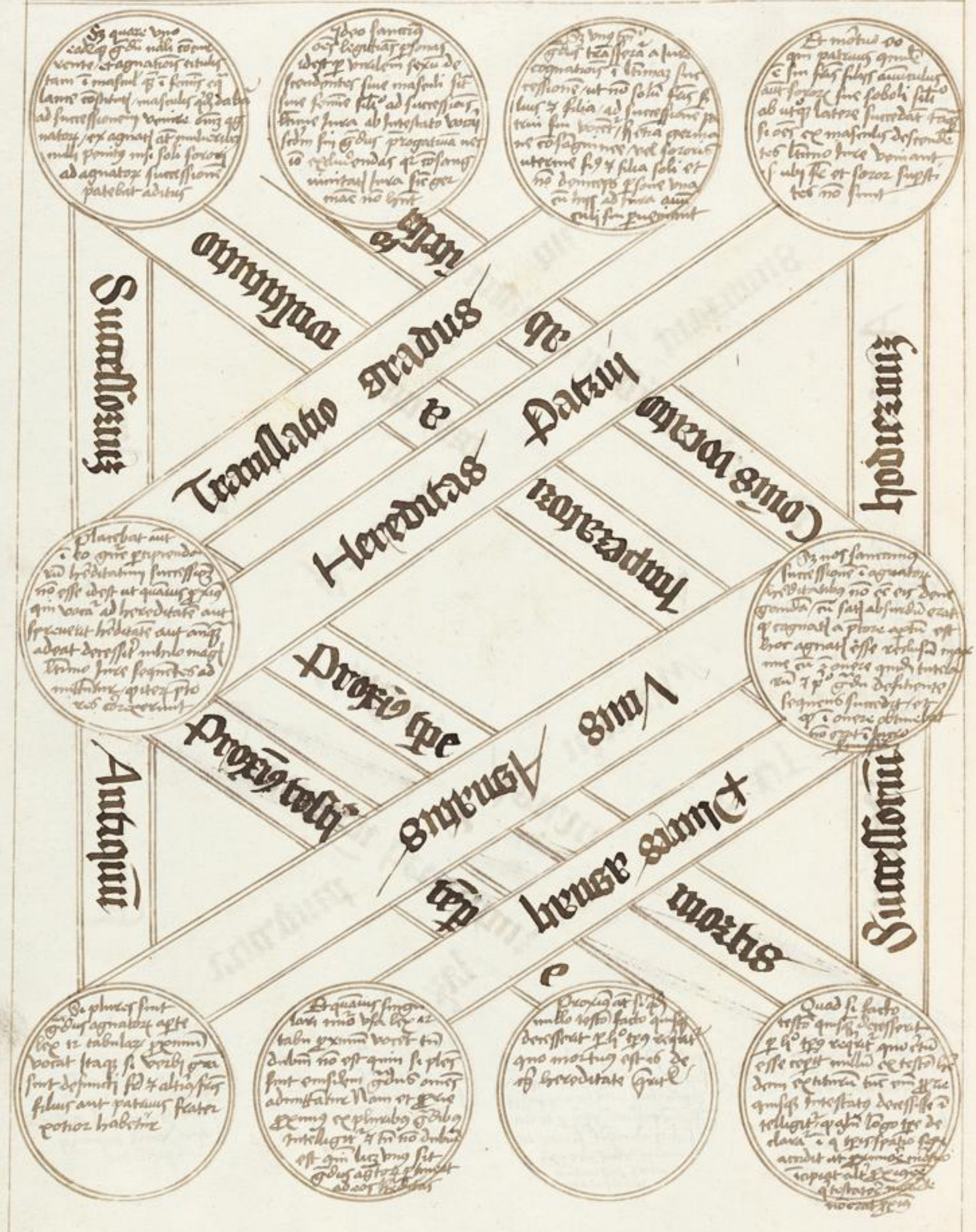
De hered que ab intestato deferuntur


Adoptatus ab extraneo
Naturalis
Naturalis
Adoptatus
Mascula propinquus
Femina
Femina
Femina

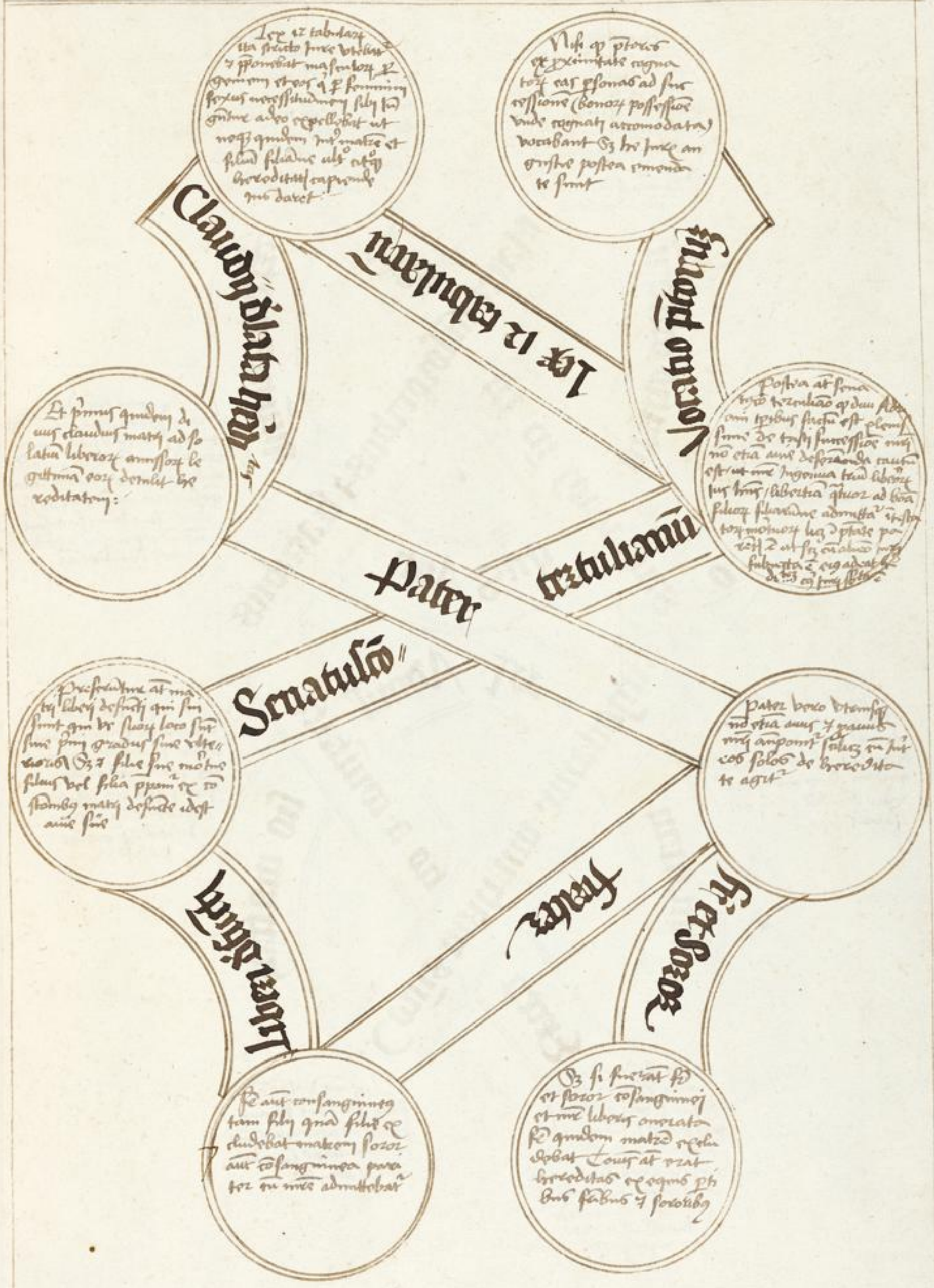
De ultima agnatoꝝ successione


Si nemo sunt hꝛes vel vxor quos in tre suos heredes ptor vel vstores vrbis reliquat et qm successionis q̃mo modo amplectit̃ hꝛ̃ de lr 12 tabularꝝ ad agnatos gentiles ptinet hereditas
Sui at agnati cognati q̃ vnius loci psonas cognatos credit quasi a pr̃e cognati trahꝛ et eod̃ pr̃e nati sibi sunt qm vt consanguinei vocabant nec recipiebant an vltra consobrinos matꝛ habuerint
Item patruus filij filio et frater ei alle agnatꝝ est eod̃mo sunt fratꝛes patrueles distqm ꝛ duobus frib⁹ grecati sunt qm vltra consobrinos dicunt et vltra ad primos q̃rtos agnatici gentiles pertinebant hij vltra qm post mortem ptris nascunt ꝛa consanguinitatis transeunt
Non in omnibus fit agnatꝝ datꝝ lex xij tabularꝝ ditatem sꝛ hinc q̃ in gentiles eꝛ dñi sunt in certis esse reperiet aliquos huiusmodi deos fuisse:
Pluralis ꝑdicti agnatoꝝ
Agnati
Agnatis
Agnatis
Agnatis

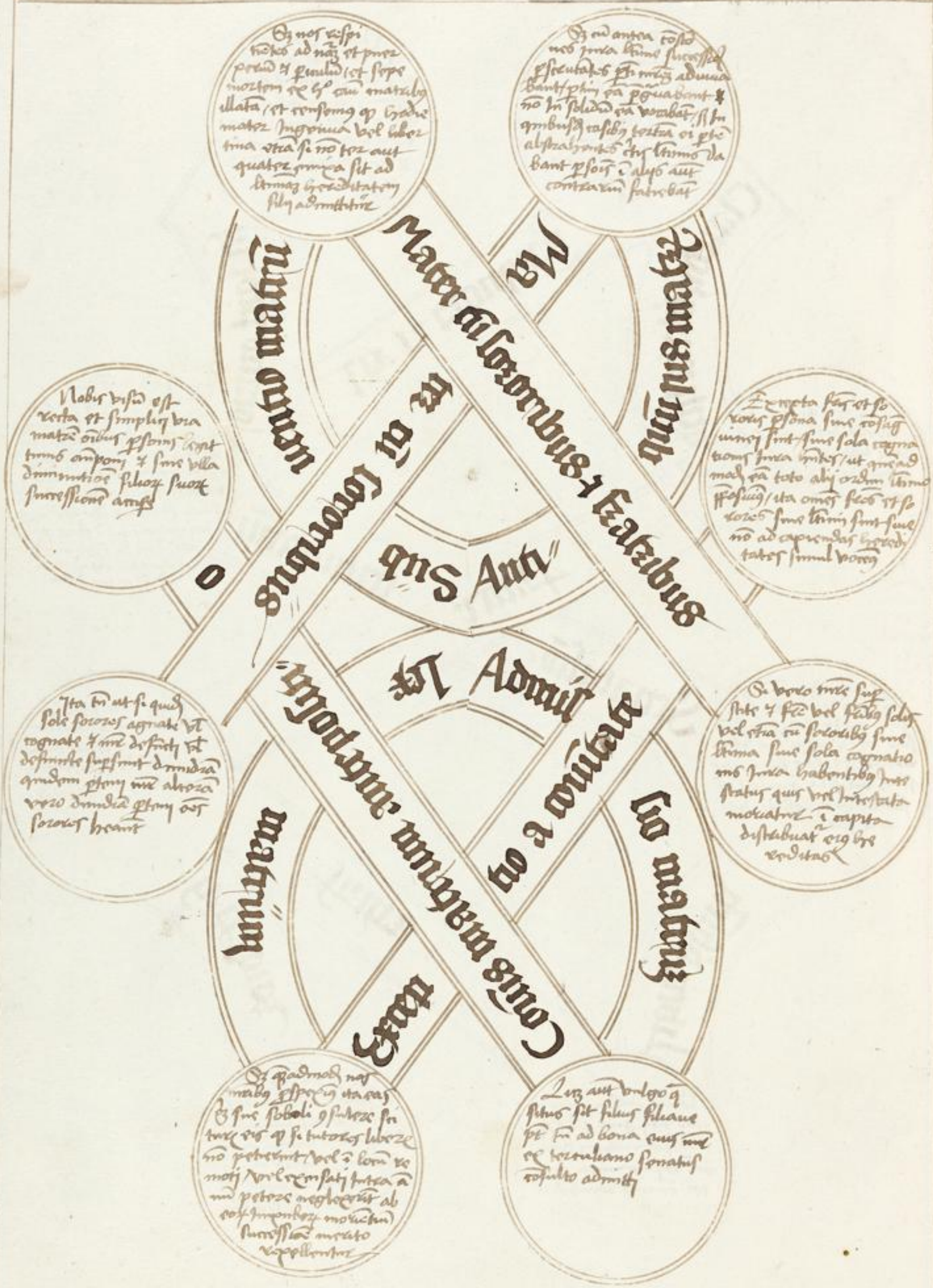
De lama agnatorū successione



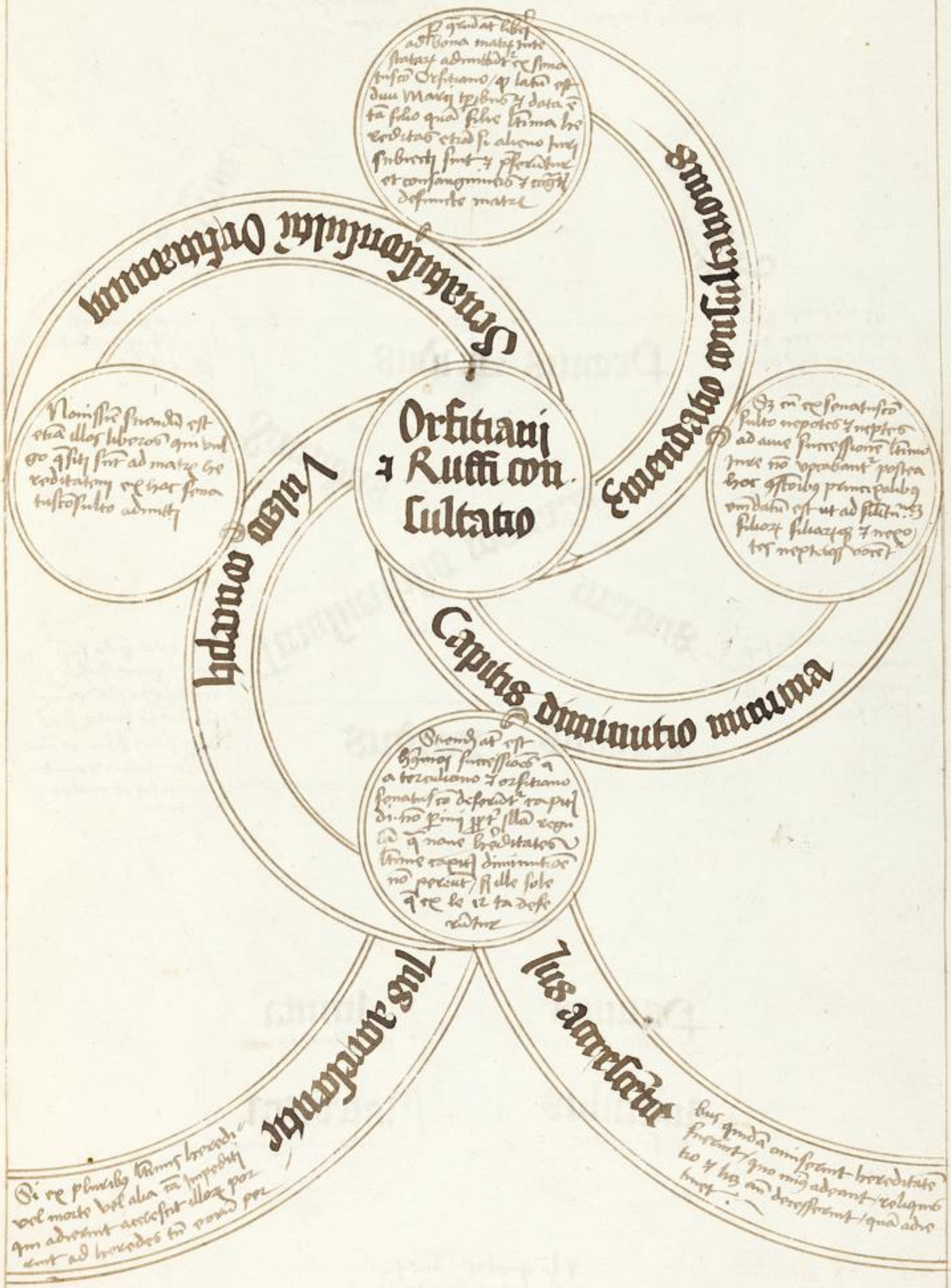
De Senatusconsulto Tertulliano



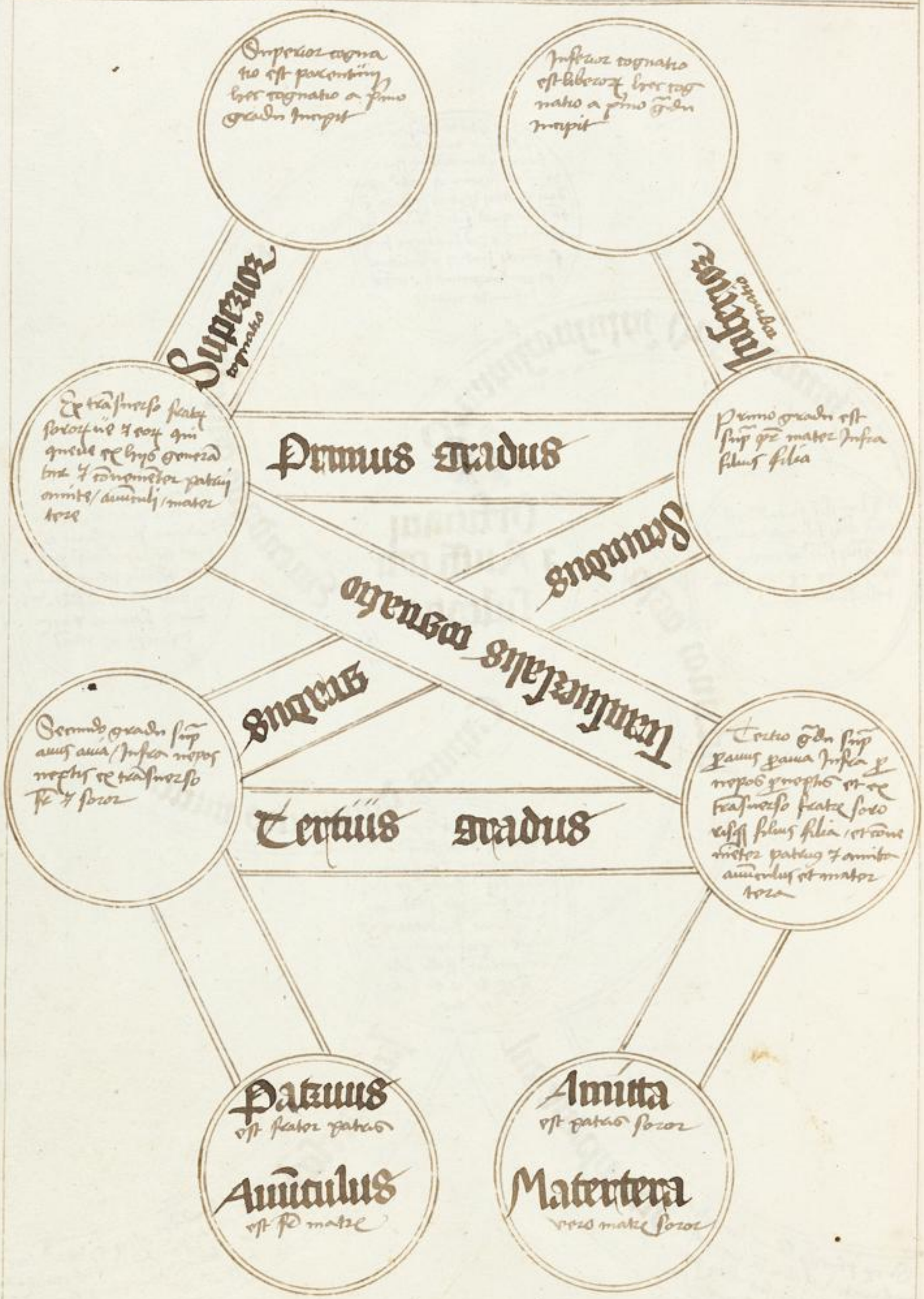
De Senatus consulto Tertulliano



De Senatusconsulto Orfitiano

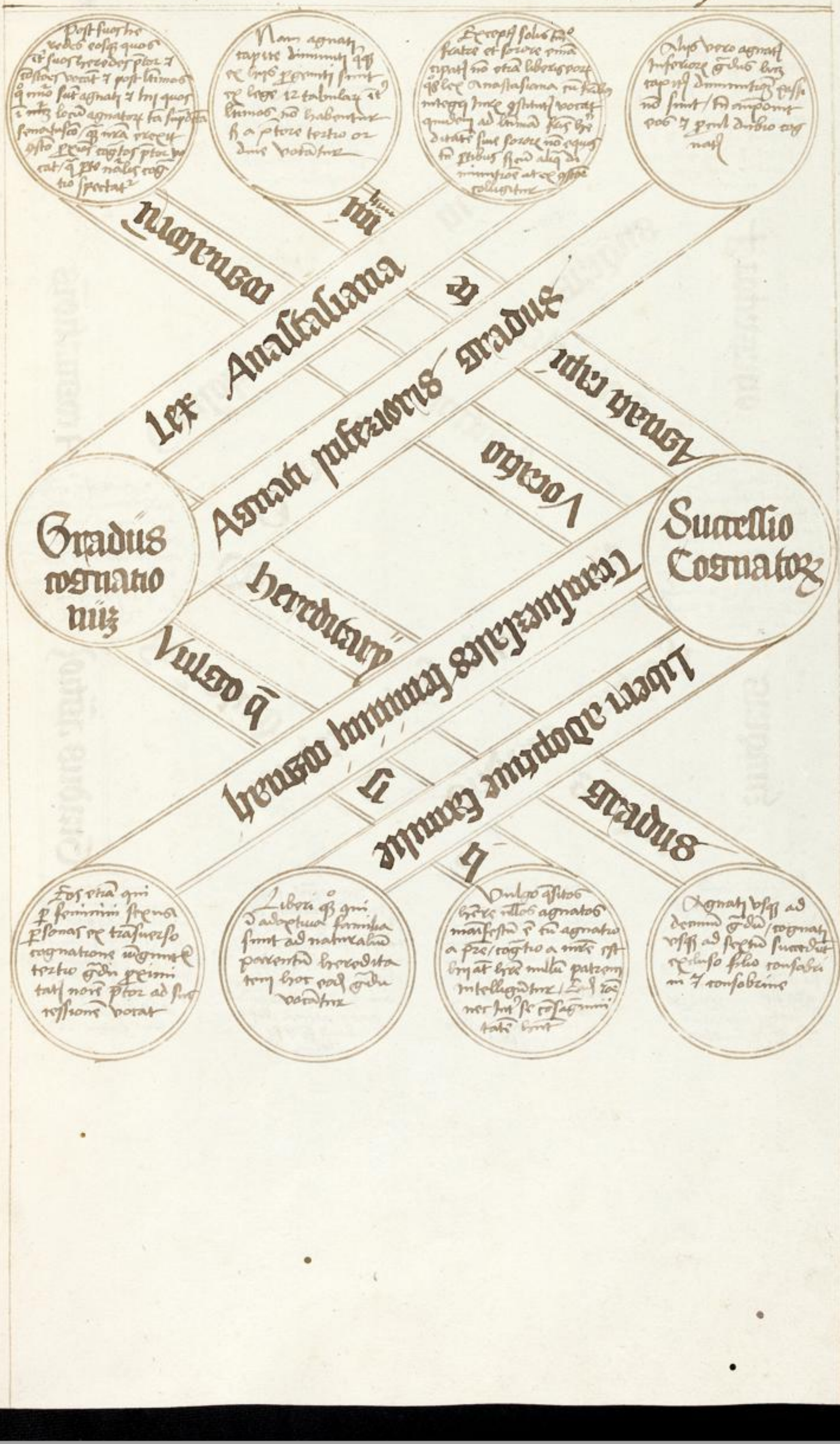


De successione cognatorum



Nō quod iste due figure sunt transposite Rubrich. no ideo vna ponat̄ in loco alterius

De gradibus cognationum



De gradibus cognationum

Primus gradus

Secundus gradus

Tertius gradus

Quartus gradus

Quintus gradus

Sextus gradus

Septimus gradus

Octavus gradus

Nonus gradus

Decimus gradus

Undecimus gradus

Duodecimus gradus

Tabula sexta graduum

Ego et tu sumus consortes primi gradus

Ego et frater meus sumus consortes secundi gradus

Ego et patruus meus sumus consortes tertii gradus

Ego et avunculus meus sumus consortes quarti gradus

Ego et amita mea sumus consortes quinti gradus

Ego et matertera mea sumus consortes sexti gradus

Ego et consobrinus meus sumus consortes septimi gradus

Ego et sobrina mea sumus consortes octavi gradus

Ego et filius fratris mei sumus consortes noni gradus

Ego et filia fratris mei sumus consortes decimi gradus

Ego et filius sororis mee sumus consortes undecimi gradus

Ego et filia sororis mee sumus consortes duodecimi gradus

Amicus

Amica

Alia exempla sexta graduum

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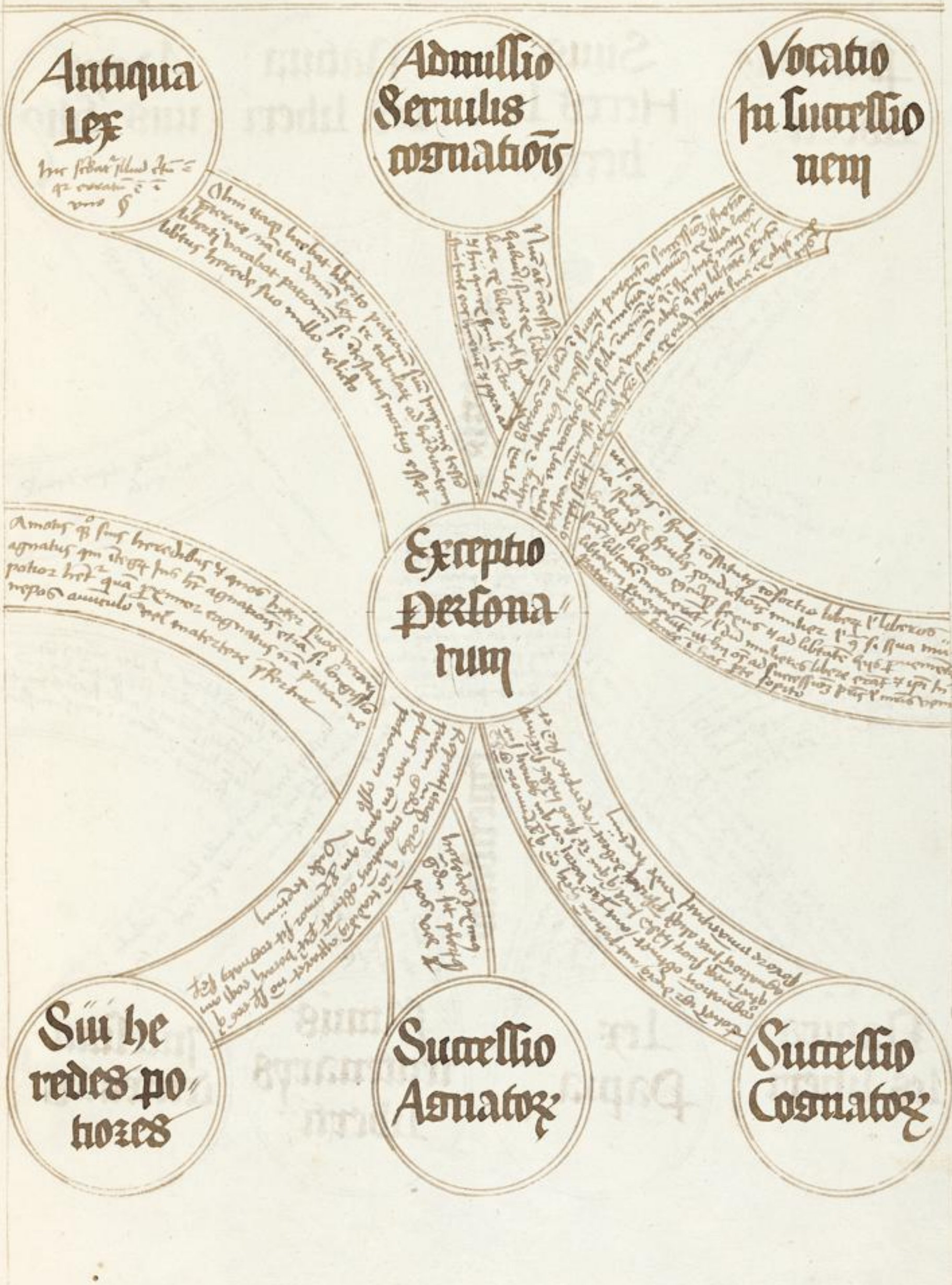
De seruili ordinatione



De successione libertorum

Patronus libertū

Suus Heres libertū

Natura les liberi

Adoptiuus filius

Olim dum licebat

Ordo

Lex Papia

Natura les liberi

Minus centenarius libertus

Intestati decedentes

De assignatione Libertorum

Maiores Centenarys

Tertiarys Libertorum

Comuch Patronor

Proximio Heres

Vnus libertorum Patronus

Assignatio liberte

Facultas Assignadi

Forma assignationis

De bonorum possessionibus

Bonorum possessiones ex testamento

Bonorum possessiones ab intestato

Bonorum possessiones Ampliatio vel Emendatio

Possessio data

Possessio firmata

De bonorum possessionibus

Sublato Ratio ℔

Tollato ℔ ratio bonorum possessio

Extraordinaria bono rum possessio

Annuus pretorius

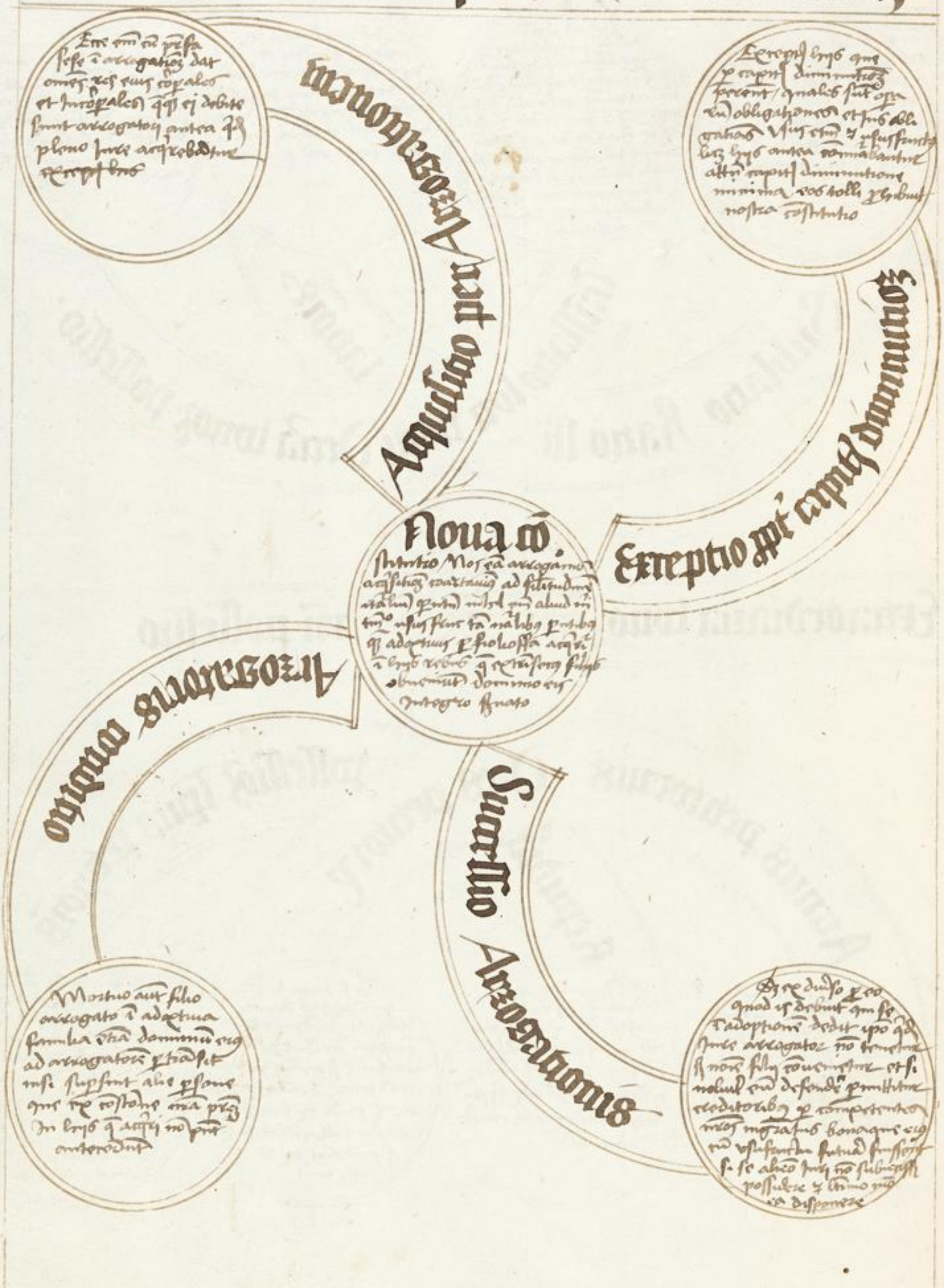
Repudiat

Dies pretorij

possessionis Tpus pretorius

Ad hec dat alicui bonorum possessionem de uno et testamento vel alio testato illa dicat supra extraordinaria et hec de statuendo vide

De acquisitione per Arrogationem



De eo qui libertati ca̅ba̅ adiungitur

Flouus Calus Succellionis

Verba re scripti

Sezui Li berati

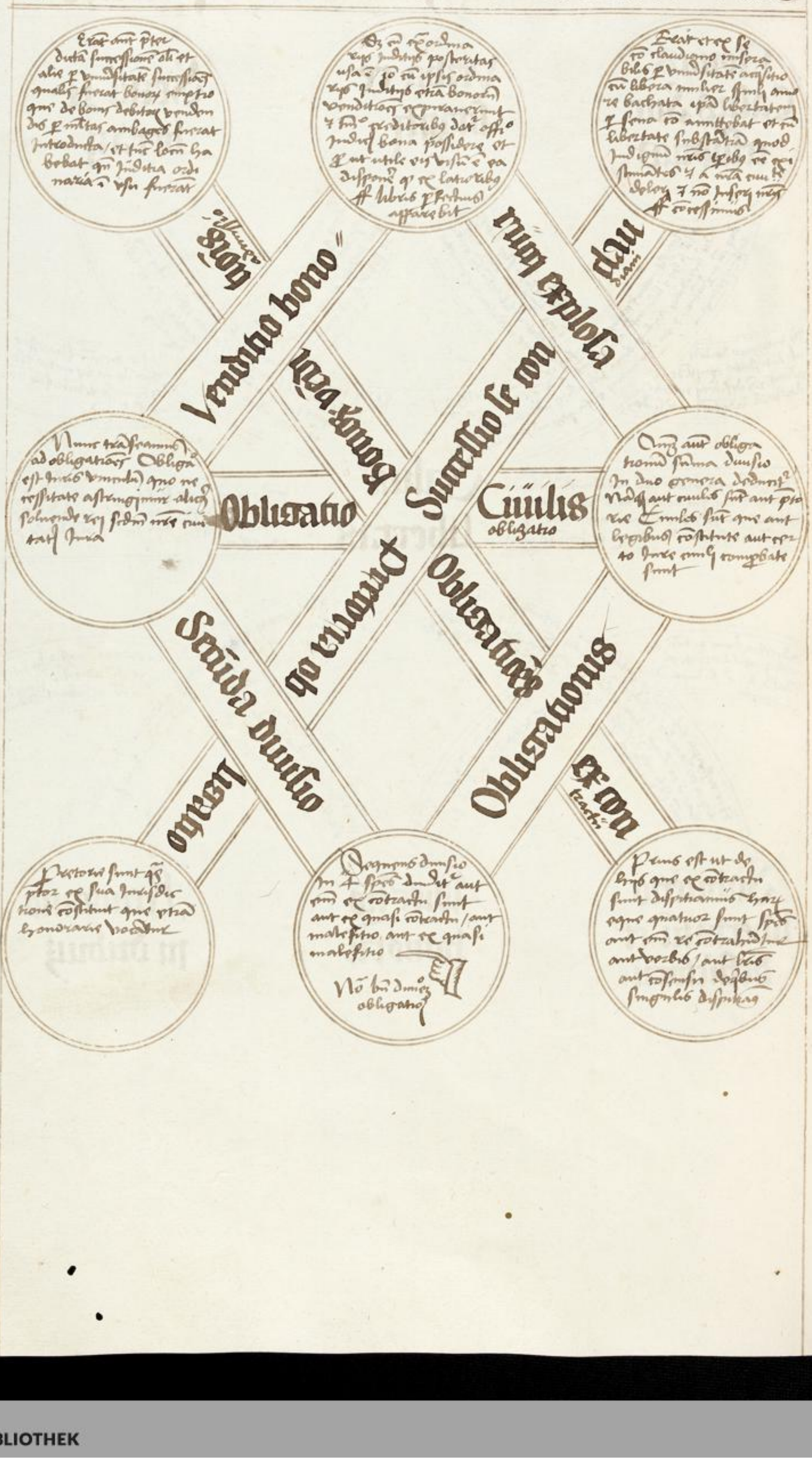
Salua Libertas

Subiecto libertatu̅ et debitoru̅

Adiecto bonoru̅

Reuocato in dubiu̅

De Succession sub De Obligationibus



Quibus modis retrahit obligato

Recontrahit obligato velut re mutuo datorē

Mutuū at obligato i hūc effectū consistit qm̄ pondꝰ nūmo mensuraq; restat velut domo oleo frumēto pecunia vasa / res / argento / aut quas rē aut numēdo aut metendo aut appendendo in hoc dantis ut accipientis fiant

Et quis nobis no vult rē aliq̄s quis dom̄ nr̄ & qualitatē reddidꝰ cōuenit ad mutuū applicatū sit questa a me tibi dat ut rē meū tuū fiat / & re eo casu hactu nr̄o actio q̄ vocat condictio

Mutuū obligatio

Talio

Condictio obligatio

Actio

Aliquā rem quā debeo

Condictio

Ab quibus non debitū accepit ab eo qui & error solut re obligat / qui ab agit contra eū ut re restituat condictitia actio nascitur ab eo qui condicit si apparet eū dare oportere ac si mutuū accepisset

Commodato

Furtum

Furtiua rerum

Obligatio tabule

Vnde propallus si ei fuit tutor auctor fuit debitū recepit dat est / no remouit debitū actiones reddit or magis mutuū dat oris / & hoc spes obligāmus no mihi re retractu restituo / cū eo q̄ soluendo eo dat magis voluit negotiū distrahi q̄ re trahere

Et eo quidem qui mutuū accepit si quelibet forte rem accepit quā debet restituere / tenet furti actione / nec latronū hostiumue more furtum obligatus re manet

Item eo cui res aliqua vtenda data est / non remouit re obligat & tenet remedio actio & si ab eo qui mutuū accepit longe distat Nam eo tpe re dat ut eius fiat & ob id de ea re ipsa restituenda tenet

Quibus modis tollitur obligatio

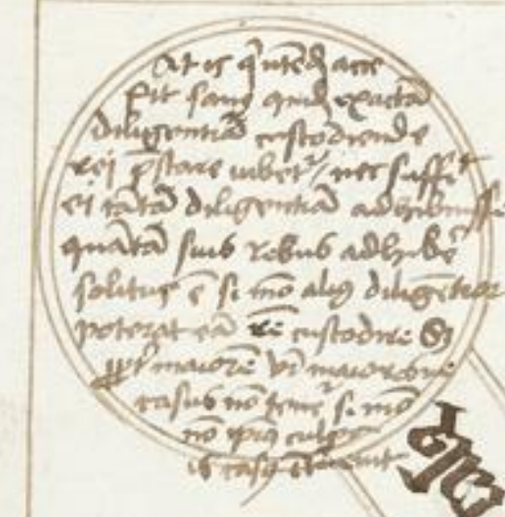
Depositarius

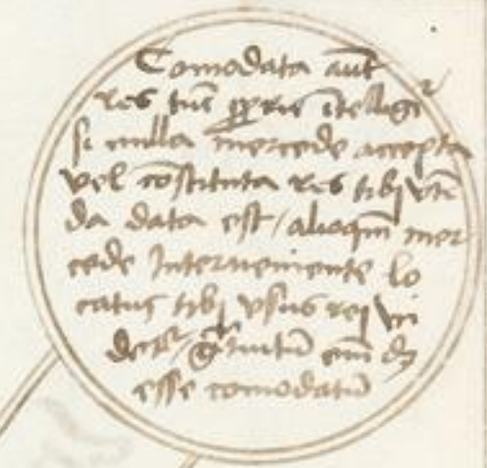
Commodatarius

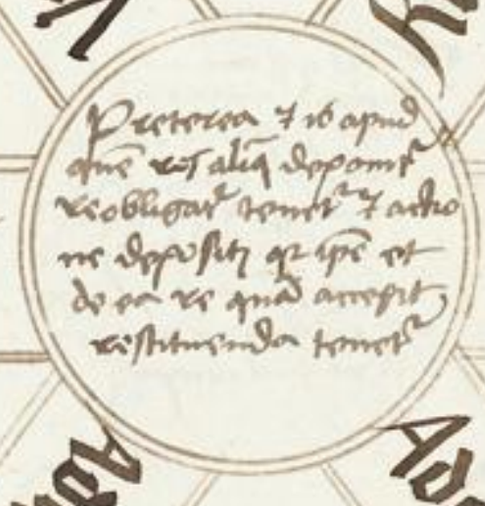
Creditor

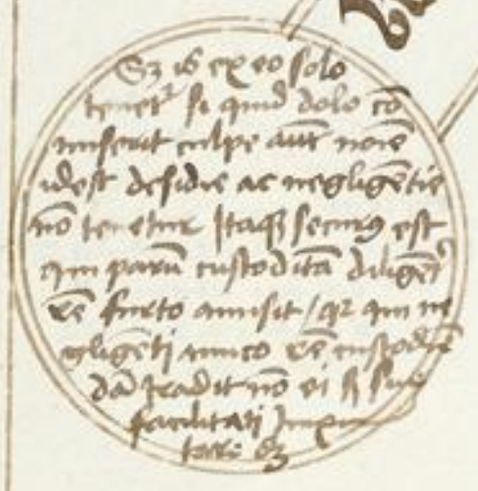
Adquirens mediata

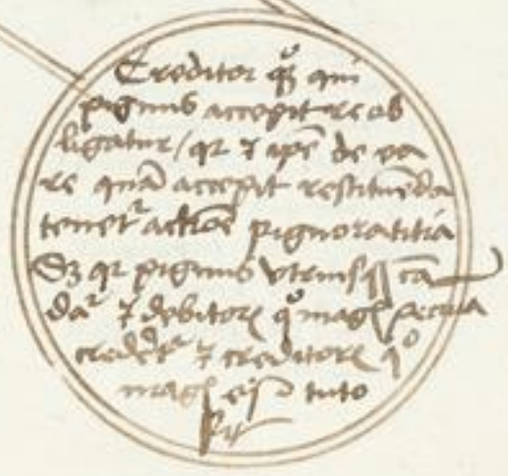
Adquirens immediata

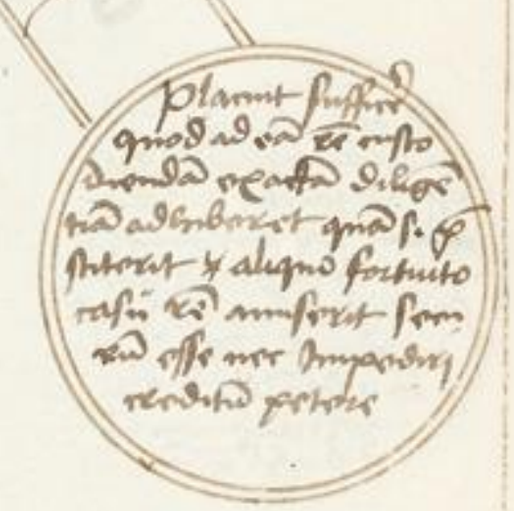








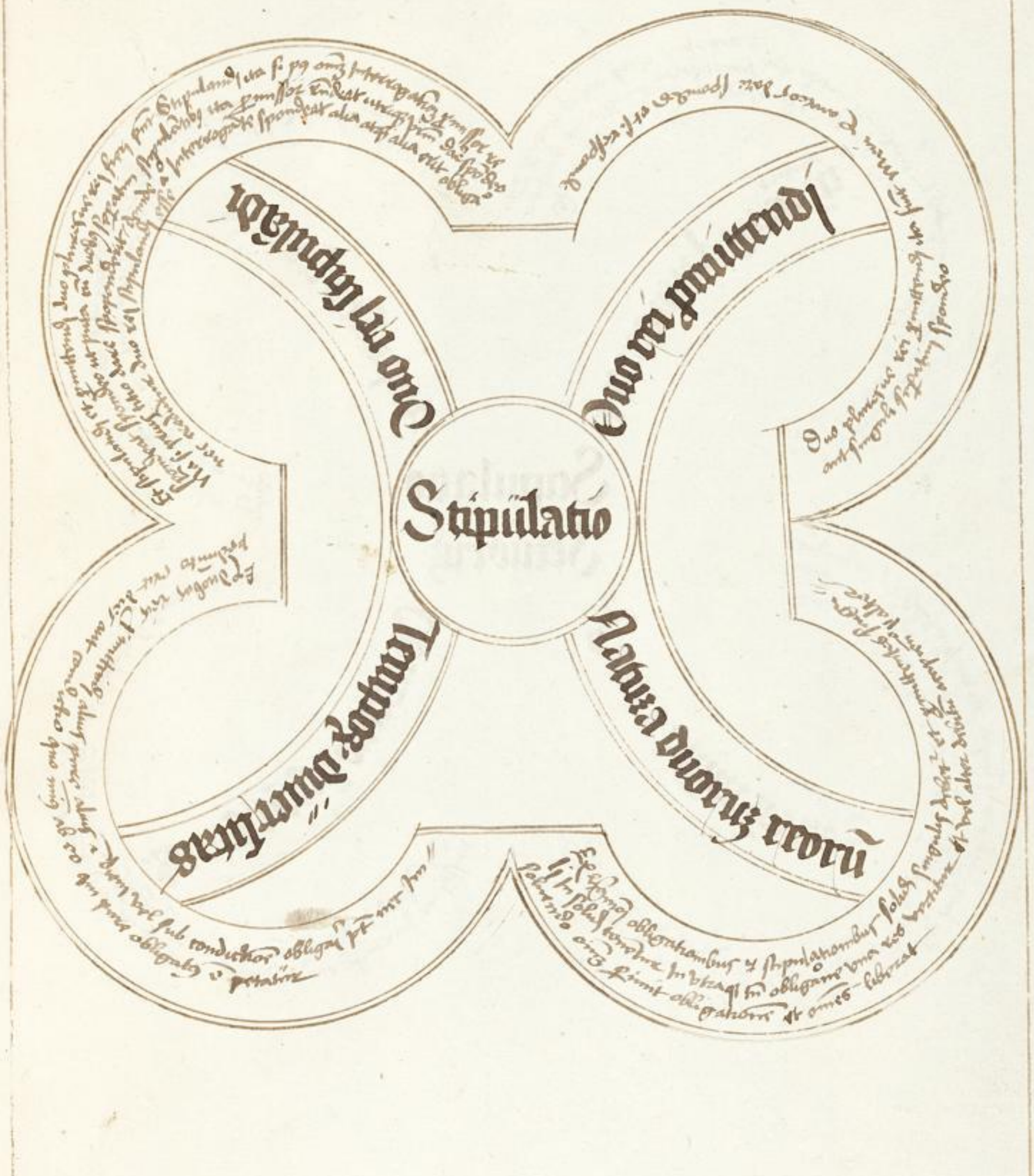




De verborum obligationibus

De verborum Obligationibus

De duob⁹ reis stipulādi et promittendi



De stipulatoe seruorum

De diuisione stipulationum

De mutuis stipulationibus

Res possibilis

Res impossibilis

Res casualis

Res publica

Mutuis Stipulatio

Res notoria

Res impetrabilis

Stipulatio

Stipulatio Iudicialis

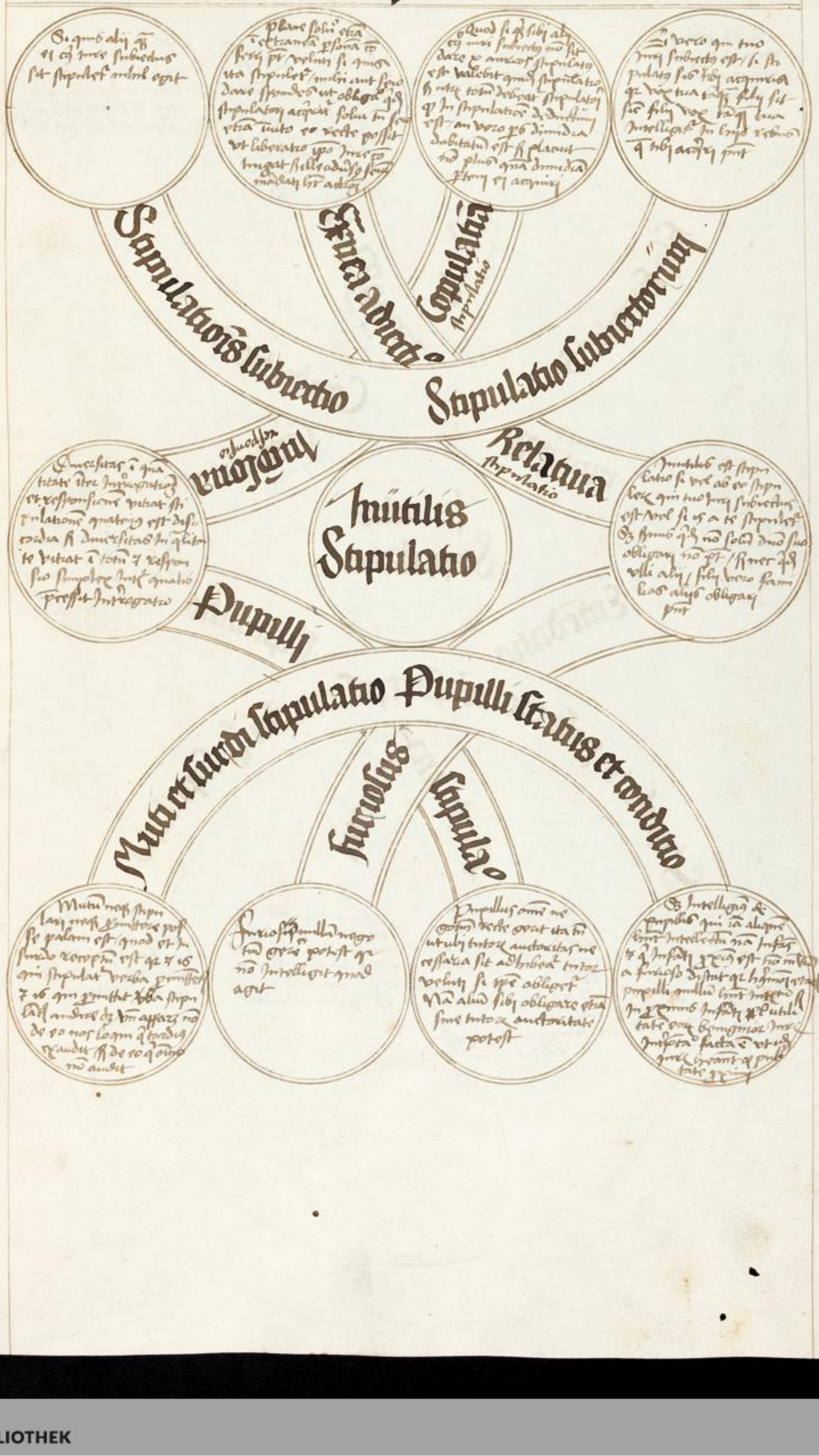
Futura Stipulatio

Extincta Stipulatio

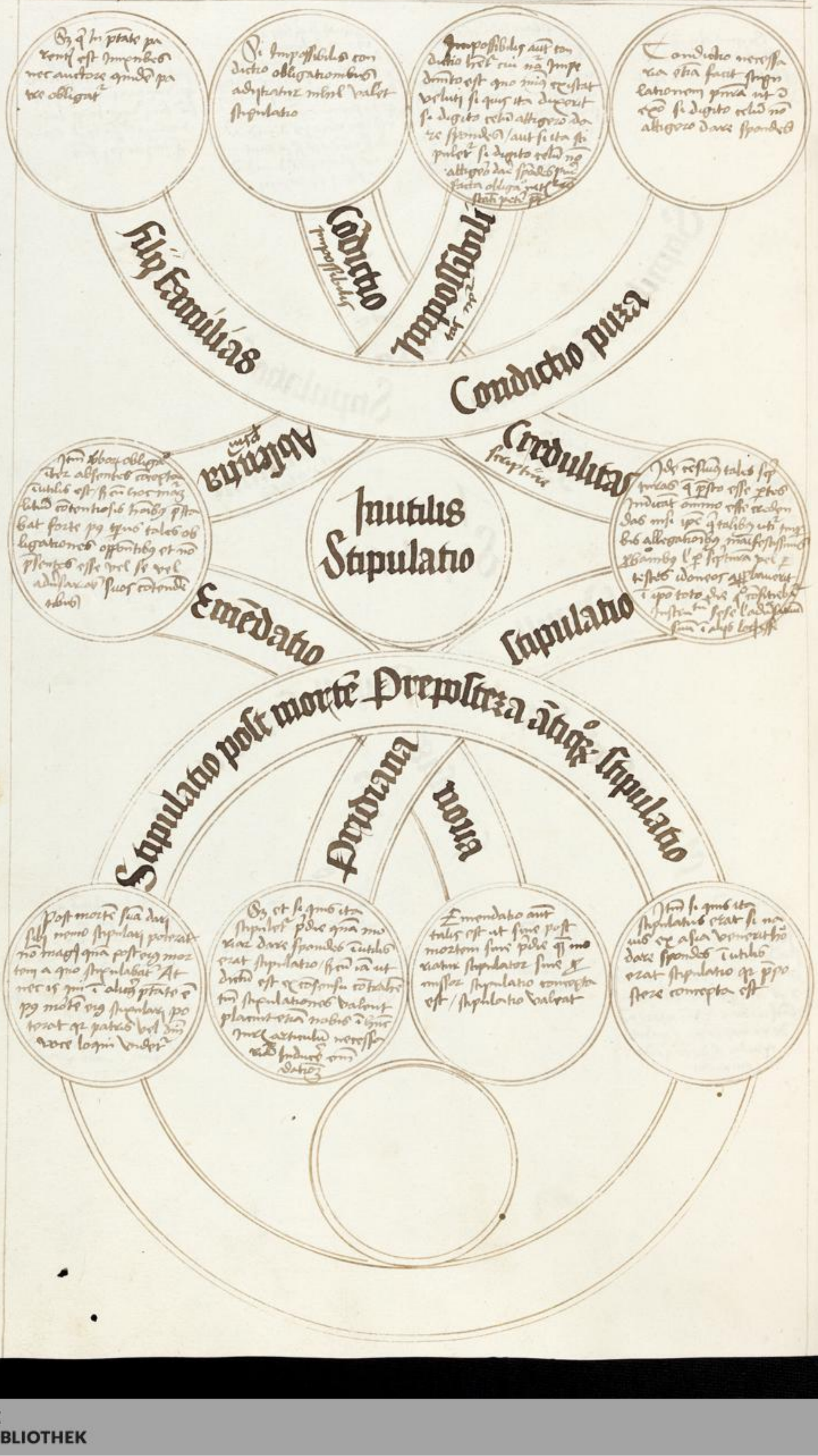
Alienata Stipulatio

Alienatio

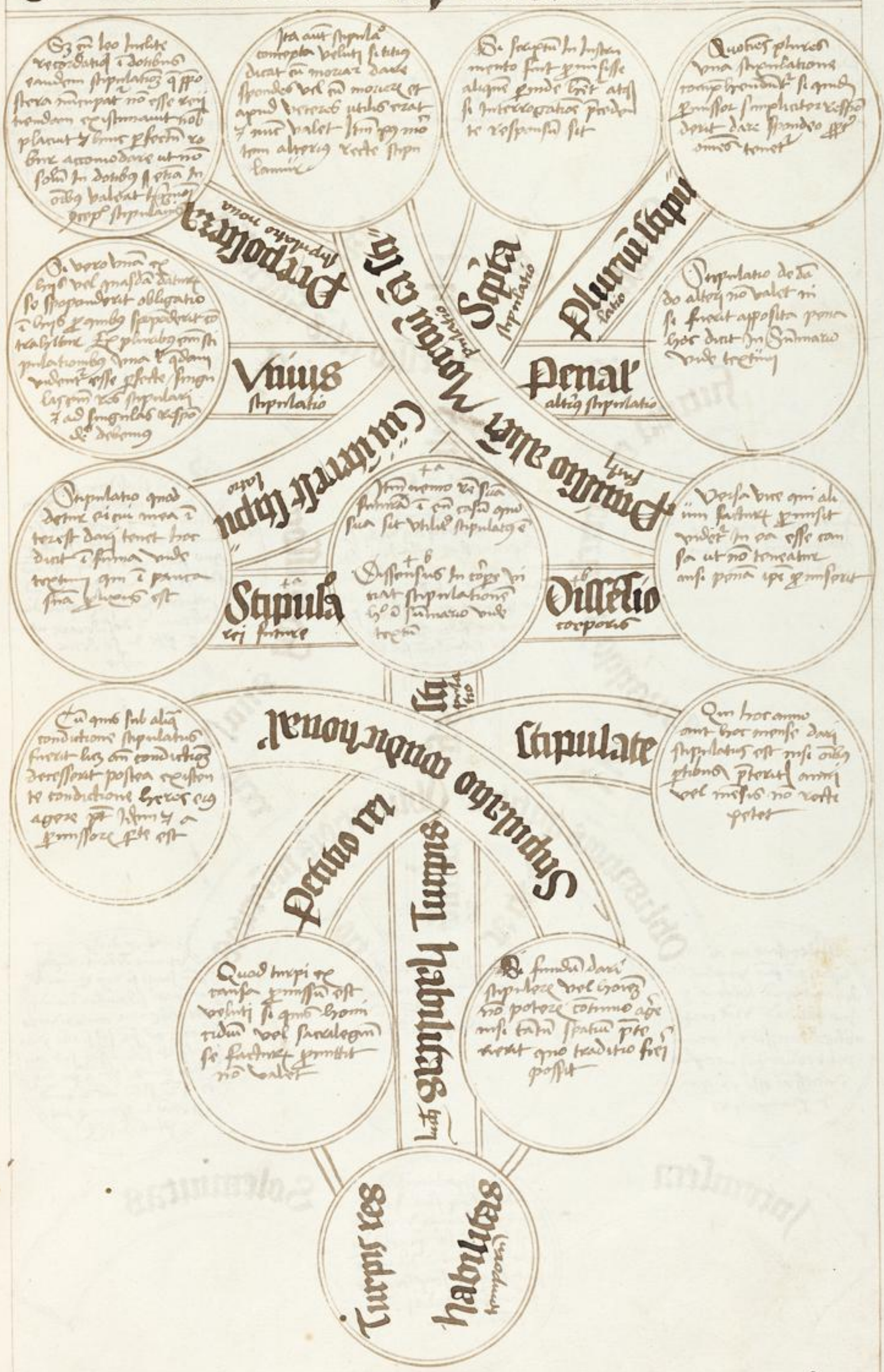
De mutilibus stipulationibus



De inutilibus stipulationibus



De mutilibus stipulationibus



De fideiussoribus

Accessio ulis fideiussor

Fidemssor ꝙ pcipalit
solvat alij obligary qui
fidemssores appellat quos
habuit acrijs solent dm re-
vocari pt diligentius sibj
cautu sit

Fidemssor no tm ipe
obligat sz ꝑ ea hereditat
relinquit obligatu

Si ordo aut
obligatio inter
plur fidemssores
fuit ut vnus
tm vnus totus
fuerit obligatus
ꝙ ꝑ ipm stet
quo minus alij
fidemssores
liberent

Fidemssor ꝙ pcipalis
obligationi accessit

Si plus sit fidemsso
reb ꝑncipal debit mo fm
ordi ꝓsolidi tenet sz
liber ꝙ creditory ag ꝙ velit so
lidi petere sz optia dmi Ada
am cogelli creditor a fmoribꝫ
qm mo solue sua lis ꝙtestat
te ipe ꝓncipe petere decreuit si
quos ex fidemssoribꝫ no
ipe solue no fit ho
rtoꝝ omoꝝ

Fidemssor ꝙ pcipalis
obligationi accessit

Si ab vno fidei
missore creditor tot
summa sua fuerit lis so
lui determinata dein si ab
eo fidemssit soluendo no
fuit et sibi imputare se
posuerit quare ꝙ optio dmi
ordinarii ꝙ desiderare ut
ꝙ ipe in se actio
actio

Fidemssor ꝙ pcipalis
obligationi accessit

Si fidemssor ab ob
ligary no pot ut plus
debeant quod debet ob ꝙ
quo obligat Nã pcipalis
obligo accessio est princi
palis obligatio nec plus
debet accessor esse pt quod
principalis

Fidemssor ꝙ pcipalis
obligationi accessit

Si quis aut fidemssor
ꝙ reo solvit quos rei
recipere ab eo mandati iudicio

Fidemssor ꝙ pcipalis
obligationi accessit

Si fidemssor reo ꝓmisit
ꝙ ipe solvat quos ipse
pro eo solvit

Fidemssor ꝙ pcipalis
obligationi accessit

Si quis fidemssor
generaliter accepit ut quod
ab eo scriptum sit ꝙ actum in
dem actu debeat
stat si quis scripserit se
fidemssisse videri ora
solemn acta

Obligationis quitatis Obligationis mixtas

Fideiussor

Futura et pcedens obligatio

Vnus

Solemnitas

Jntervallum

De tribz oblatis. De oblata ex consensu

Scripturarum oblata tio antiq

Scripturaz oblatio hodierna

Tempus Oblationis

Oblatio ex consensu

Ratio oblationis

Multa oblatio

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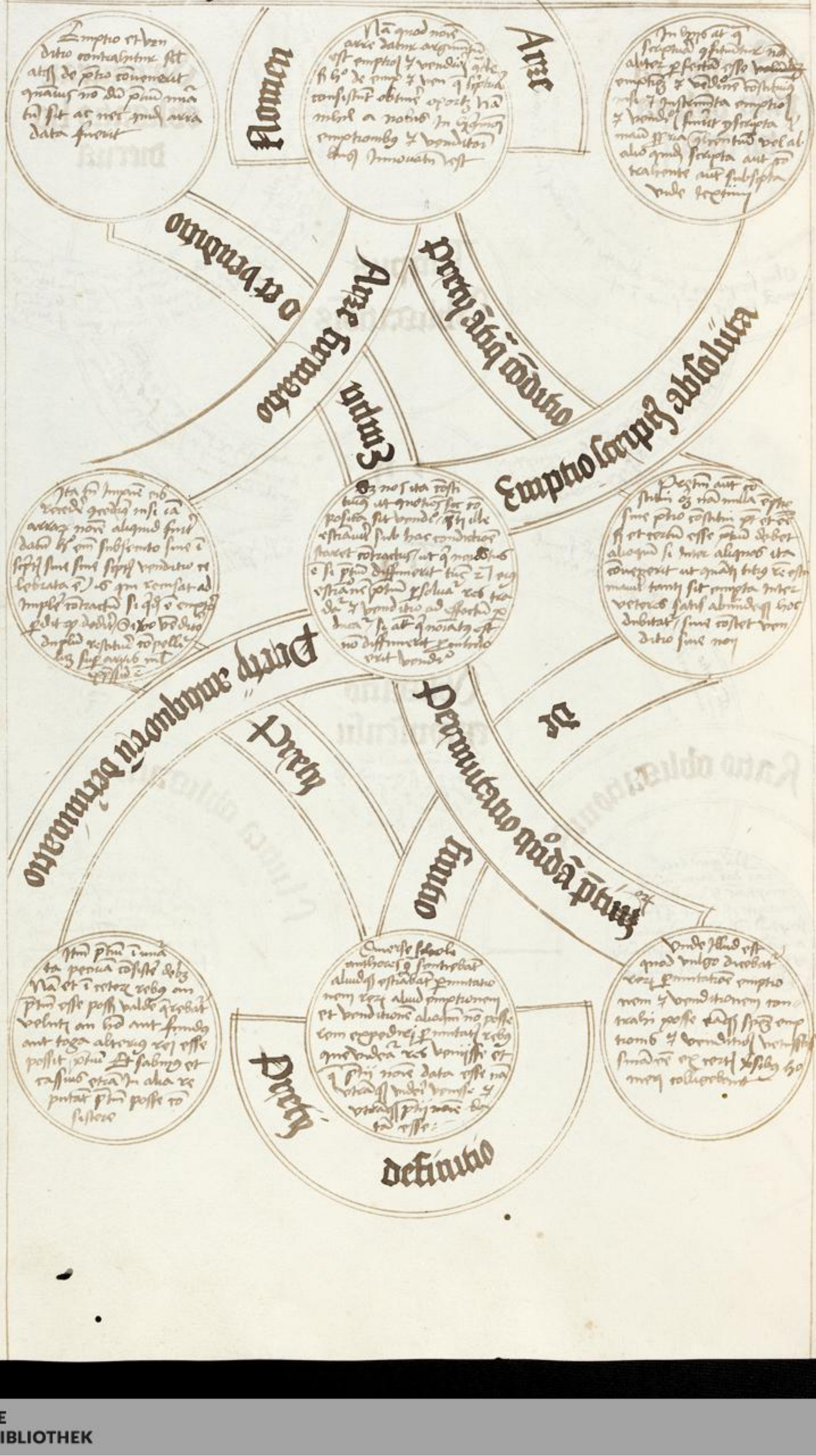
De emptione et venditione


Emptio et venditio contrahitur sit assensus de pretio conueniat quamuis no dū pcium mā tū sit ac nec quid arra data fuerit
Nā quod non arre dabne argumēto est emptio & venditio gdc si cū de rem & hm q̄ supius constitut obtinet ex quib⁹ hab mihi a nobis in ēptionib⁹ & venditio thus innouatu est
In ēptō at q̄ scripsit q̄stionē non aliter p̄sentit esse valide emptō & vendō nisi fuerit descripta mad ītra q̄stionē vel aliud quid scripta aut contrahent aut subscripta vide lectōr
Ita fm Imperī rō vendō gendū nisi ea arrar non aliquid fuit dabū & em subsecuto fine & scripti fuit fine scripti vendito et lobrata & ita qm remanet ad implē tractū si qs ē emptō dubitat qd dabit & ita dubiū restitue ro pelli lis sine arrib⁹ nec
Ex hoc tractu rō habet quēdo emptō sit perfecta & quando nō posito sit vende & ille restituit sub hac condicōe haberet retractū ut q̄ non & si ille distulerit tūc & rep restituere & solua & rō de & vendito ad effectū p̄ dicta & si ad q̄ notatu est no distulerit contracta erit vendō
Pleriq̄ aut rō subtilit ois vid nulla esse fine pcio rōnabili & certo & ut certū esse debet aliquid si inter aliquos ita conuenerit ut quidā tūc ē esse meū tanq̄ sit empta inter vtrosq⁹ satis abūde & hoc dubitat fine certo pcio nec
Quereb⁹ hic an hoc sit verū q̄ dicit Ma et ī rebz quib⁹ an hō possit dubit⁹ q̄rebat velit an hō aut fundū aut toga alterius rei esse possit fm Sabinū et cassiū q̄rit alia re putat p̄ posse ro
Quereb⁹ hic an hoc sit verū q̄ dicit Ma et ī rebz quib⁹ an hō possit dubit⁹ q̄rebat velit an hō aut fundū aut toga alterius rei esse possit fm Sabinū et cassiū q̄rit alia re putat p̄ posse ro
Unde illud est quod vulgo dicebat rem ēptam tradi posse quā nō vendit nec emptō nec vendito nō tradi posse ro
Aliter dicendū q̄ si res ē tradita & nō soluta & ven dit⁹ fugitiuā fecerit aut deterior facta sit ad ipm emptorē nō pertinet sed ad venditorē

De emptione et venditione

Permutatio

Emptio et venditio

Locatio conductio

Societas

Depositum

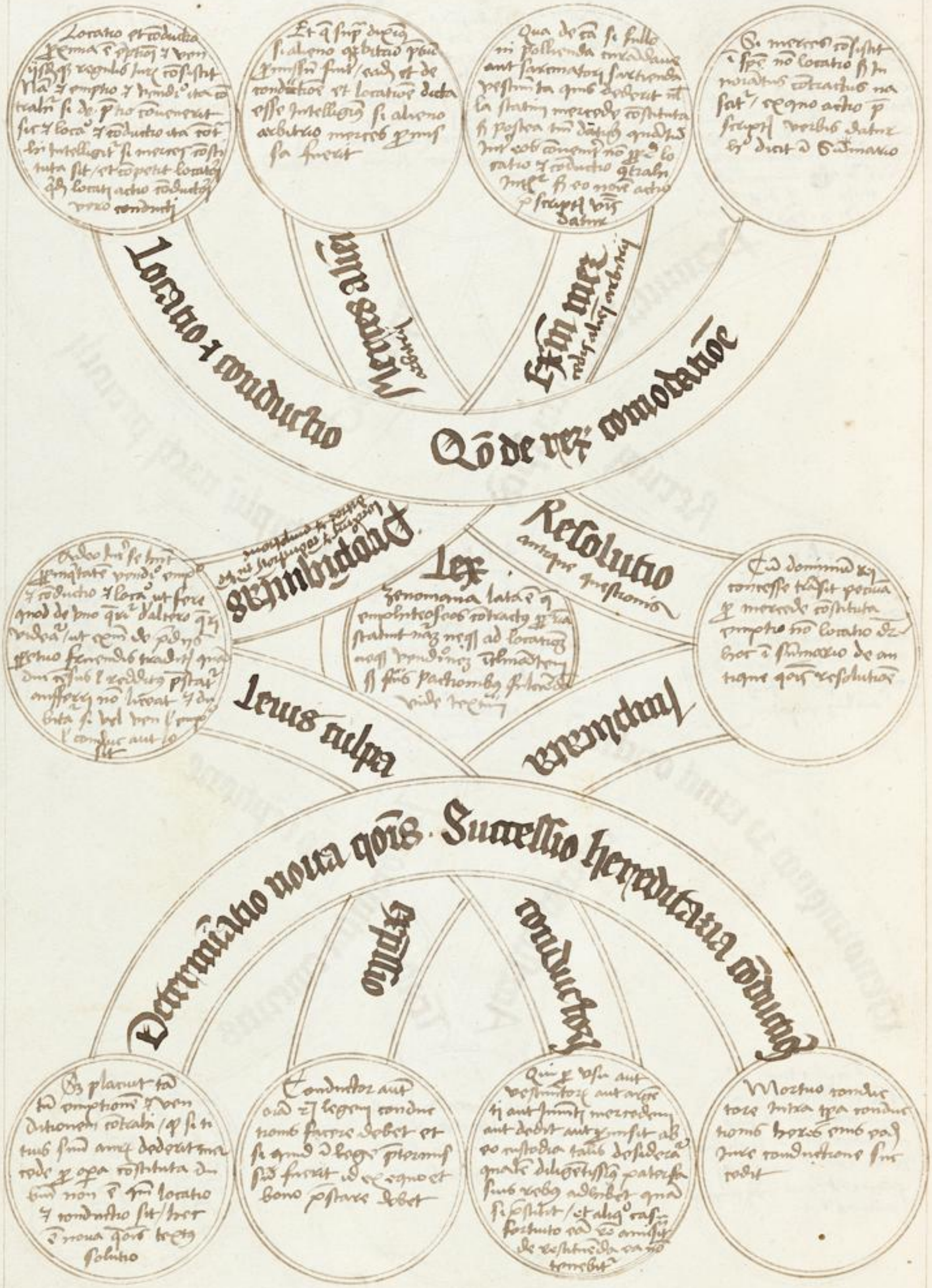
Mandatum

Quasi ex contractu

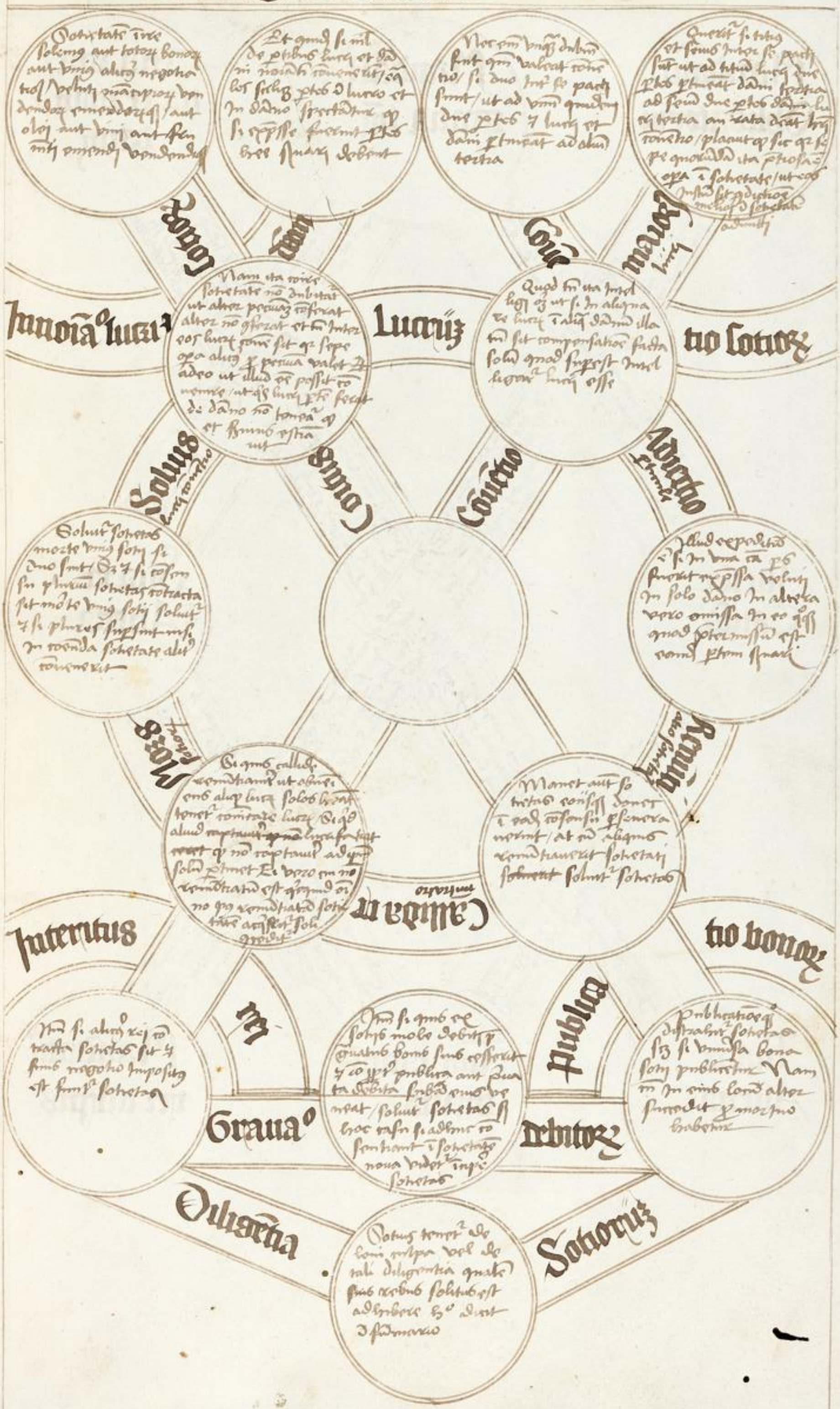
Obligationes ex delicto

Exemplum actionis penalis

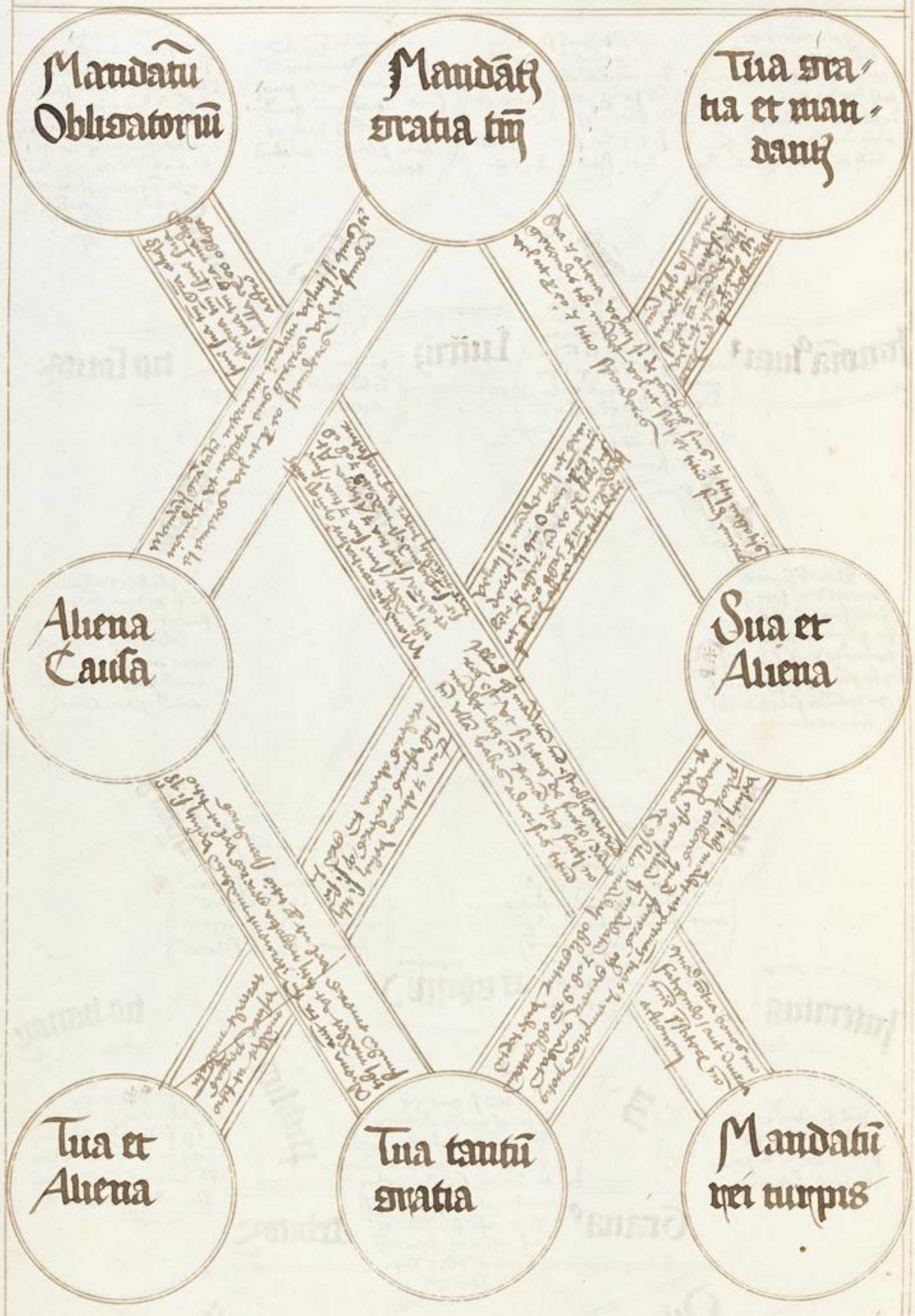
De locatione et conductione



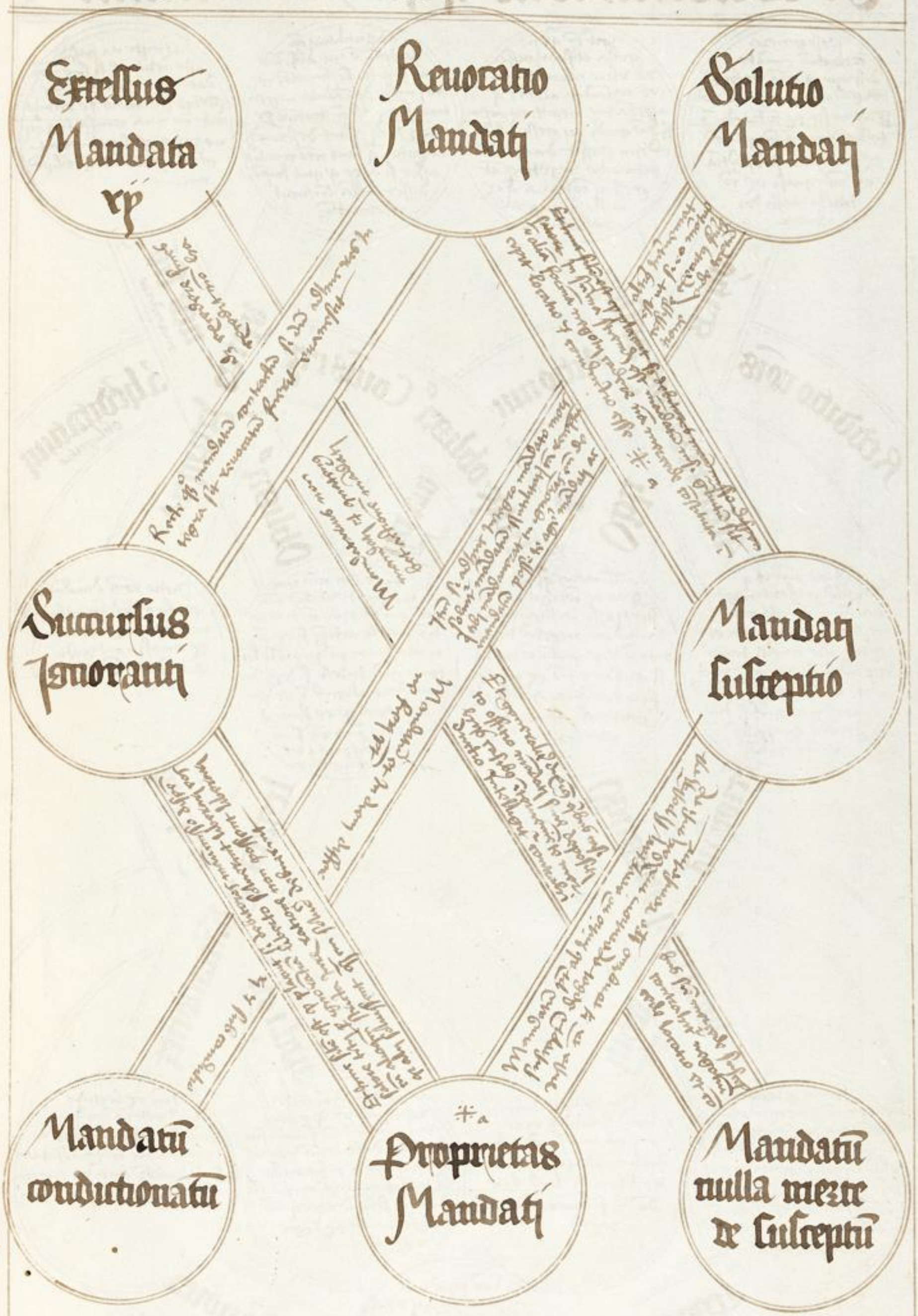
De Sotietate



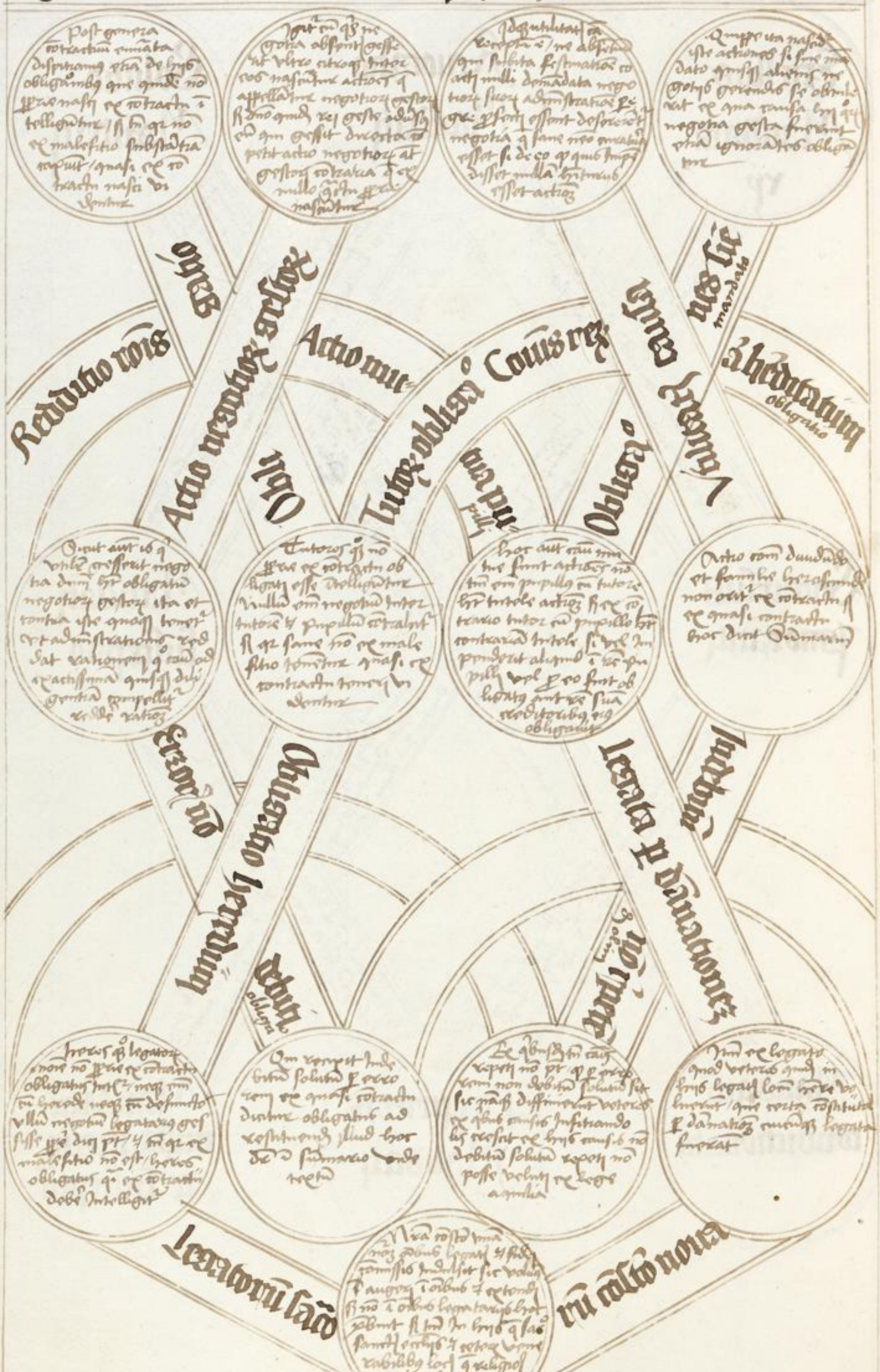
De mandato


Mandatu Obligatorum
Mandatu gratia tm
Tua gratia et mandatu
Aliena Causa
Sua et Aliena
Tua et Aliena
Tua tantu gratia
Mandatu rei turpis

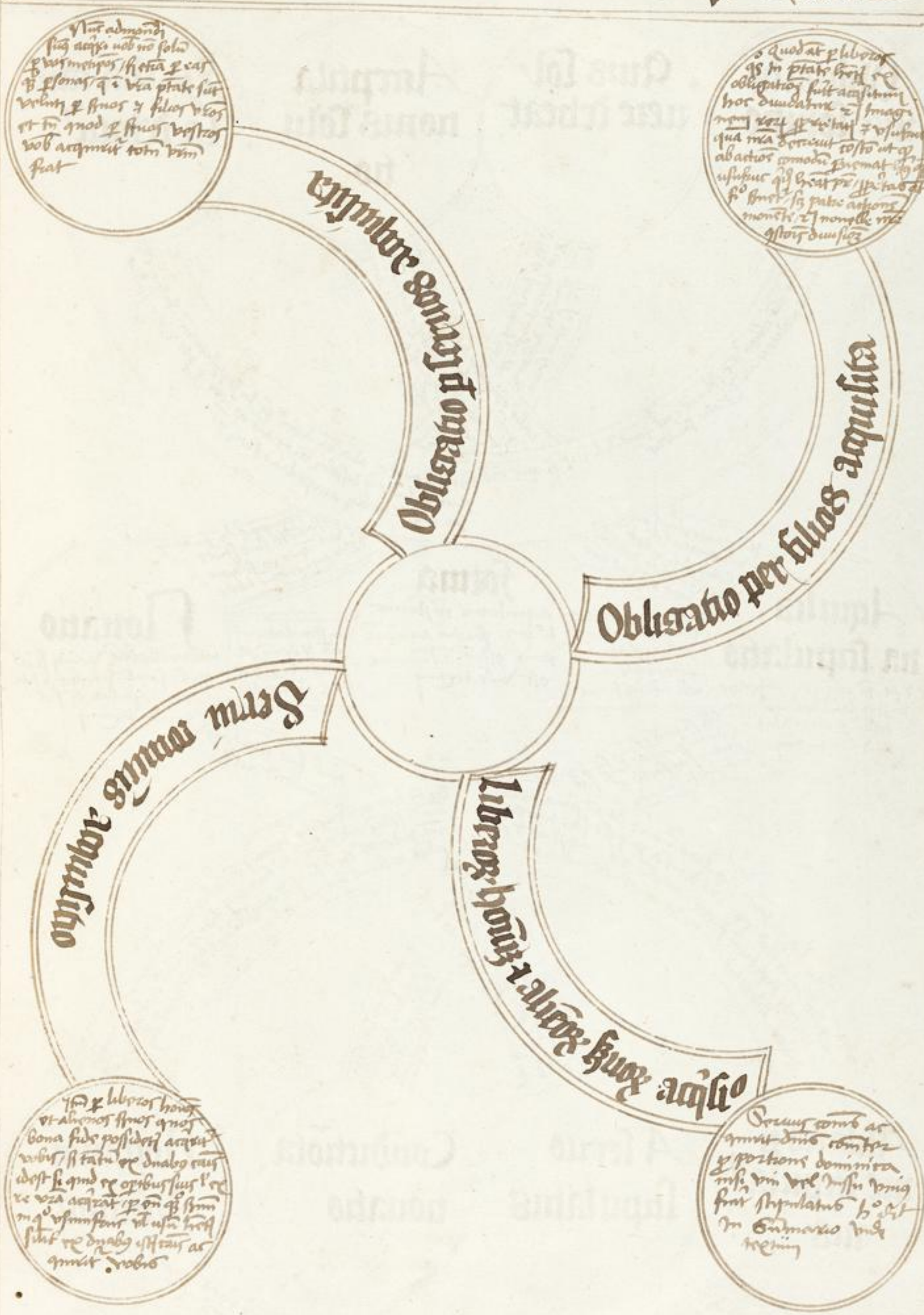
De mandato


Expressus Mandatu rei
Revocatio Mandati
Solutio Mandati
Mandati susceptio
Mandatu nulla mercede suscepti
Proprietas Mandati
Mandatu conductionatu
Mandatu gratuitu

De obligationibus q̃ ex cõ naſcunt²



Per qs ploas nob obligato acquirit



Quibus mois tollitur obligatio

Obligatio nis solutio

Quis solueꝛe debeat

Acceptila tionis solu tio

Ex alia cau sa debita

forma agnhare rostorio

Aquilia na stipulatio

Flouatio

Ablatio p' me stipula o

A seruo stipulatus

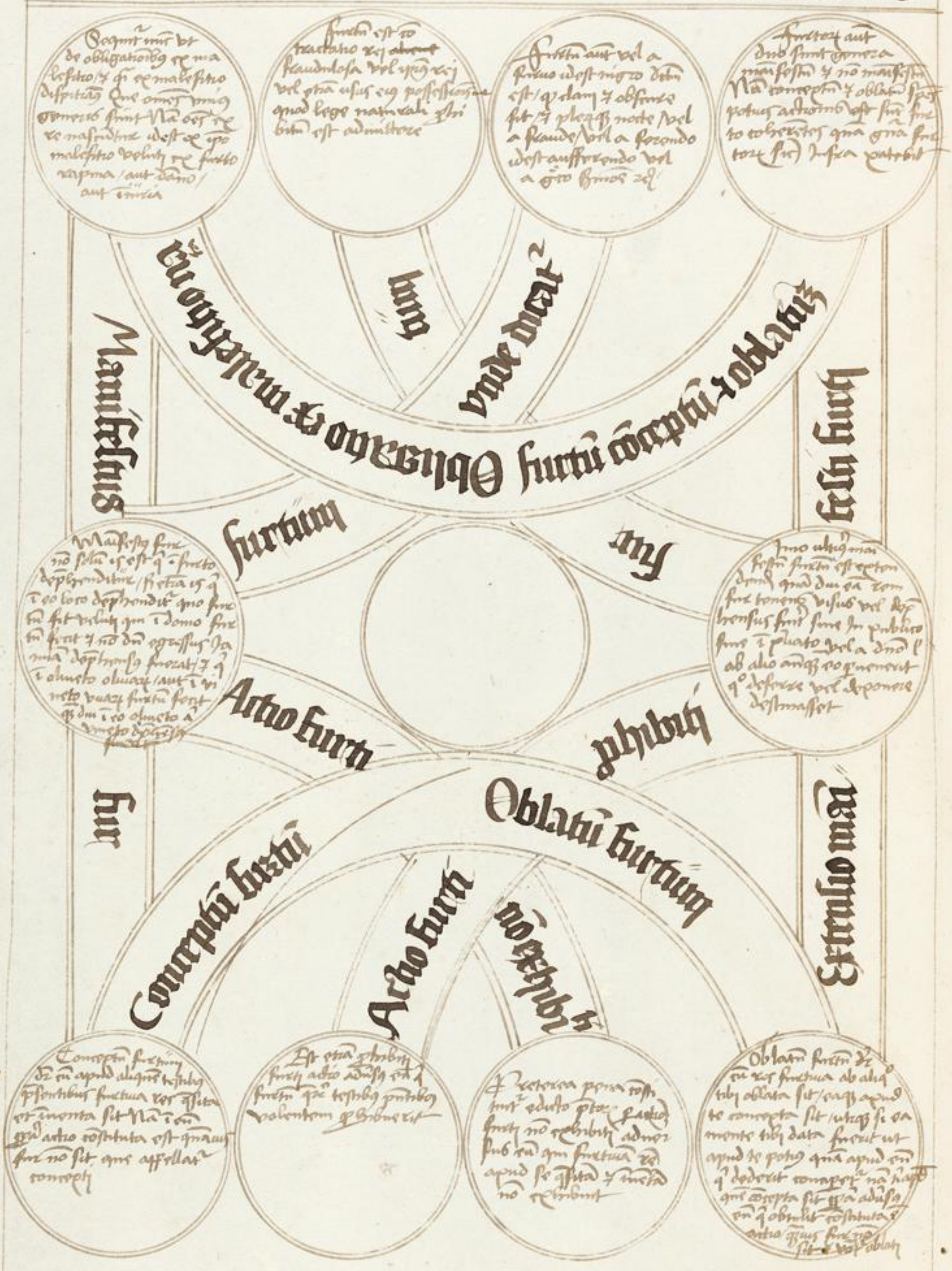
Conductiõta nouatio

Nouandi Animus

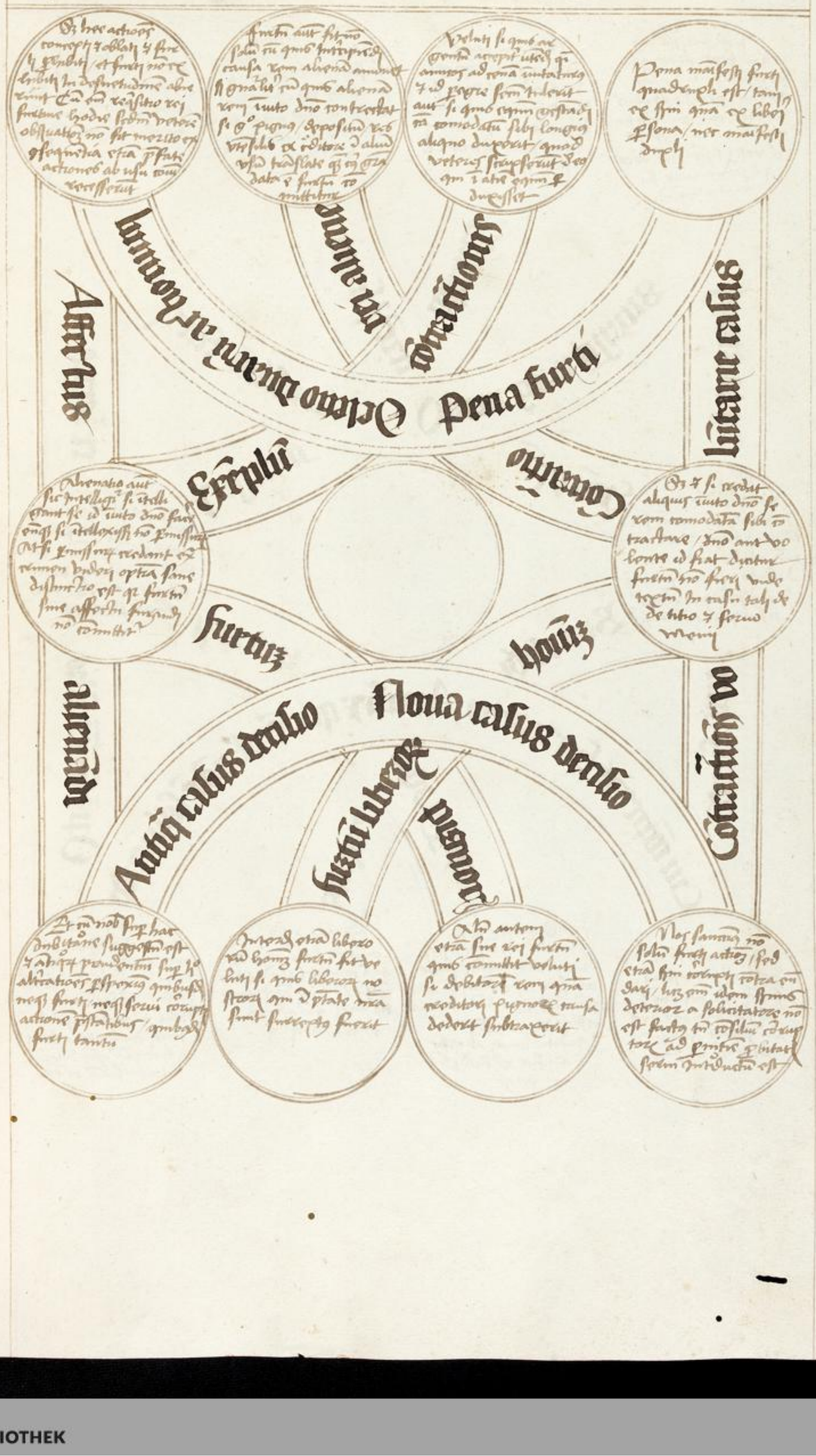
Voluntas dissoluens

Memoria tatulorū tertij libri

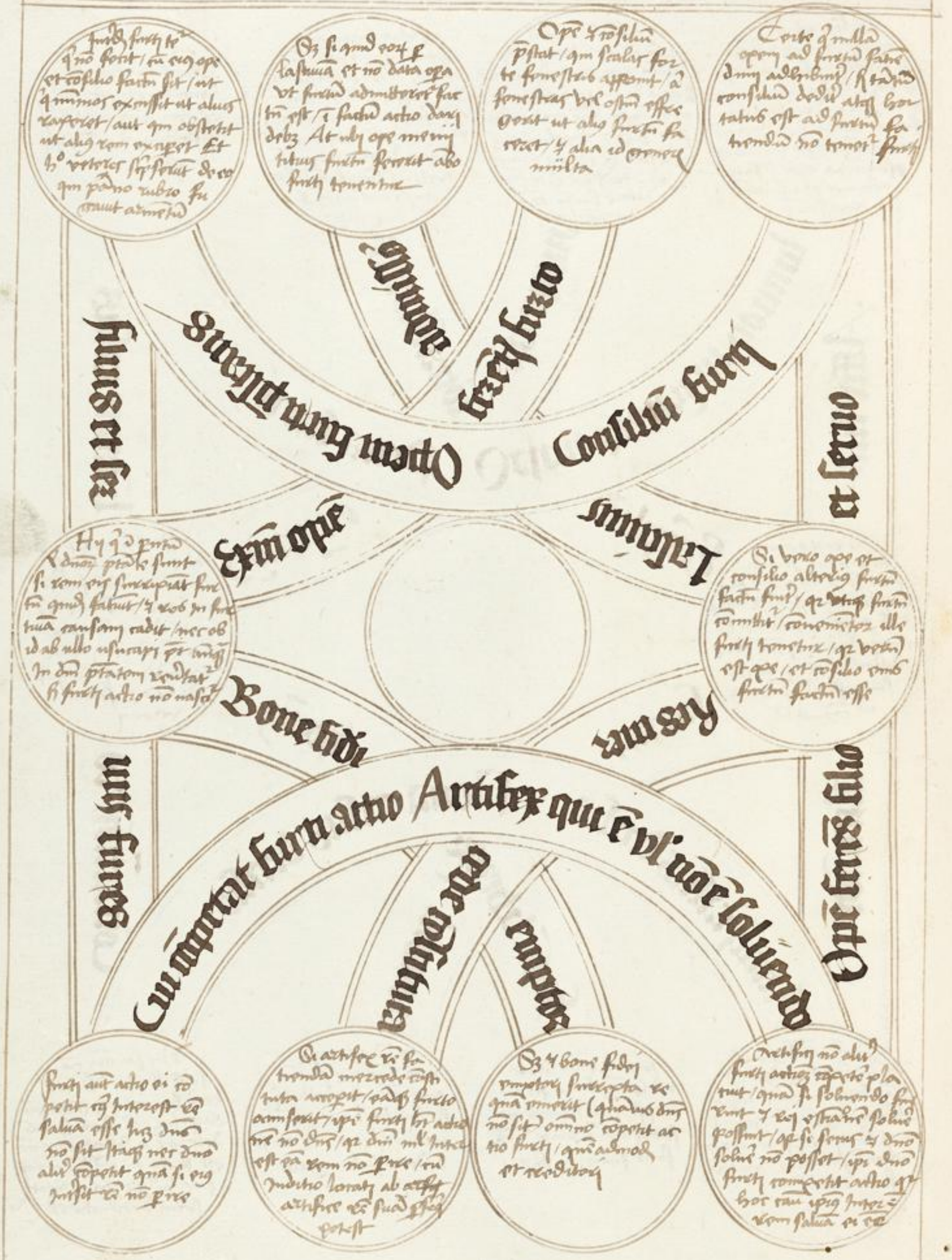
Quartus liber De Obligationibus



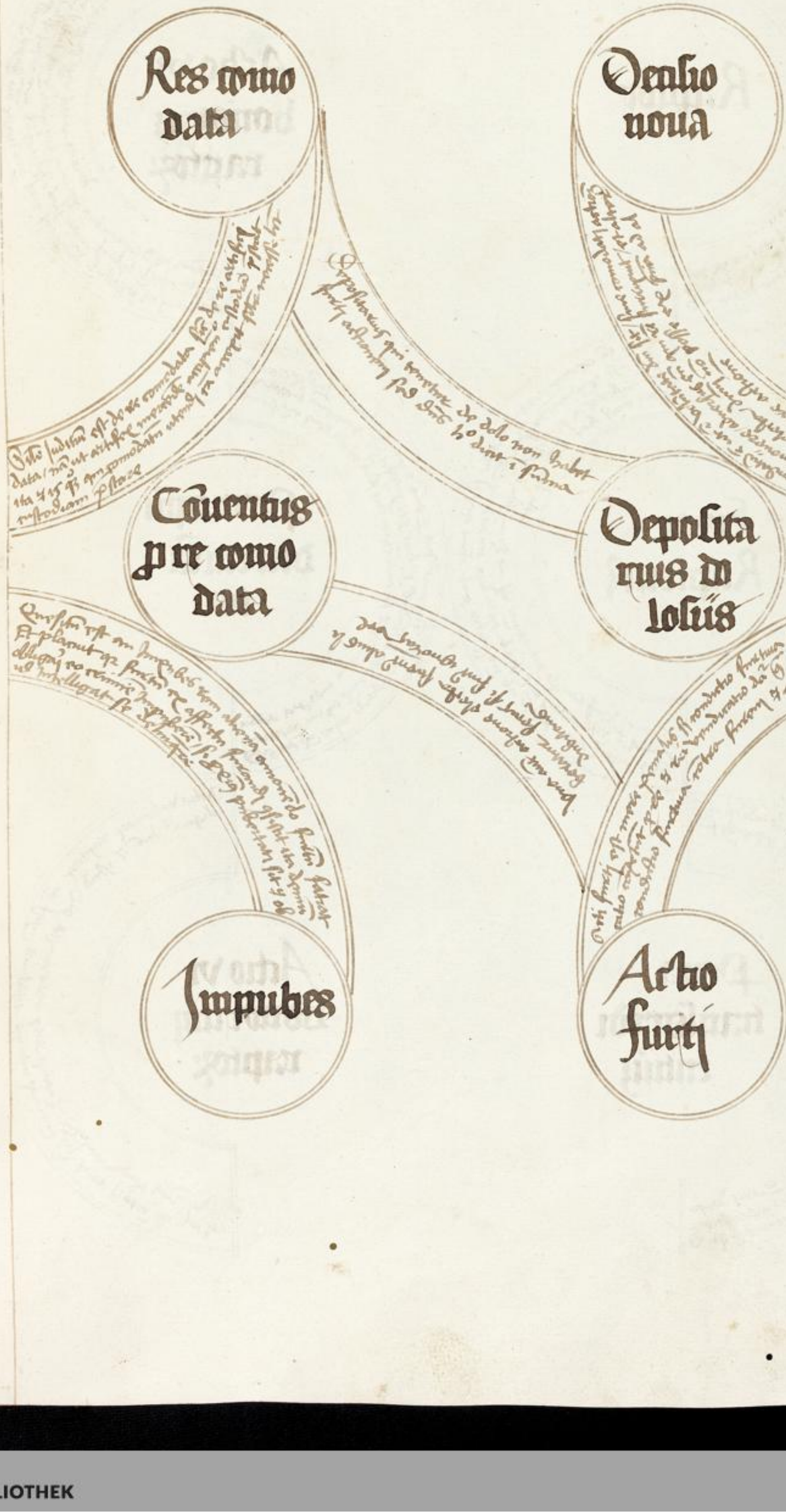
que ex delicto nascuntur


Octavo duum ad nocumentum
Pena furti
Furtus
Furtum
Furtum
Furtum

De Obligationibus



que ex delicto nascuntur



De vi bonorum raptorum

Raptor

Acho vi bonorum raptor

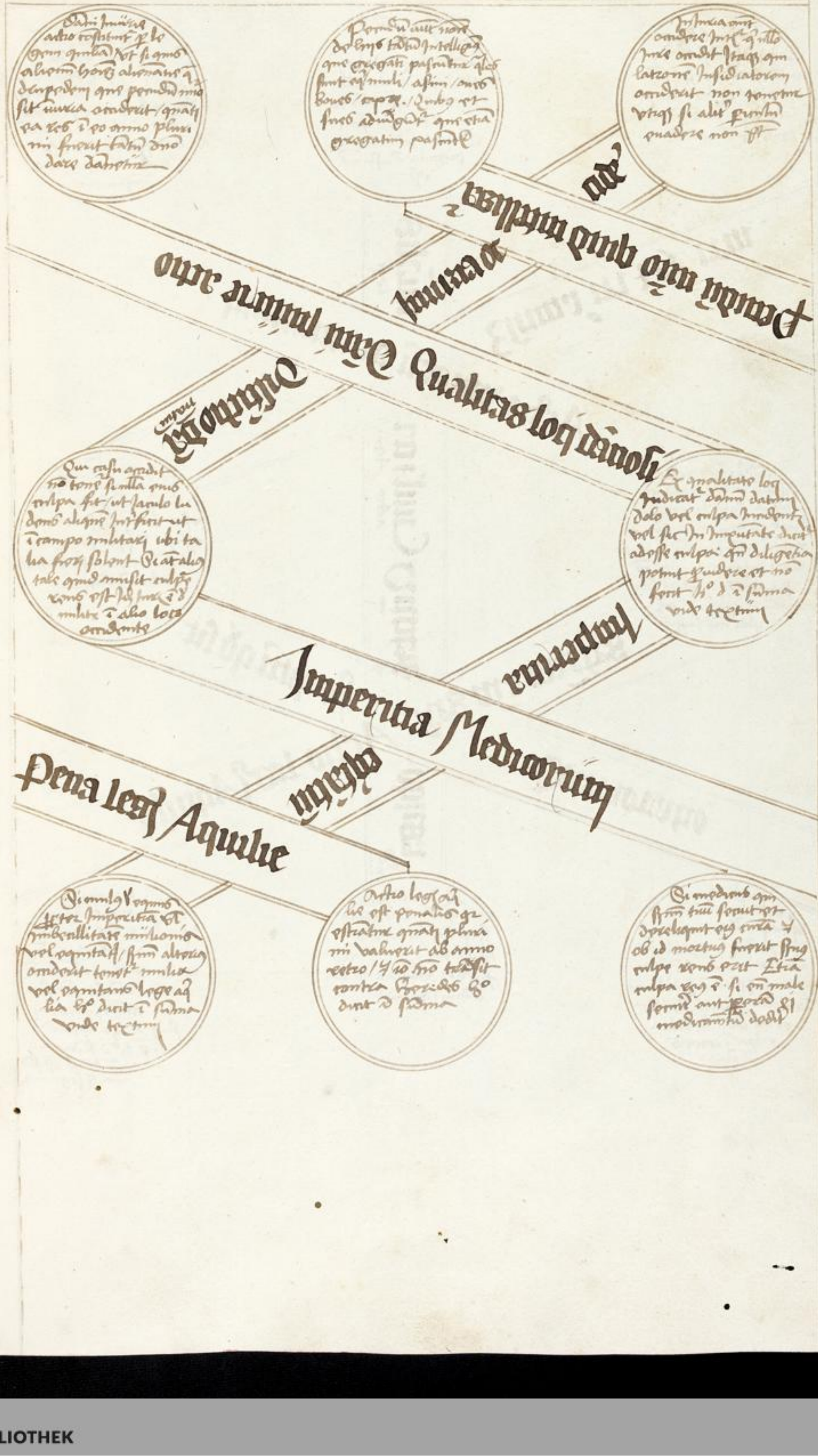
Error Rapiens

Principalis determinatio

Pena transgredientis

Actio vi bonorum raptor

De lege Aquilia



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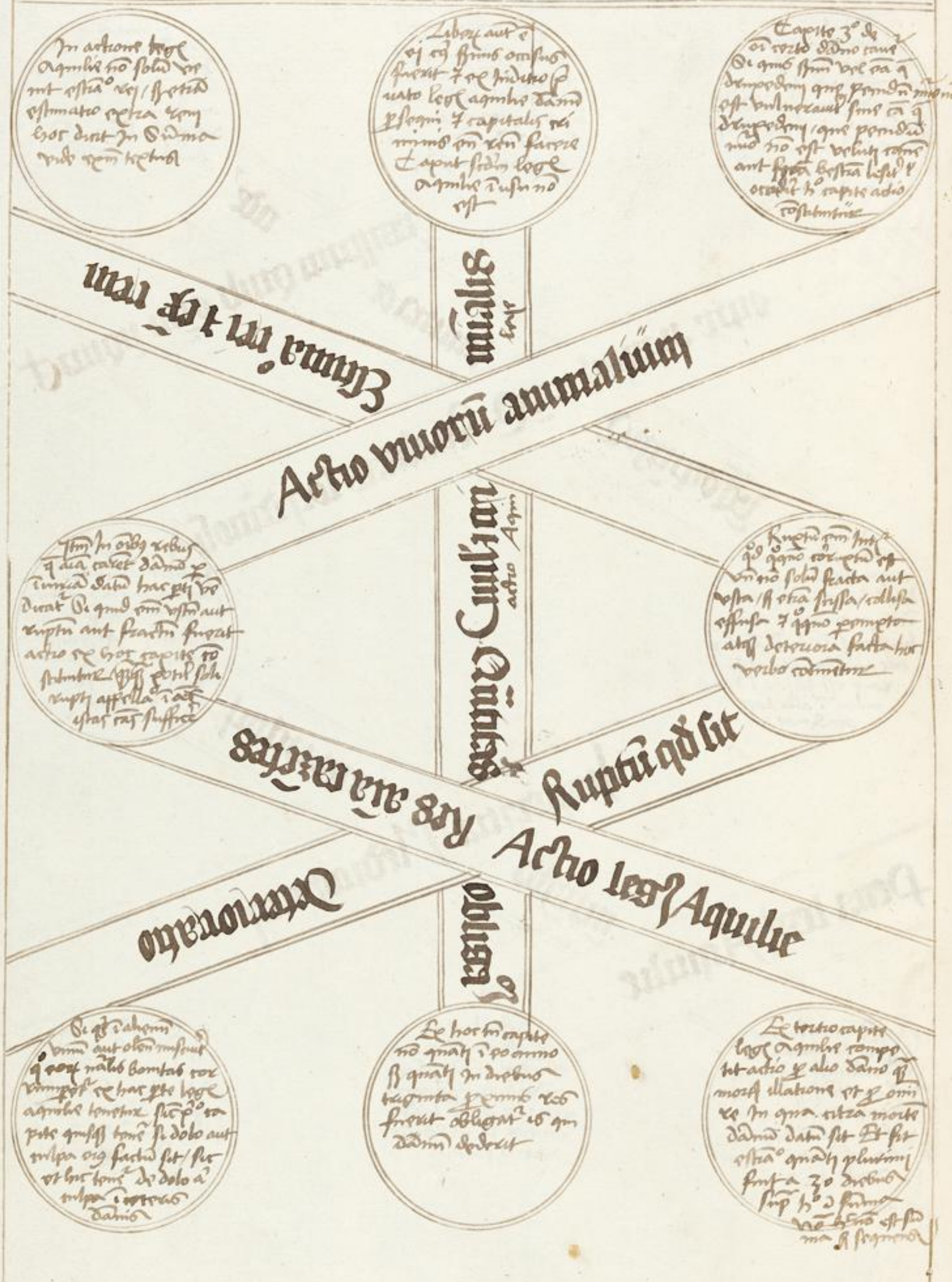
De lege Aquilia



De Summo

Summa Deus

Summa homo

Summa mundus

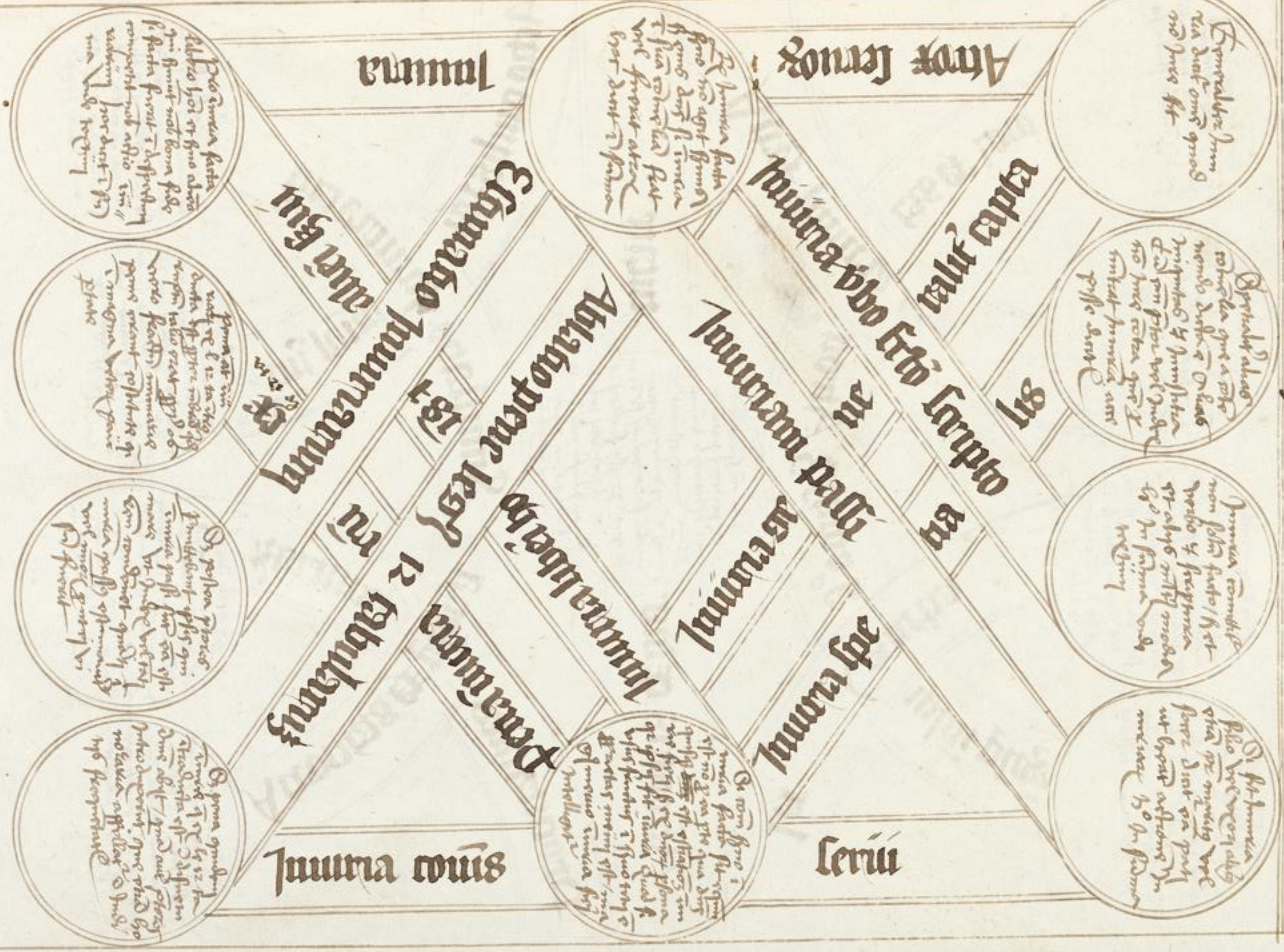
Summa diabolus

Summa lex et euangelium

Summa peccatum et gratia

Summa mors et vita

Summa infernus et celum



De Jnuriis

Jus

Causa

Actor

Reus

Actoratus ex dis

Jnuriarum

Actio quadruplex

Actor tenetur

Actoratus ex plona

Jnuriarum

Simulato

Jnuriarum

Actio quadruplex

Actor tenetur

De obligacionibus q̃ ex q̃si delicto nascuntur

Pena

Pena domorum i edificiorum

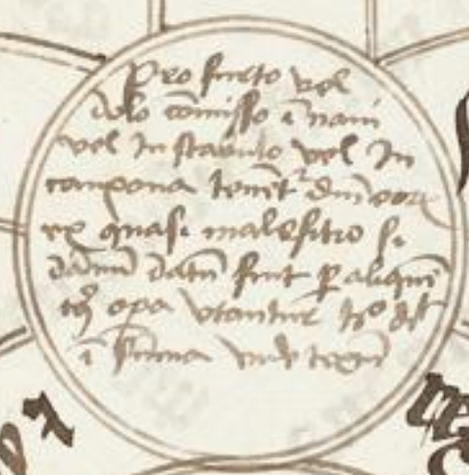
Pena suum quod suum

Actio i factum no dr̃ heredem

Filius familias habitas

Comunia

Ne quis



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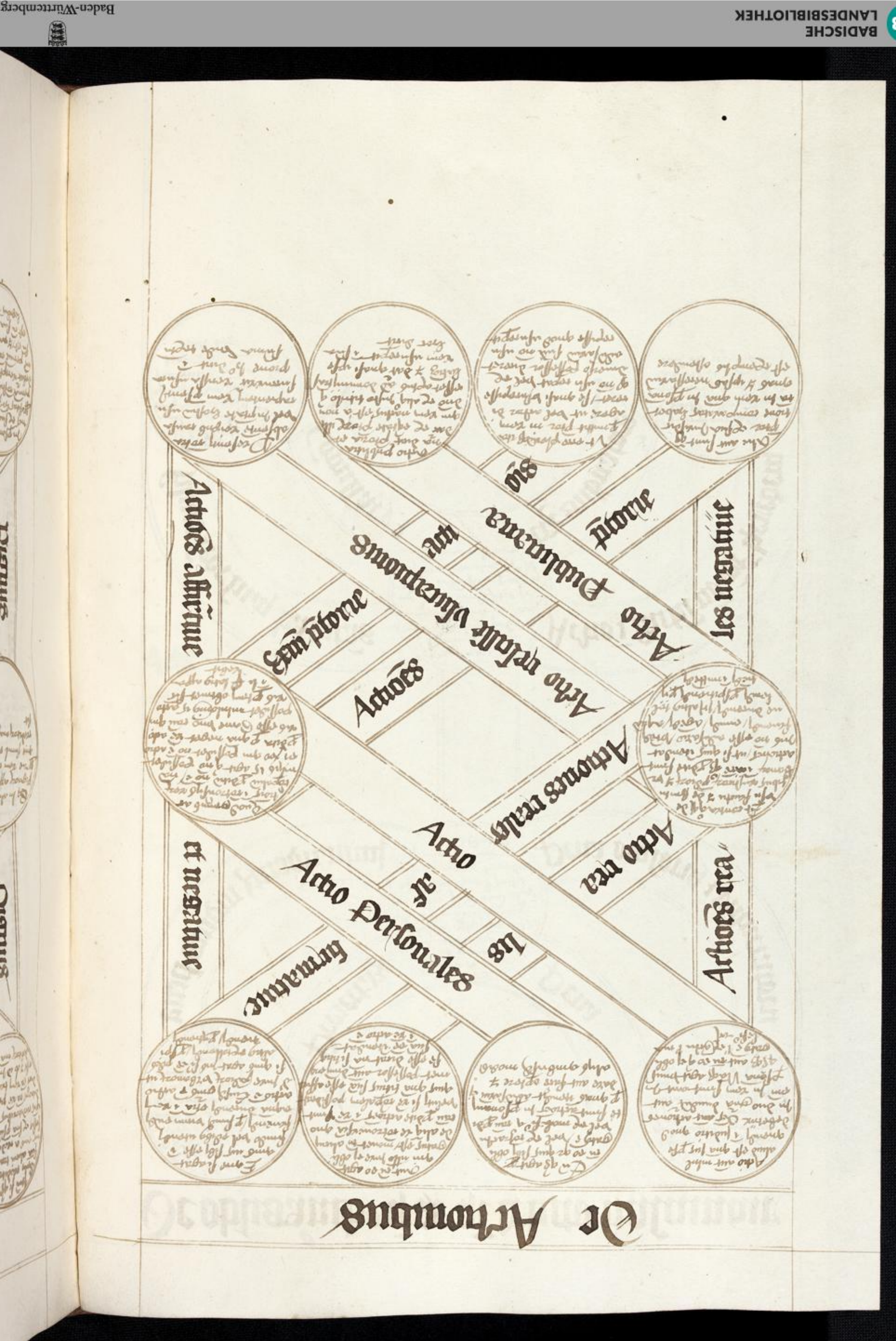
De Arbonibus



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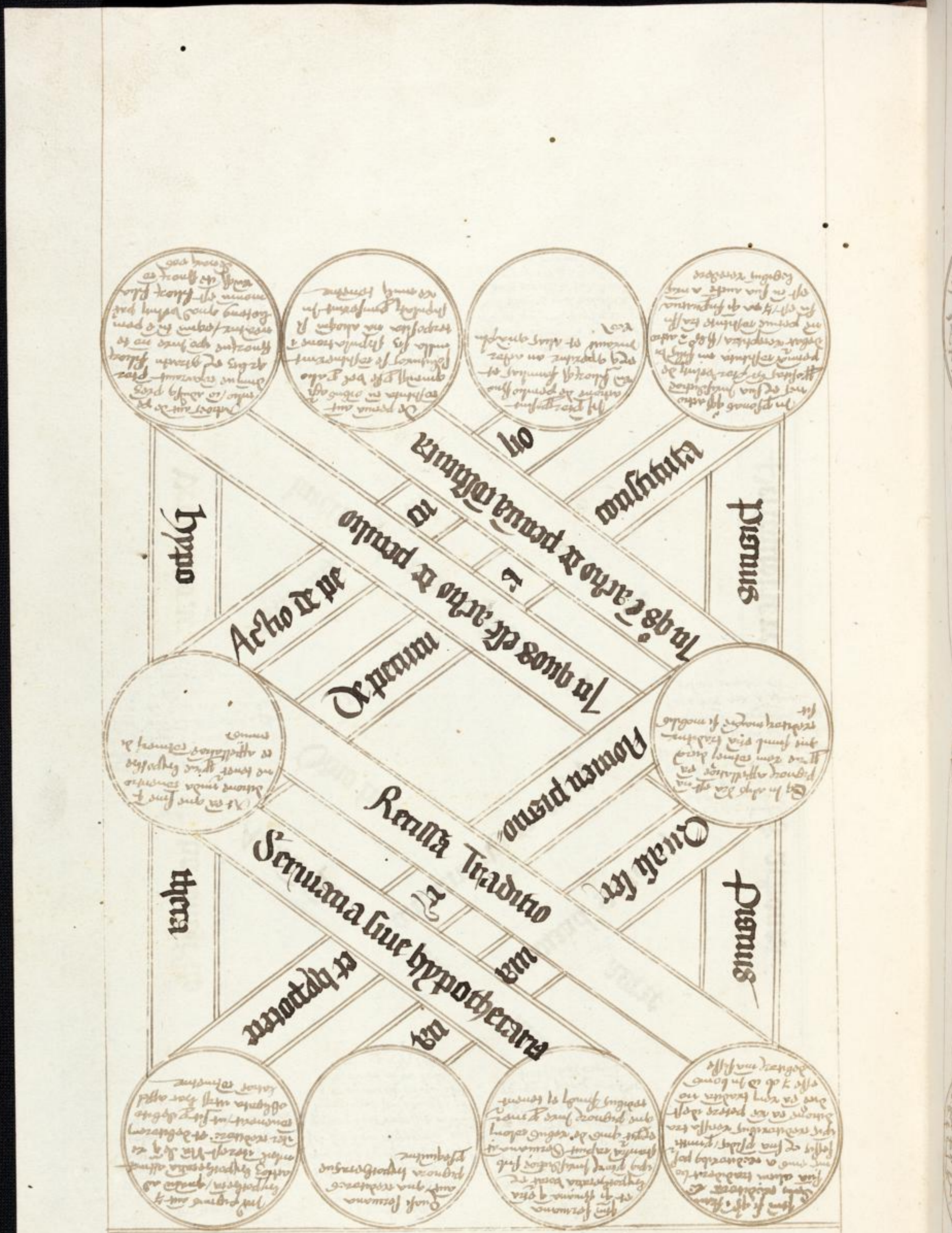
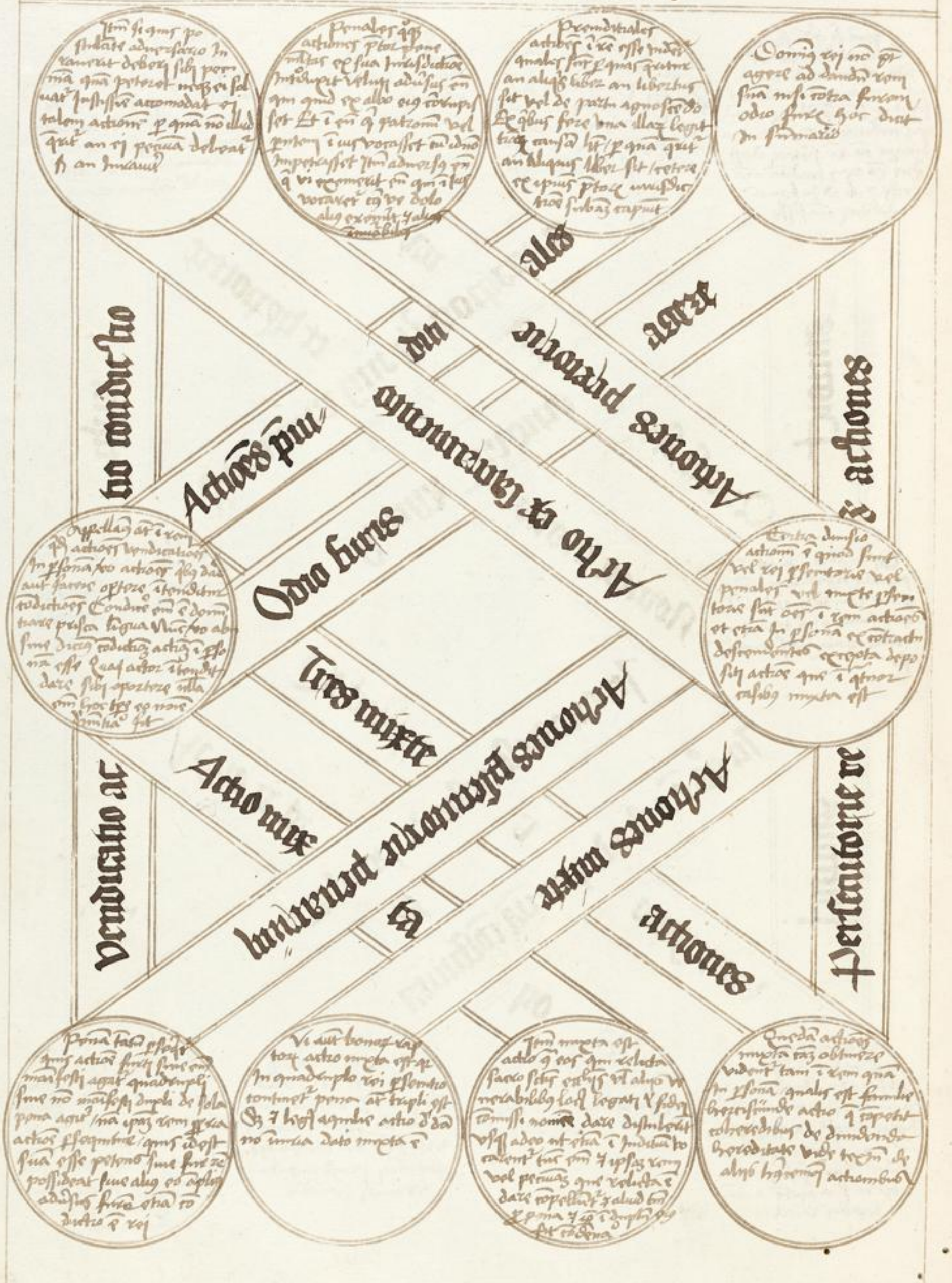
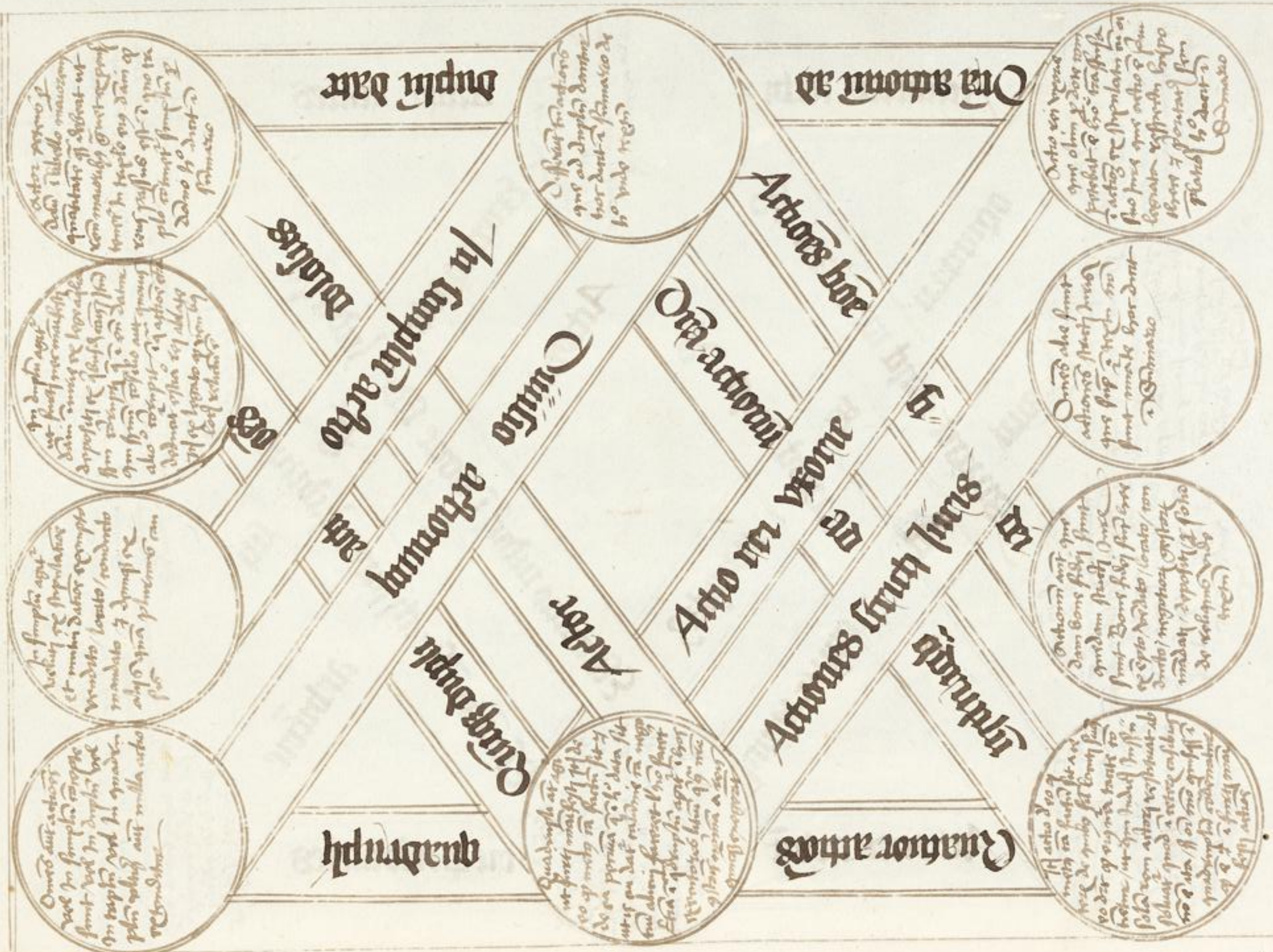

De Actoribus
Democritus
Anaxagoras
Empedocles
Thales
Pythagoras
Anaximenes
Heraclitus
Parmenides
Xenophanes
Anaximander
Zeno
Leucippus
Diogenes
Archelaus
Socrates
Plato
Aristoteles
Theophrastus
Strato
Lyco
Xenocrates
Polemo
Crates
Arcesilas
Lacydes
Euandrus
Hegesinus
Carneades
Clitomachus
Philo
Charmadas
Antiochus
Aenesidemus
Agrippa
Menodotus
Theodas
Aenesidemus
Sotion
Alexander
Sosigenes
Potamon
Athenodorus
Boethus
Dio
Antipater
Archedemus
Panetius
Hecato
Posidonius
Antipater
Diogenes
Antipater
Apollodorus
Zenodotus
Diodorus
Philo
Dardanus
Antiochus
Varro
Cicero
Seneca
Plutarchus
Gellius
Apuleius
Albinus
Maximus
Numenius
Atticus
Plotinus
Amelius
Porphyrius
Iamblichus
Sopater
Dexippus
Eunapius
Prohaeresius
Epiphanius
Themistius
Hypatia
Plutarchus
Syrianus
Proclus
Hermias
Ammonius
Damascius
Simplicius
Olympiodorus
Philoponus
Asclepius
Ammonius
Hermiae

De Actionibus



De Archonibus



De Actionibus

Actiones

Actiones in rem

Actiones in personam

Actiones arbitrariae

Actiones stricti iuris

Actiones bonae fidei

Actiones in plus petitionem

Actiones in minus petitionem

Actiones ex delicto

Actiones ex contractu

Actiones ex variis causarum figuris

Actiones civiles

Actiones honorariae

Actiones mixtae

Actiones perpetuae

Actiones temporales

Actiones rei persecutoriae

Actiones poenales

Actiones rei et poenales

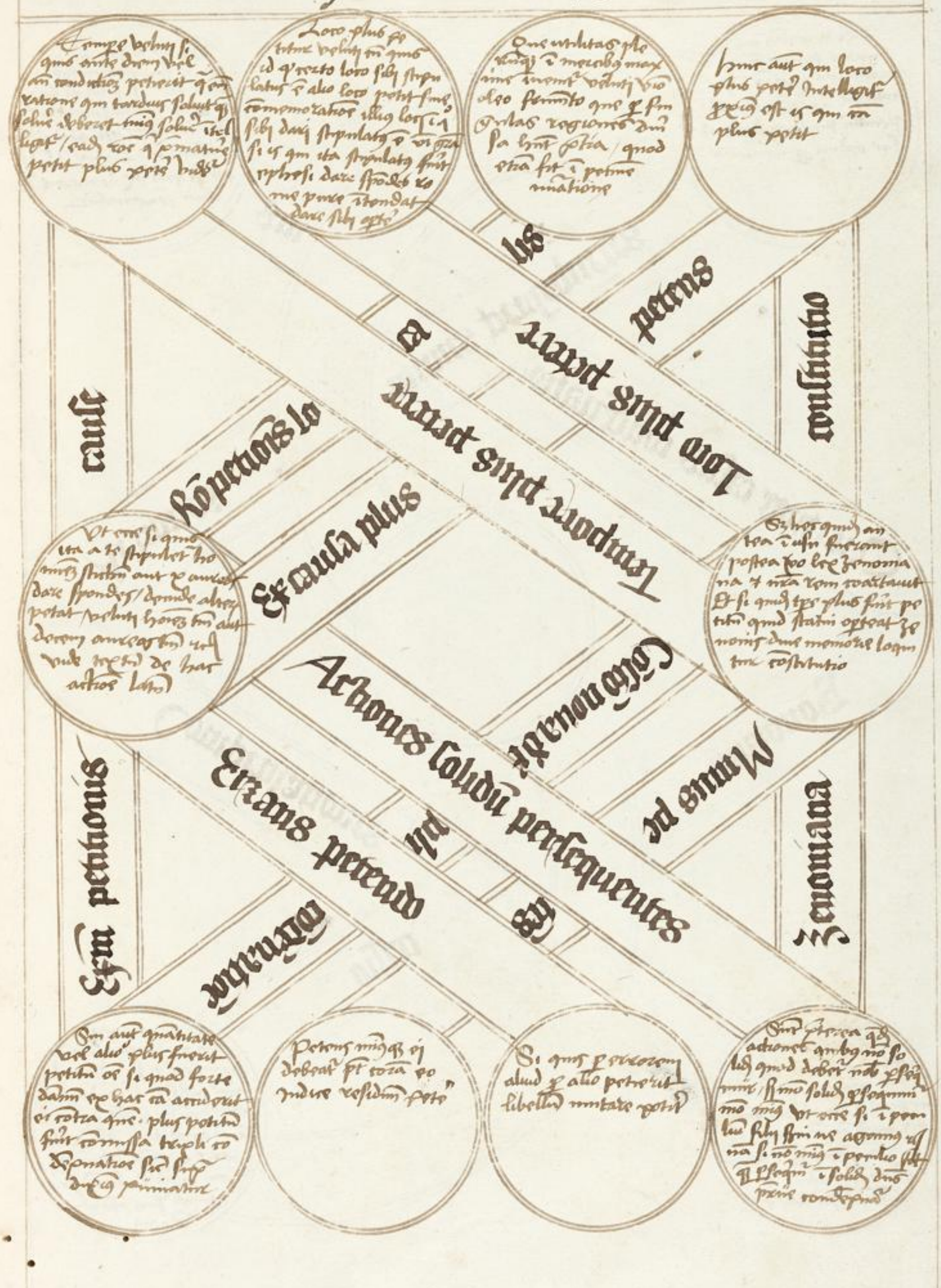
Actiones heredibus et in heredes competentes

Actiones heredibus competentes non in heredes

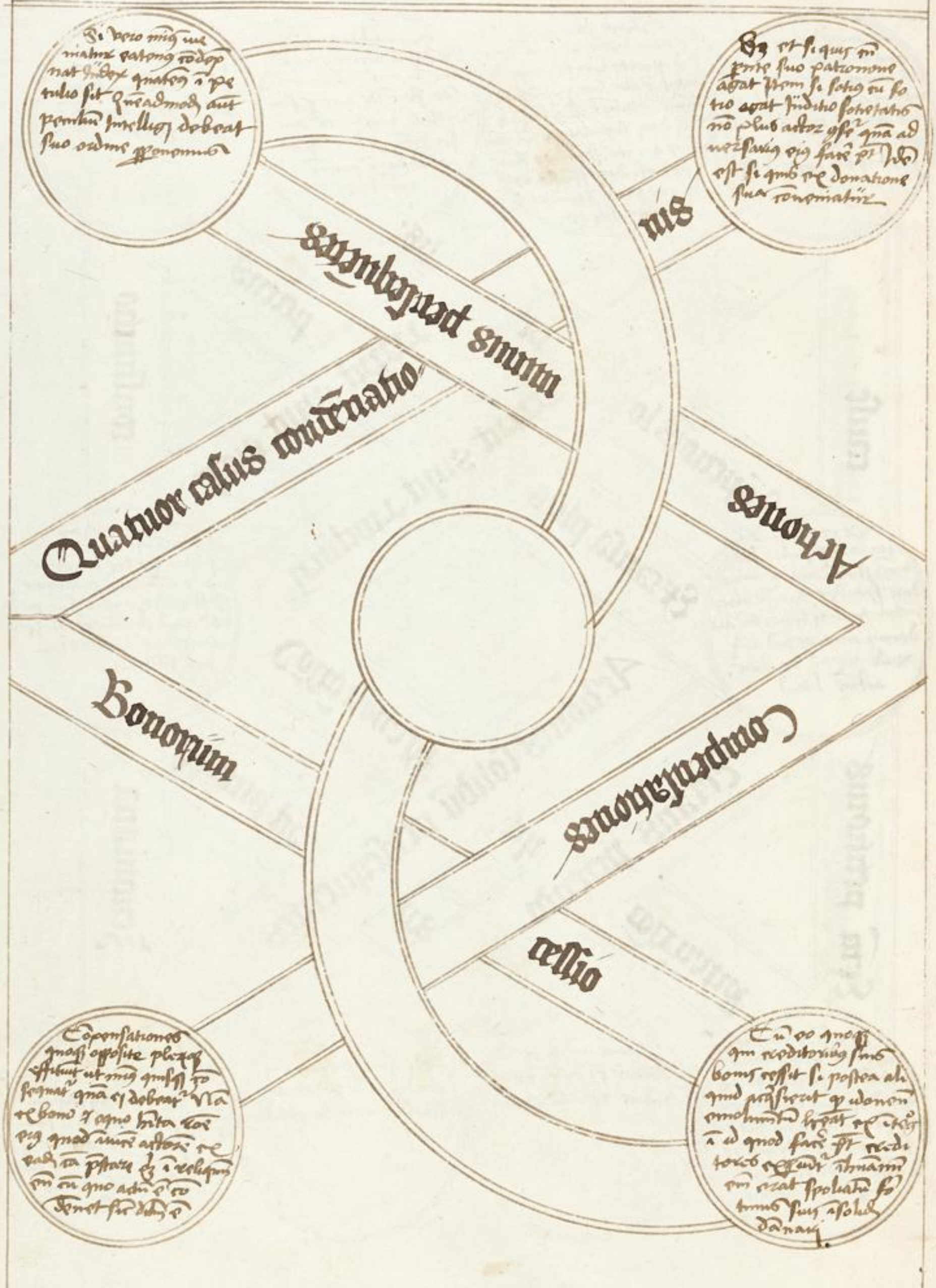
Actiones in heredes competentes non heredibus

Actiones neque heredibus neque in heredes competentes

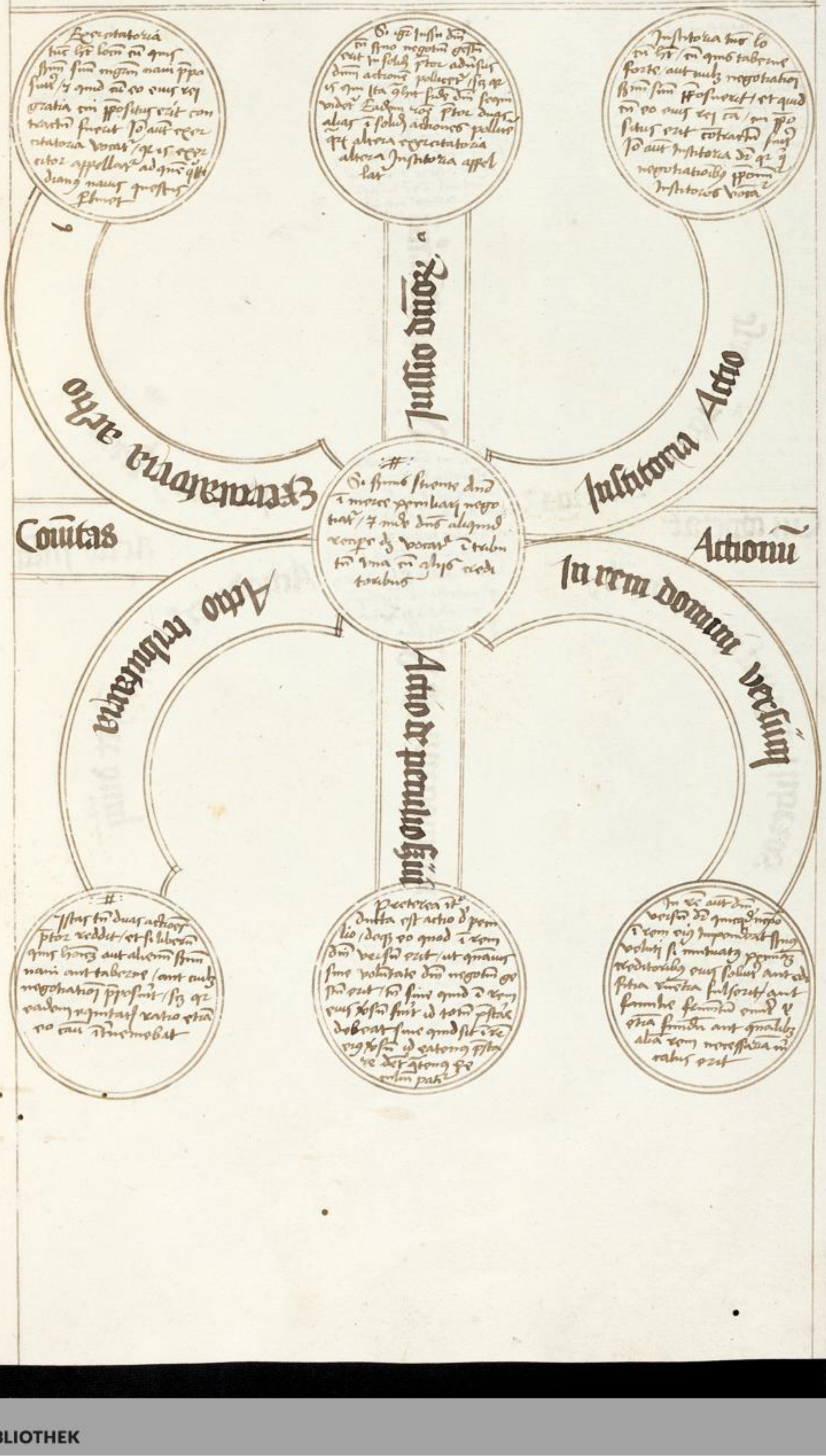
De Actionibus


Tempore debiti si quis ante diem debitum debitor conductus petierit quod ei retinere quin tardius soluat quia soluere debuerat tunc soluat tunc legat / eadem ratione quia potius petit plus petit quia minus
Loco plus quia tempore debiti in quo id quod recte loco sibi stipulatus et alio loco petit sine commemoratione illius loci sibi dari stipulatus quia si ei quis in ista stipulatione sibi recte dari sibi spopondit dare sibi spopondit
Quae utilitas plerumque et necessitas maxime inesse debuit huic alio fundo quae si fundus quae si fundus regionem duas habet portas / quod una sit et petitione minatione
Hinc aut quia loco plus petit intelligit quod est ei quia in plus petit
Et causa plus
Et causa plus
Et causa plus

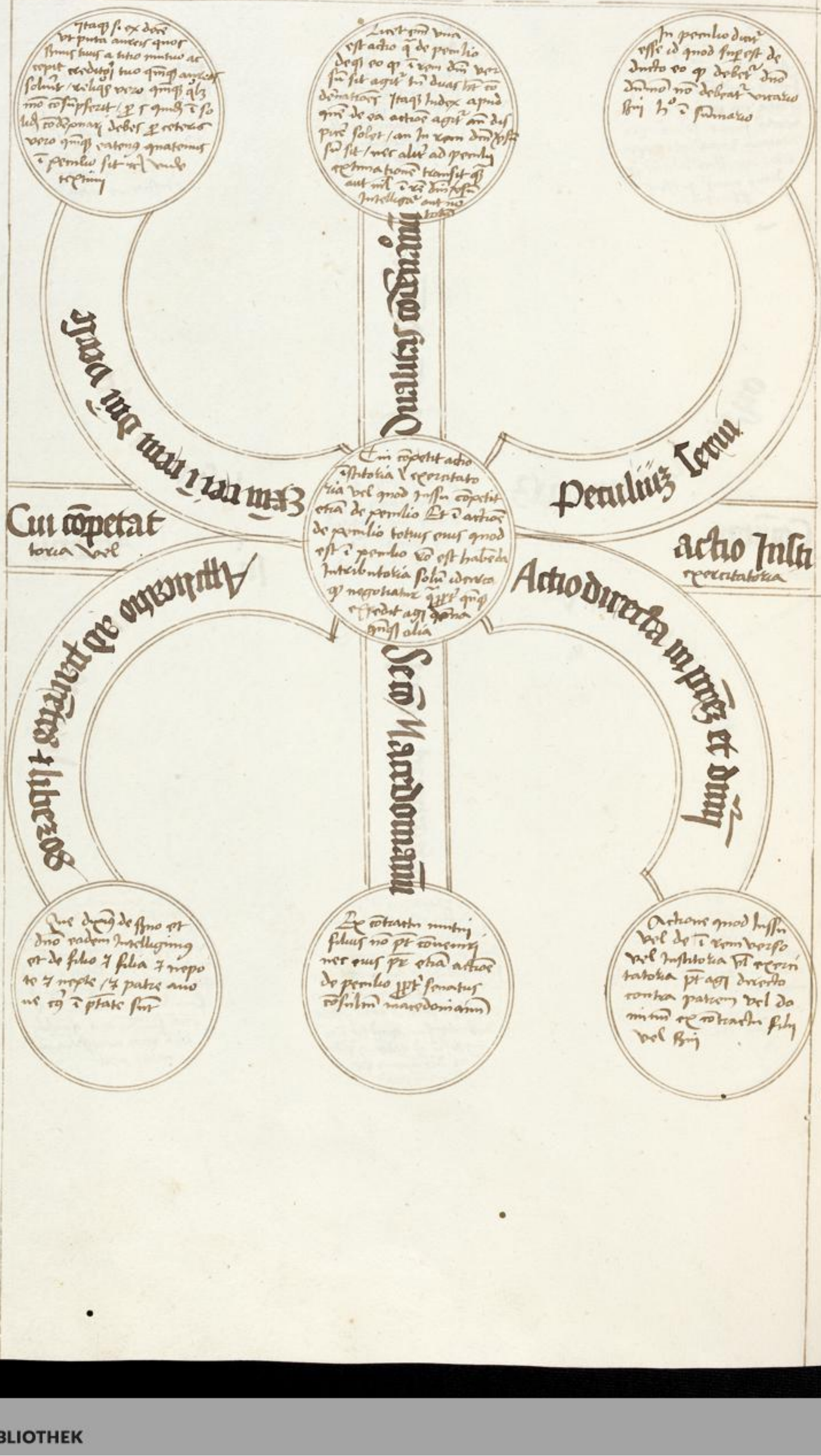
De Actionibus



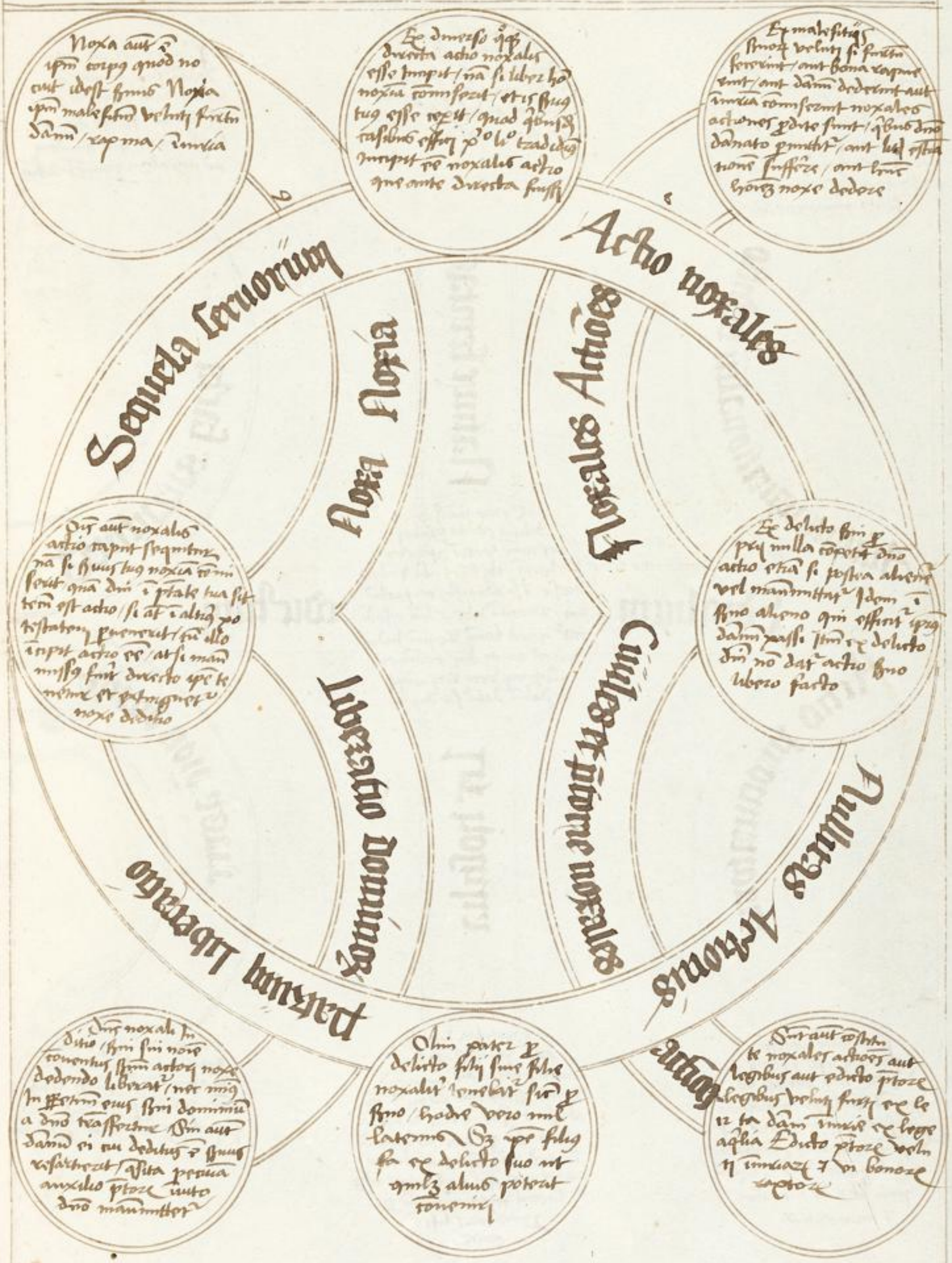
Quod ai eo q̄ī alicā ptātē nesc ꝛc dr



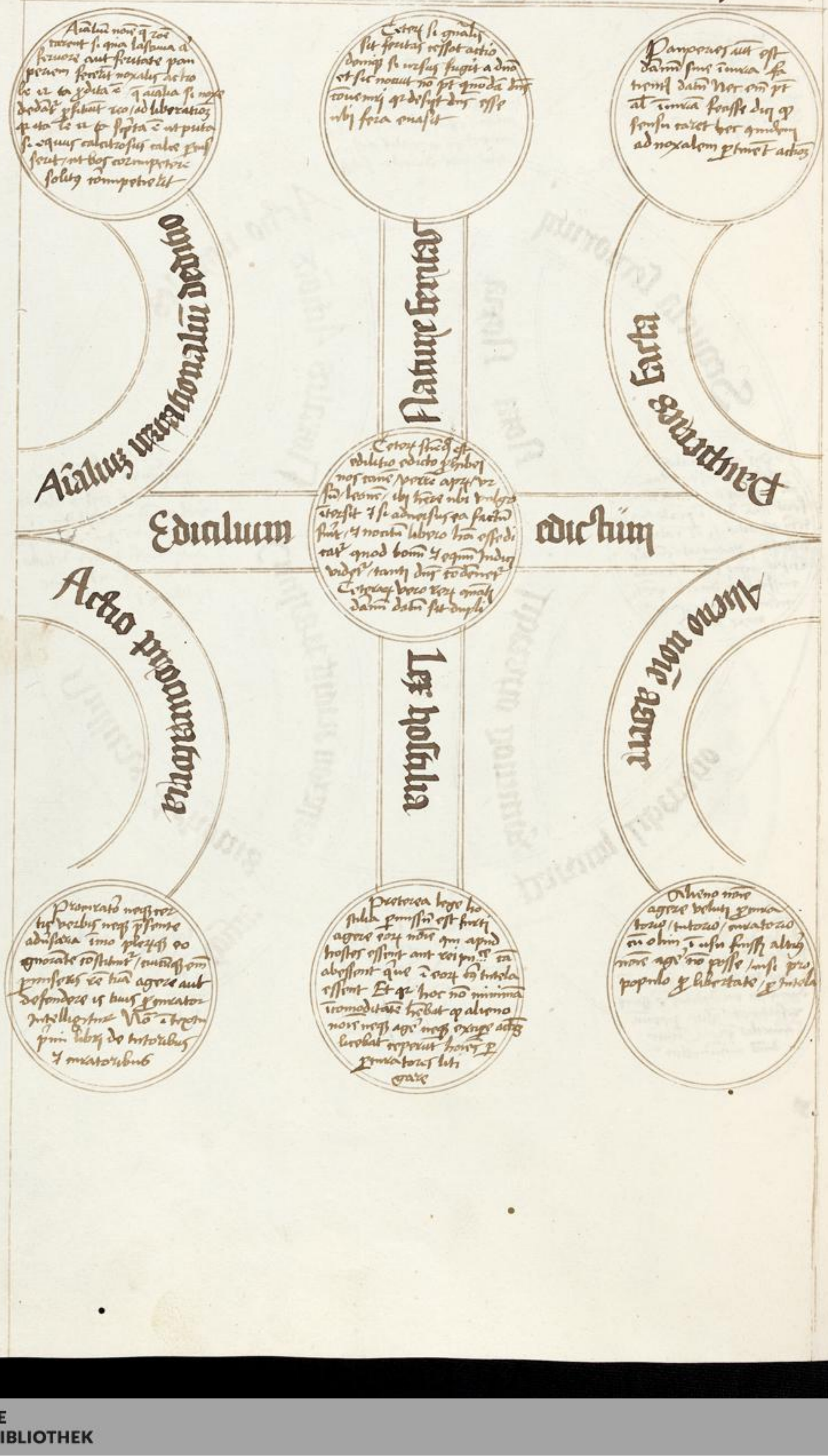
Quod ait eo q̄ i alia ꝑte ē nego se ee dr̄



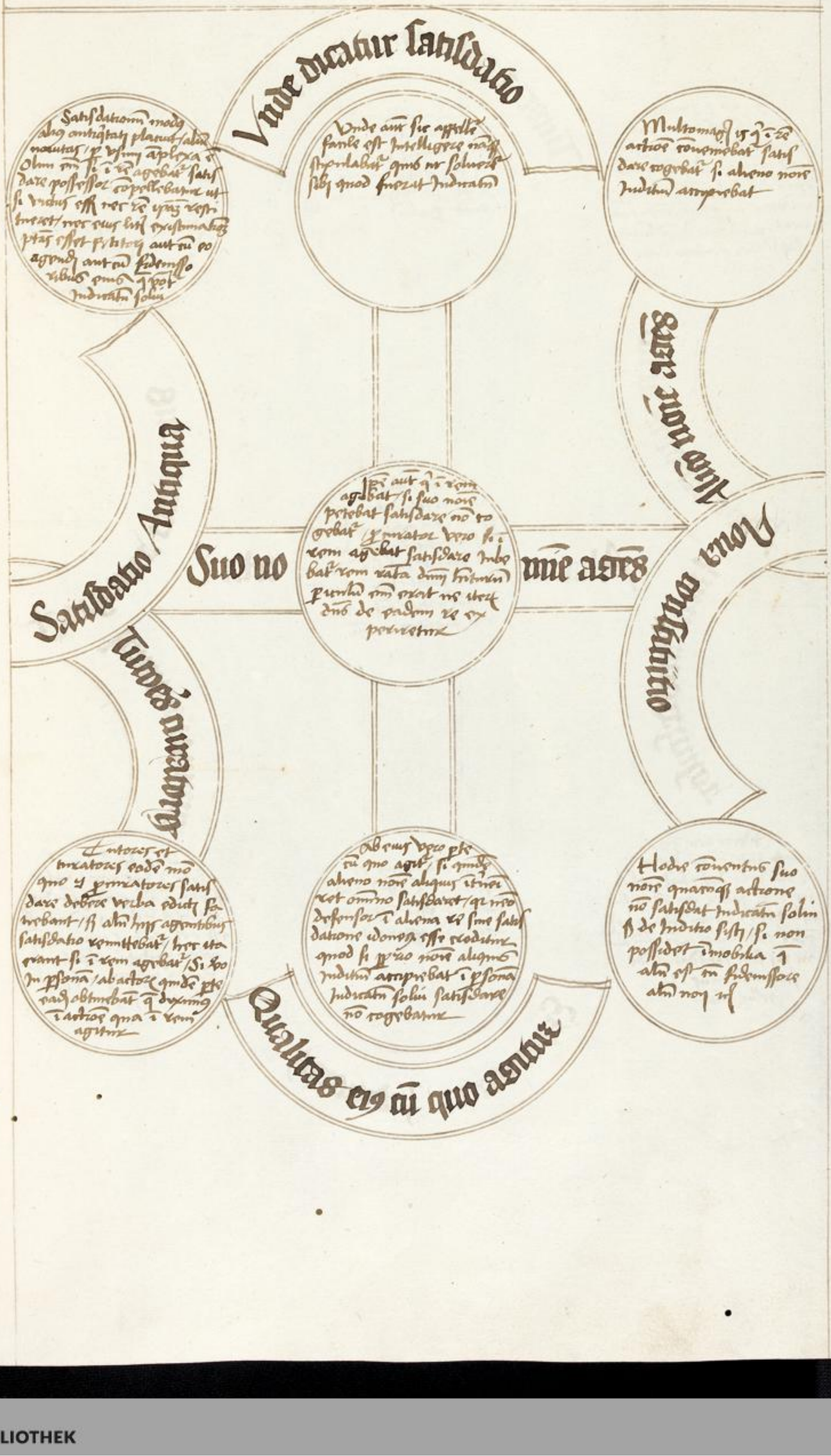
De noxalibus actionibus



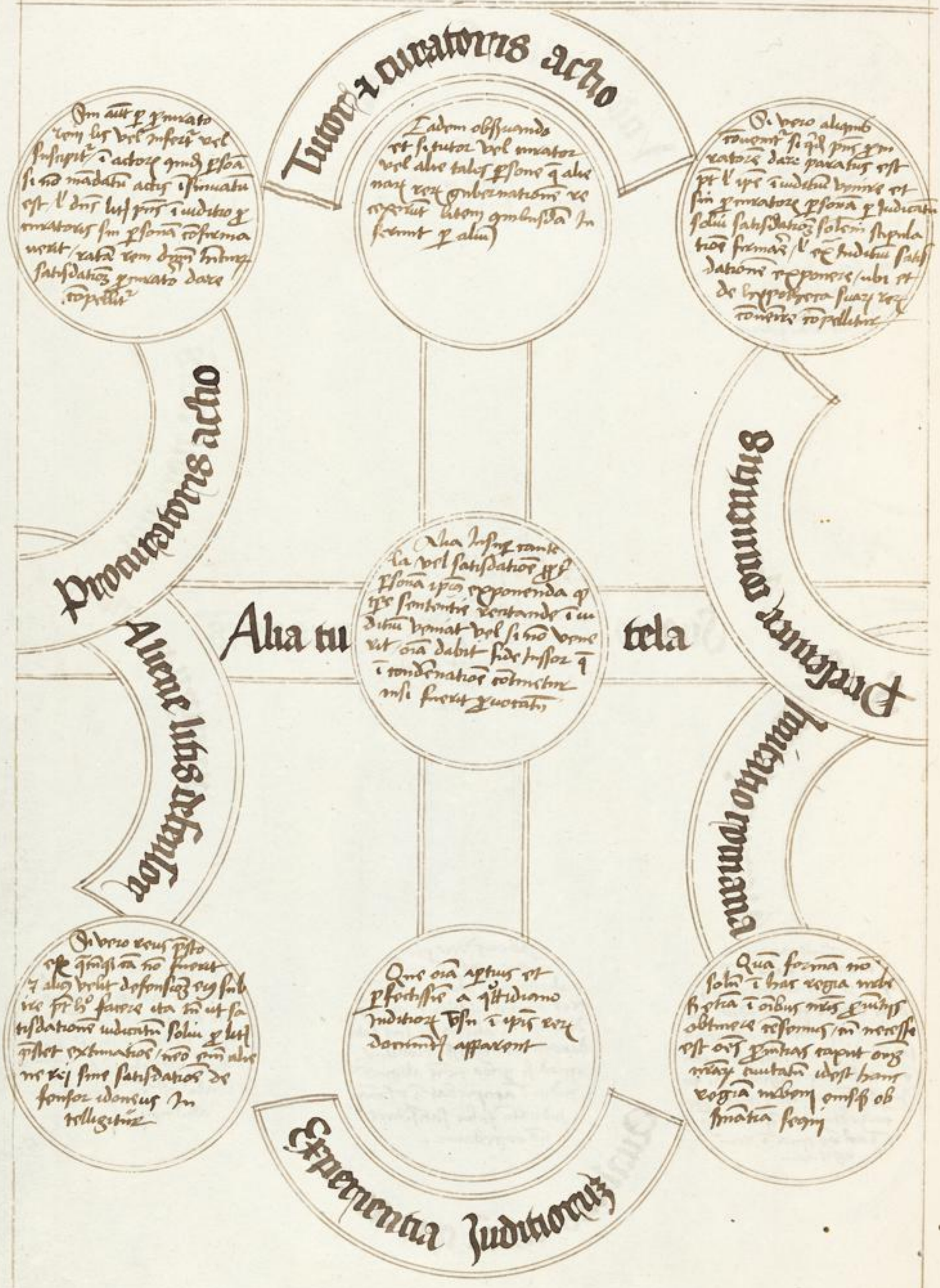
Si q̃dr̃upes pauꝛe dr̃ Oc hys pq̃s a pollu⁹



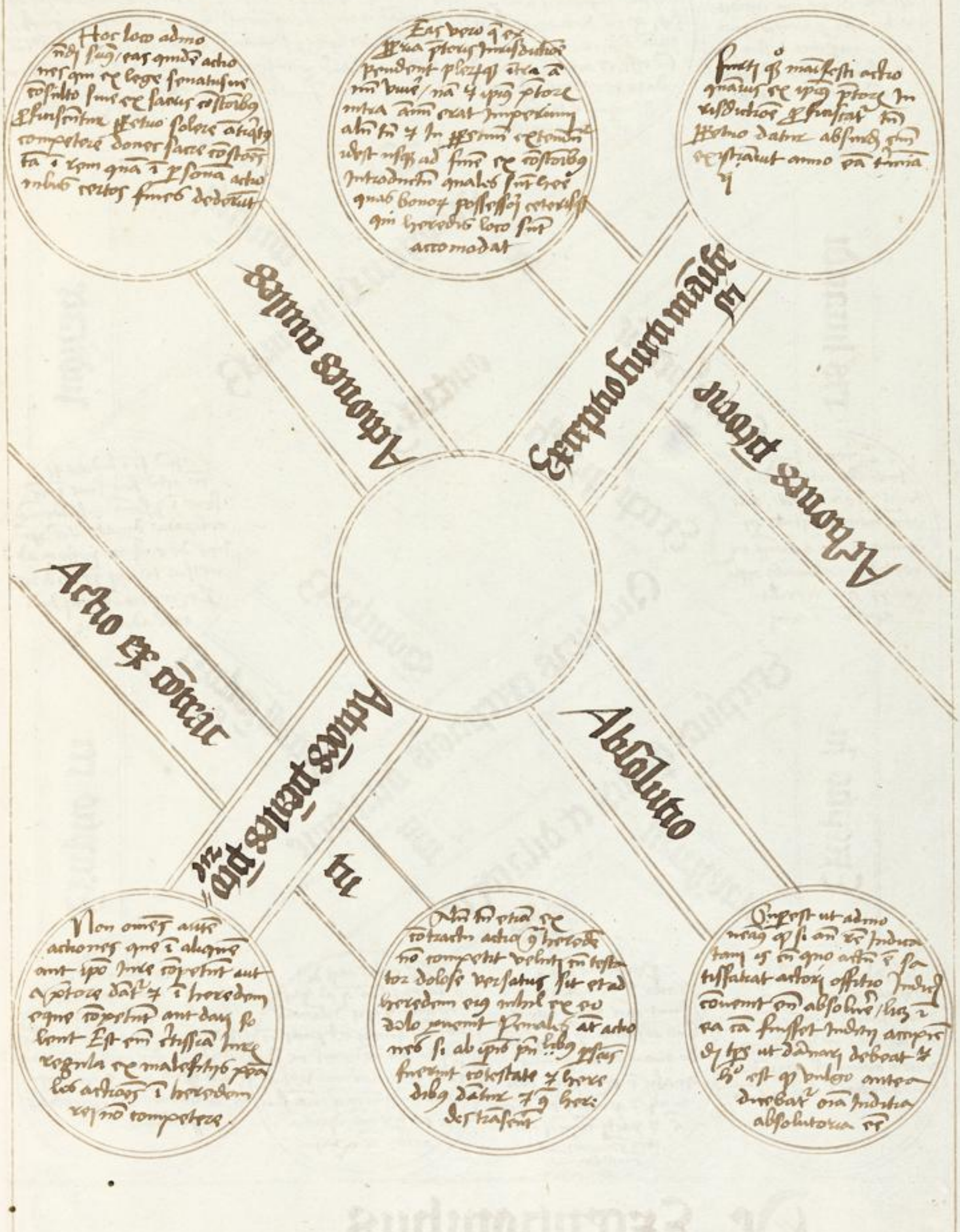
De Satisdationibus



De Satisdationibus


Tutor z curatoris actio
Alia tutele
Alia tutele
Alia tutele

De ppetuis et tpalibus actionibus ꝛc



Hor loco admo
ndi sug/ eas qmdo actio
nes qm re lege senatusq
consulto sunt re sacris et sepulchris
et huiusmodi effectu solere actores
competere doneꝛ facte restitu
ta ꝛ rem qua ꝛ psona actio
nibus certos fines dederunt

Eas vero q et
ex ea pene plures inducias
prendunt placuit itra a
nu vtile/ na ꝛ ipis plure
mtra ann erat imperatum
alias in ꝛ in hmoi rebus
ubi usq ad sunt re restituen
tes intradmitto quales sunt eoꝝ
qui bonoꝝ possessoꝝ exercitoꝝ
qui heredis loco sunt
actio modat

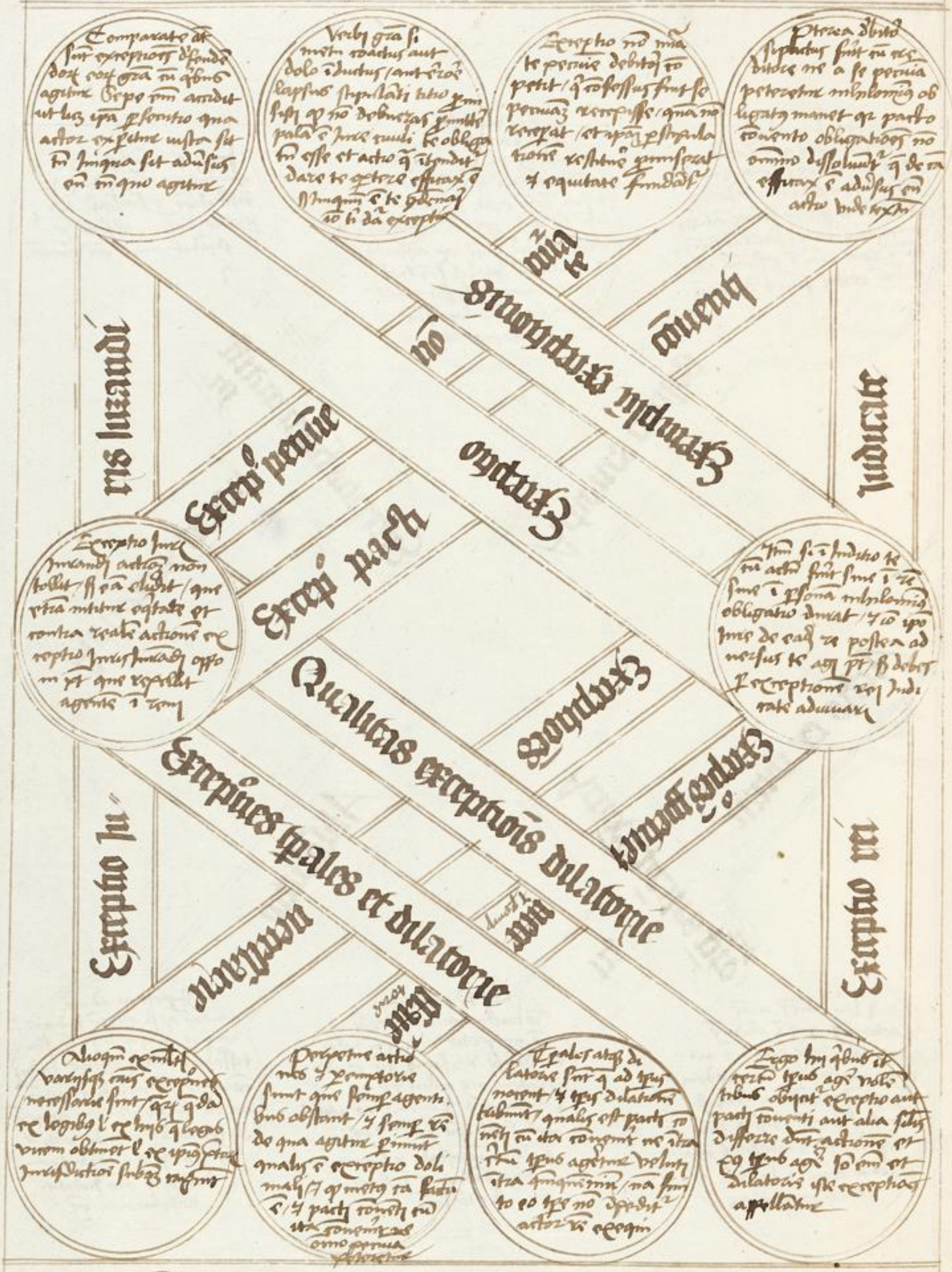
Sunt aũ q maiestatis actio
quales re ipis pene in
ducias et hastam in
Hoc die dabat absentib⁹ qui
re starent anno pa tantia
q

Non omnes actiones
actoribus que ꝛ aliquos
ante ipso iudice competunt aut
ex potest dari ꝛ ꝛ heredem
eius competunt aut dari so
lent Est enim quedam tuen
tes regula re malefitijs pro
hos actiones ꝛ heredem
eius non competere

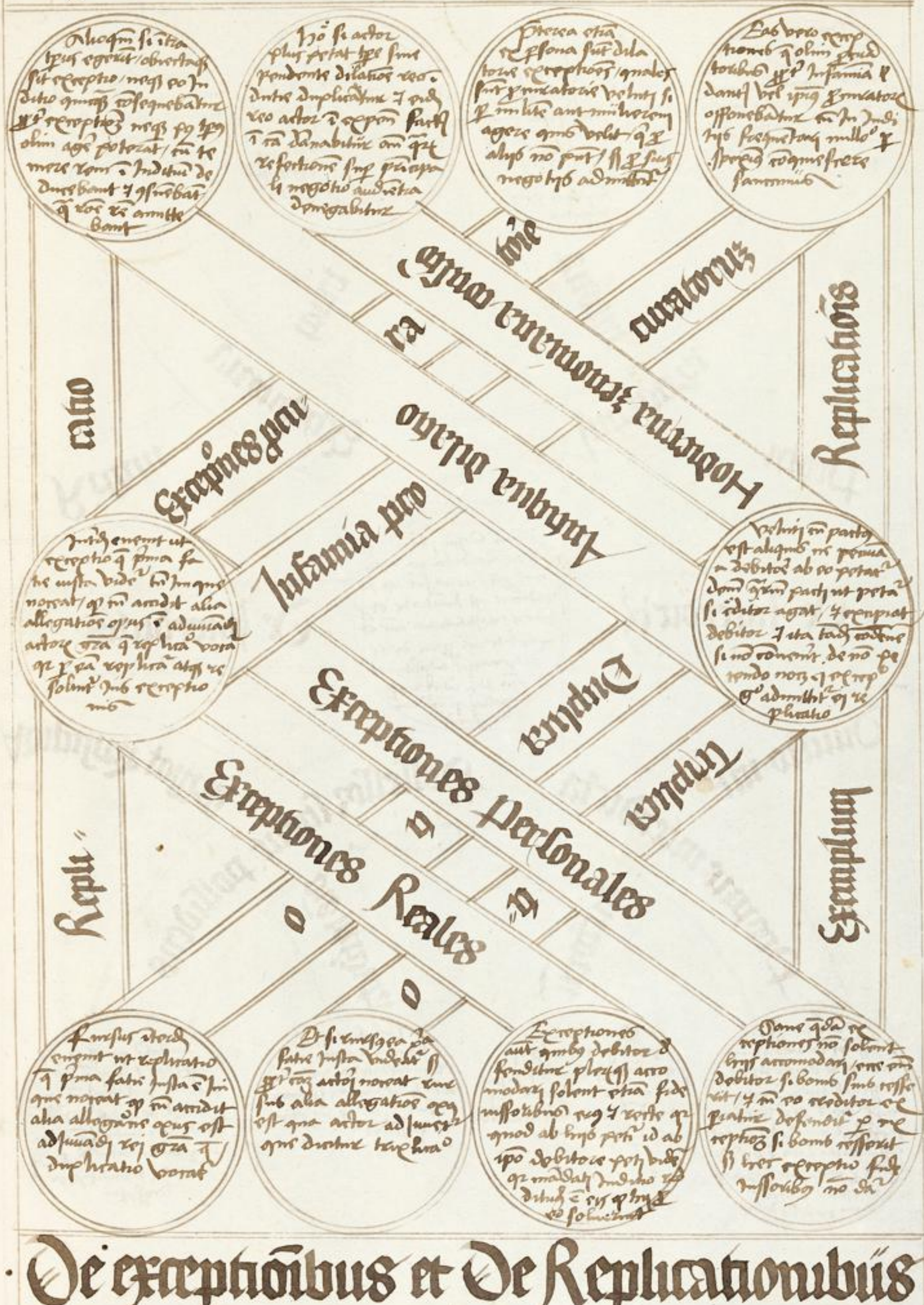
Nam in ceteris re
tractu actio q heredi
no competit debuit in testa
tor dolose versatus sit et ad
heredem eius inde re pe
dolo venerit Penales aũ actio
nes si ab ipso pene inducie
fuerint collestate ꝛ heredi
bus dabit ꝛ q heredi
des transeunt

Quidam ut admo
neat aliquem an re indicta
tam ut eum agat ꝛ sa
tisfaciat actori offitio iudicis
continet eum absolue/ hinc ꝛ
ea ꝛ sunt iudicia arbitra
ria ut damnet debeat ꝛ
hoc est quod vulgo ante
dicebat ora iudicia
absolutoria re

De ppetuis ⁊ tpalib⁹ actiõibus ⁊ q̃ ad hẽc

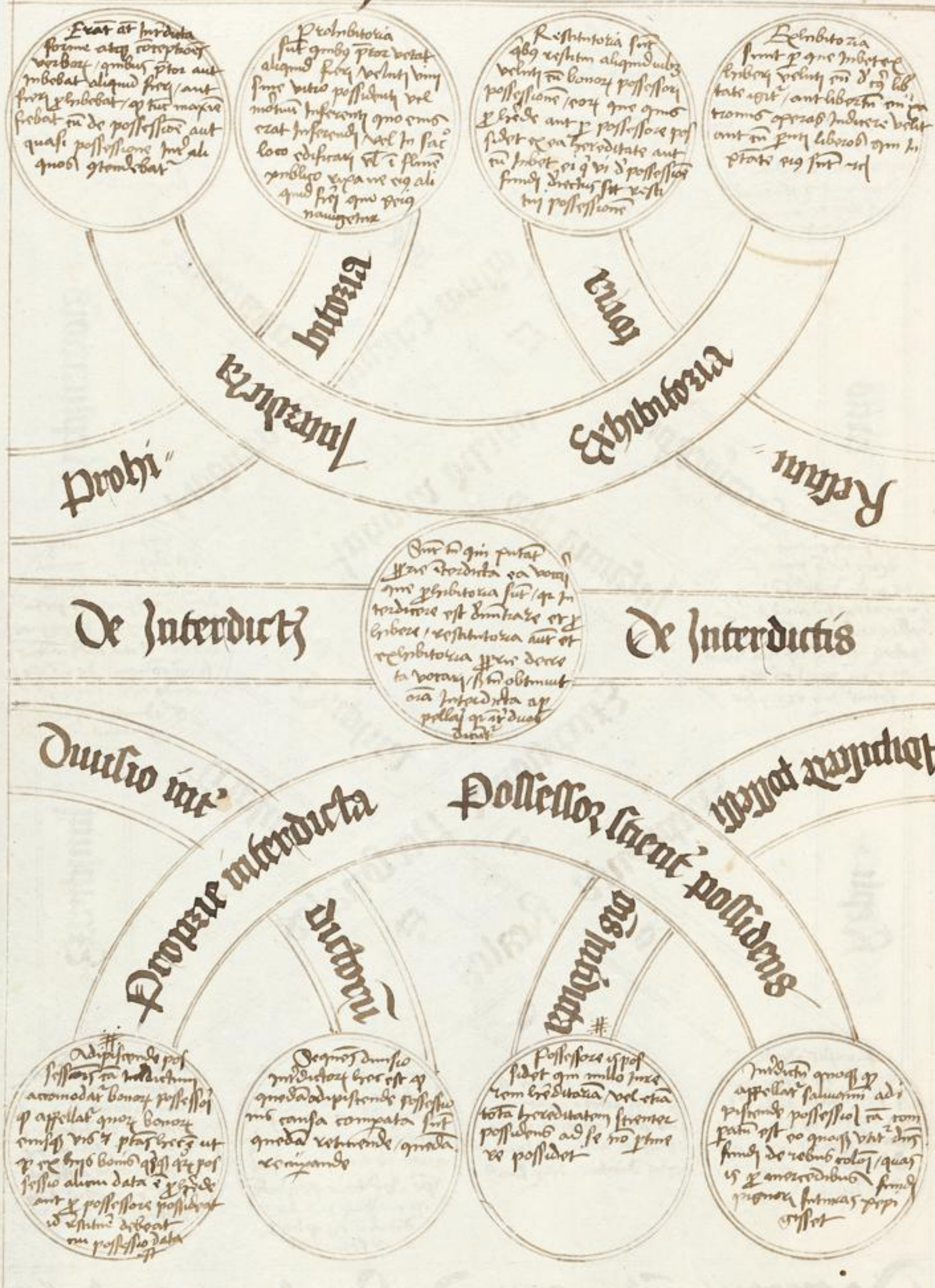

Exceptiones
Exceptiones ꝑpetue
Exceptiones tpales et dilatorie
Exceptiones dilatorie
Exceptiones ꝑpetue
Exceptiones tpales
Exceptiones
Exceptiones
Exceptiones

ti hese traleuit De exceptionibus



De exceptionibus et De Replicationibus

De Interdictis



De Interdictis

Quorum bonorum

Uti possidetis

Utrubi

Unde vi

Quem fundum possidetis ita

Uti eas aedes

Cum de moliendo

Quod ex eo loco

Quod ex his aedibus

Quod ex his aedibus

Quod ex his aedibus

De pena temere litigantium

Admonito luste actu

Vnus admo
nitus sua magna cu
ra : & esse est qui mea
sustinebat / me subito hortes
ad litigandu prouocet / qd ut
non studio est / sed ex maxi
ma pte / qd tranquillitati tue age
re qd tuo pmodo pmaria
me sumsisse dicat ecclesiae
me sumpsisse mihi
reprehensu

Iuramenti calumnie

Ego cu sum
mando ordinis q tene
mur ex officio mea de
fendere / ita deus me ad
iuuet allegatarib; utrinq
nisi sua inuenio qd putas
se bona & honesta uti ad
tuendu ius meum

Pene pluris

Et aduersus ad
uersus instituta &
obseruata mores duplu vel
triplu actio tu statim velim
si dari cuiq aut legatoz
sibi uel libi uel tibi non aga
tur aut ab intio plus q
semissi & actio vel iniq sum
mam & quod tu
de te ew

Iuramenti calumnie

Item actor quod
calumnia coercendi me
mei actoris & calumnia mea
te coercendi causa ego testes vtriusq
partis produxi nisi mihi
iurem qd alia mea testes
reprehensu est

Iuramenti calumnie
actoz & aduocati

Pene pluris

Hec autem ora
tori & calumnie
actione ita dicta sunt
q ei detrahendum abest qm
plus decima huius actoris mihi
debat qd missu factu iuramt
huius introducta & pfata
nostra & ut huius libi
tor pti dabit & impru
sus huius instantia adue
sarius suo agat

Iudicis officium

Omnes aut actiones
instituendas prudenti
ab ea pte petit profitent
quod potest petit de iudice po
tendo ut ea pte se primo ad
uersarius a iudice coerendus
est deinde ad eu coerendus
ut ius suu dicturus sit

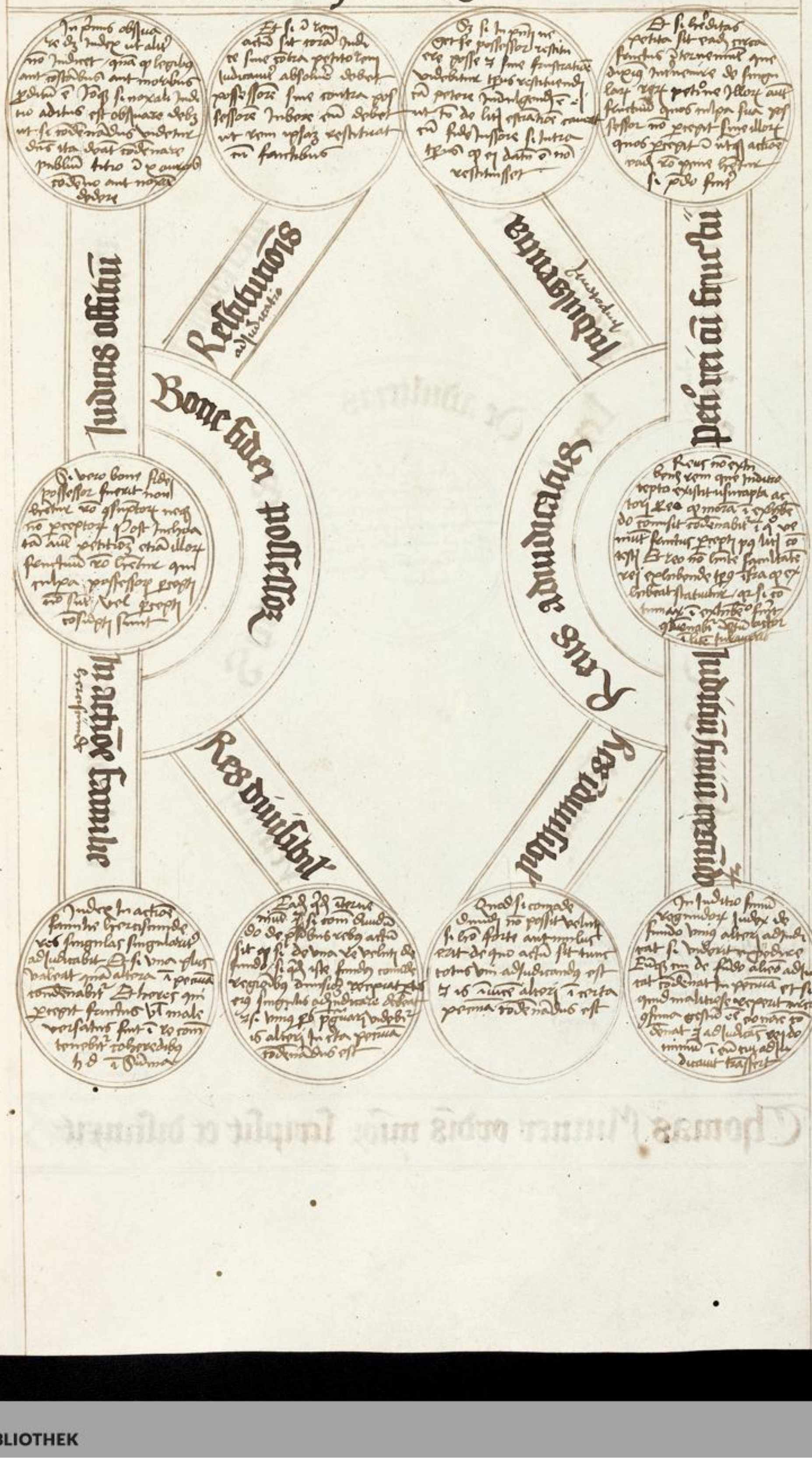
Testamenti factio

Ordinatus uel
patris ex eiusmodi q
bus mandat uel ordinata
actionibus diuersis non contra
uos destruentibus ex con
tractu & delicto emanat
est infamis unde
testes qui huic in
fame

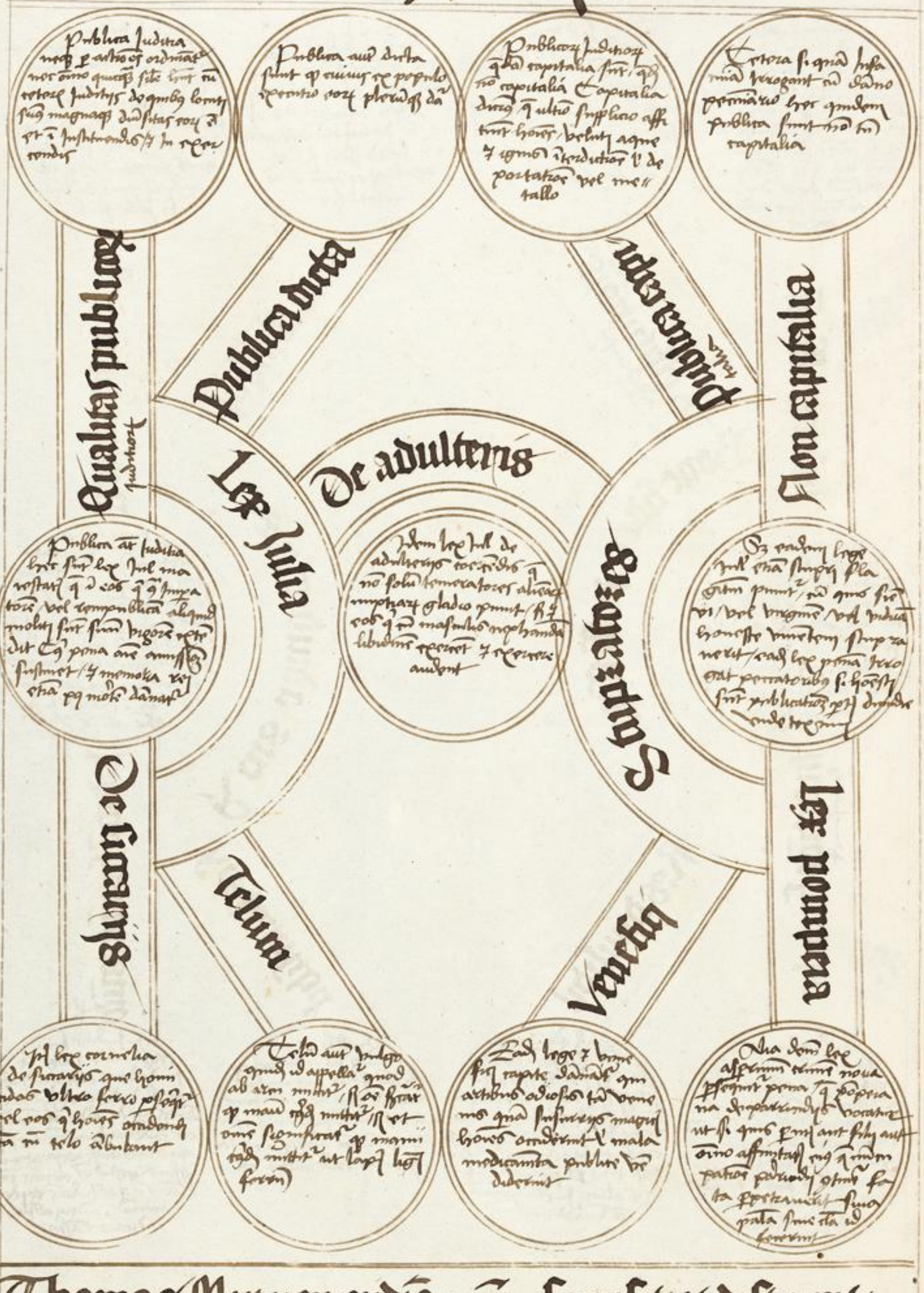
Aduocati patroni

Qua ex pte petor pa
tronis & patronis / ut
parentibus liberisq patro
nor & patronar honor ps stat
honorem / ut no alii liceat
liberis liberisq eoz & ut eoz
rare qua si id ab eo petor
postulauerit Et si quis
alii postulauit q pena
subeat quadrupla
condemnet

De Officio Judicis



De publicis Iudiciis



Thomas Murner ordis mior. Complit et diffinxit

De publias Judicijs

De furto
De homicidio
De falso
De ambitu
De vi publica
De peculatu
De sacrilegio
De plagio
De adulterio
De incestu
De parricidio
De veneficijs
De violentis raptis
De iniuriis
De Lege Iulia
De Lege Cornelia
De Lege Fabia
De Lege Pompeia
De Lege Iulia
De Lege Cornelia
De Lege Fabia
De Lege Pompeia

Sz nullz audita memoria cognitas tpis Iudicia no ptent

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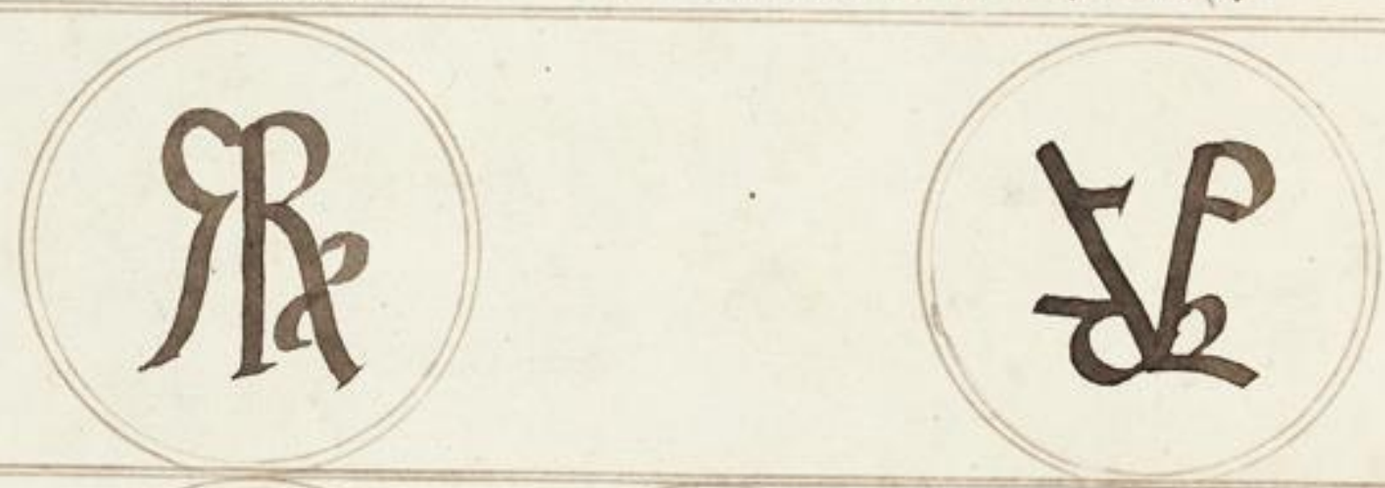
Baden-Württemberg

Secunda pars practica Justitutionum memoratarum

Literalis primi libri

Literalis Secundi libri



Litteralis Tercij libri

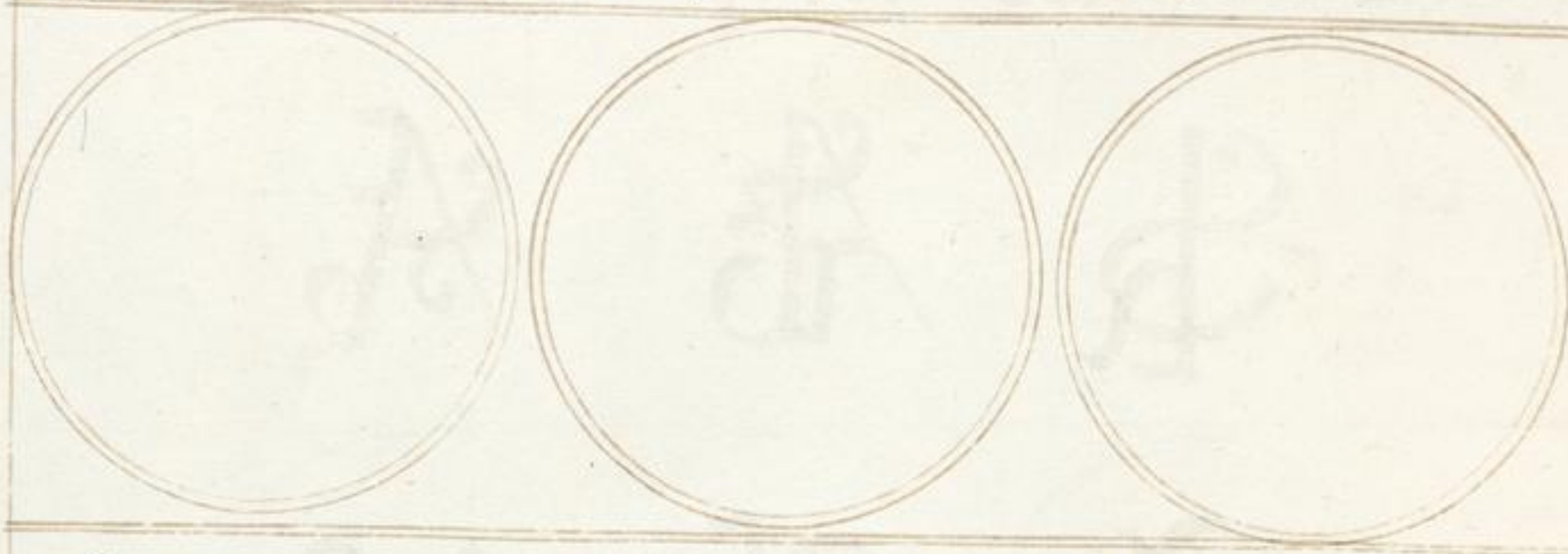
Litteralis Quarti libri

Iustificationis littere sunt 22

Primi li tit 26 Secūdi li tit 25

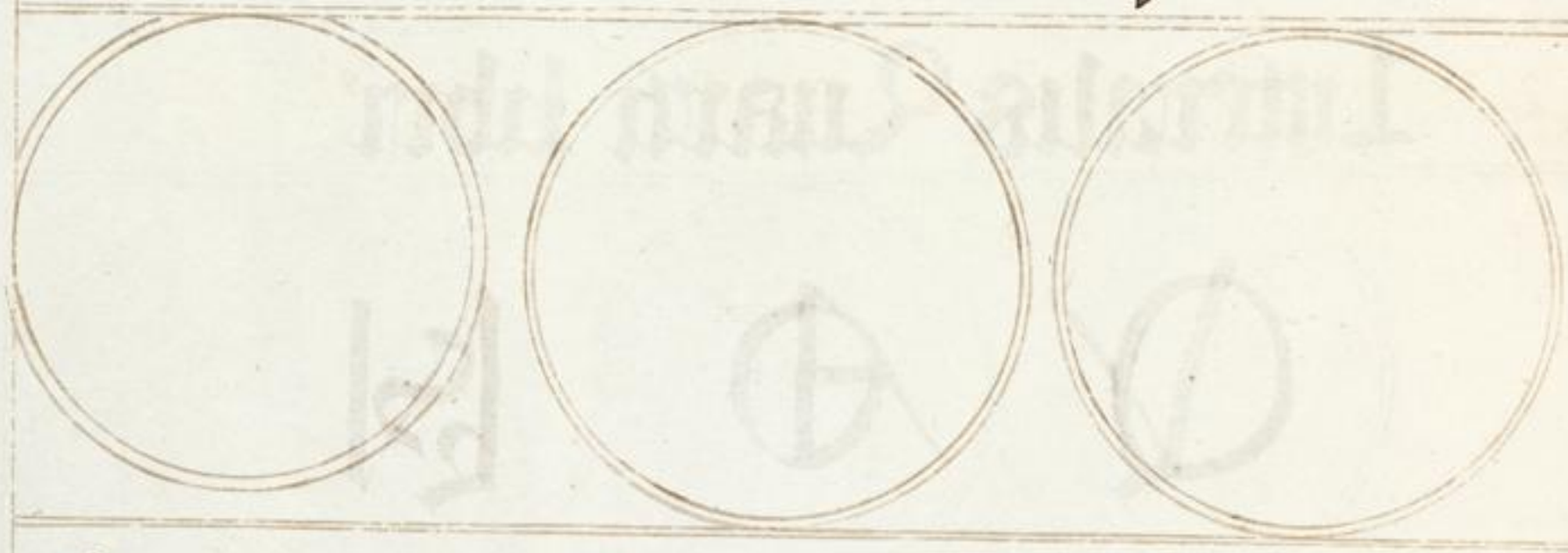
Quarti li tit 18 Tercij li tit 30

Sensualis ad Primu libri



1 2 3

Iustitia Ius Persona



4 5 6

Paternus Libertinus Manumissio

1	8	9
Canis	Subr Sup̃	Pater

10	11	12
Nupte	Adopto	Soluto

13	14	15
Tutela	Tutores	Asmah

16 Caput

17 Patronꝰ

18 Pauus

19 fiduciarius

20 Attiuꝰ

21 Auctoritas

22 finis

23 Curator

24 Satisdatio

25 26

Exaltatio Sulpitio

Sensualis Tit' Secundi libri

1 2 3

Duulio Corpus Rustaus

4 5 6

fructus Habitatio Prelamptio

1	8	9
Donato	Alienato	Acquisito
10	11	12
Testamenti	Miles	Permissio
13	14	15
Exheredato	Instituto	Substituto

16 17 18

Pupillus Infirmato Incolatus

19 20 21

Qualitas Legatus Ademptio

22 23 24

Faladia fides Relicta

Sextilis Tit' Tertij Libri

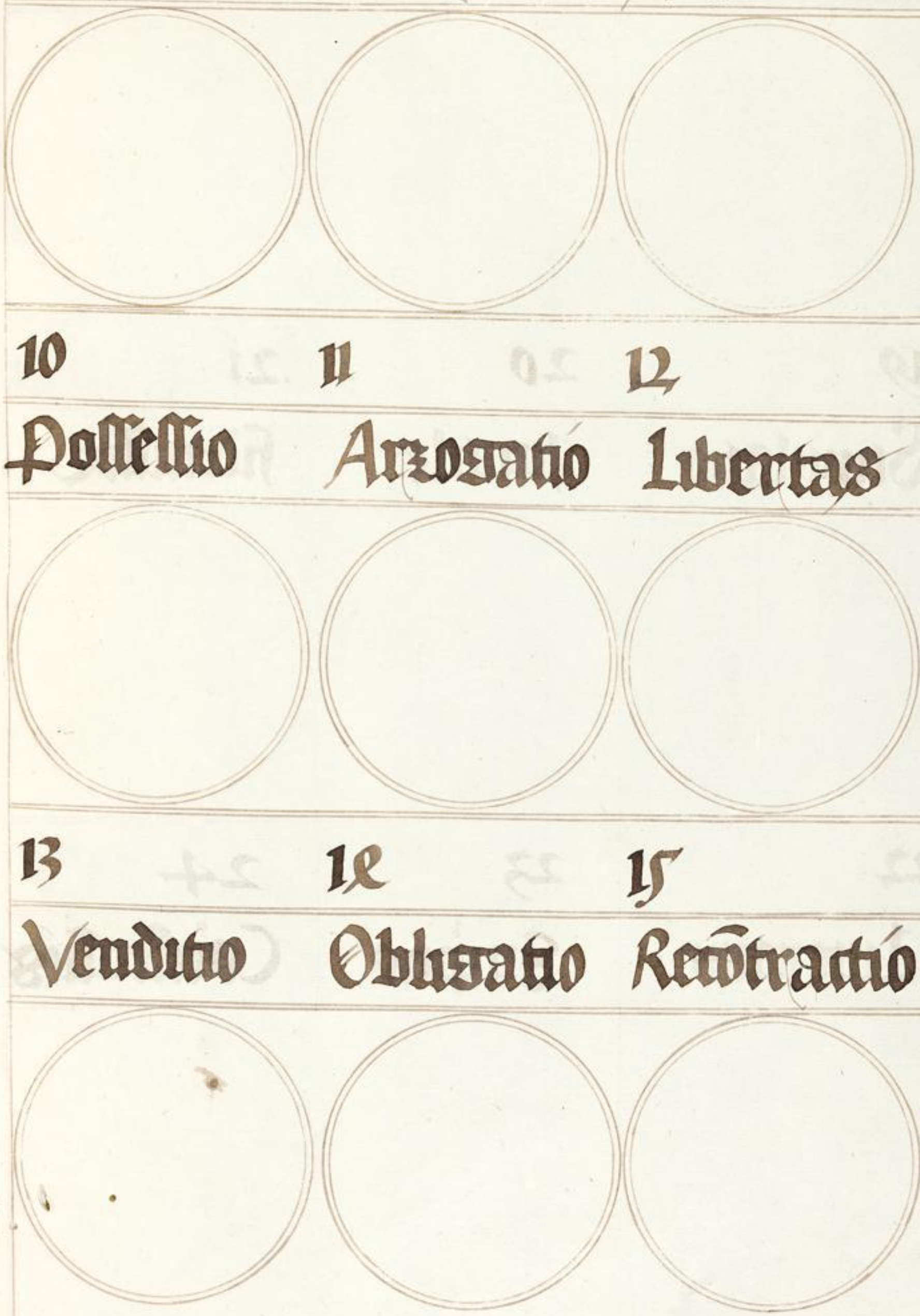
1 2 3

Intestatus Sumellio Tertullus

4 5 6

Orbianus Cosmatis Gradus

1	8	9
Seruilis	Libertus	Assignato



10	11	12
Possessio	Arrogatio	Libertas

13	14	15
Venditio	Obligatio	Remotractio

16 Verbum

17 Duo

18 Seruus

19 Stipulatio

20 Inutile

21 Fideiussor

22 Literarum

23 Emptio

24 Consensus

25 26 21

Locato Societas Mandati

28 Cõtract 29 Oblua acceptilatio Ablatio 30

lib 4

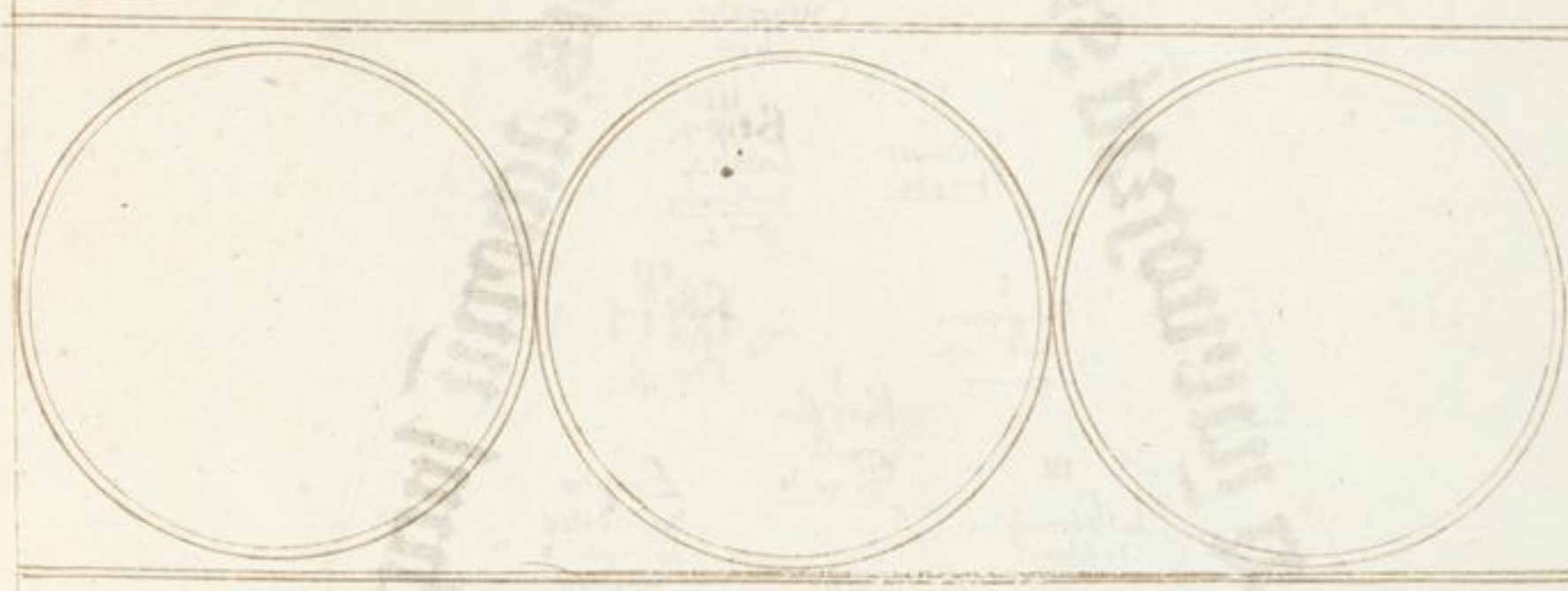
Delicti Raptus Aquilia

4	5	6
Januria	Qi decimi	Actio

7	8	9
Nemotiū	Floxia	Quadrupes

10	11	12
Perquos	Saluadatōes	Perpetuū

13 14 15



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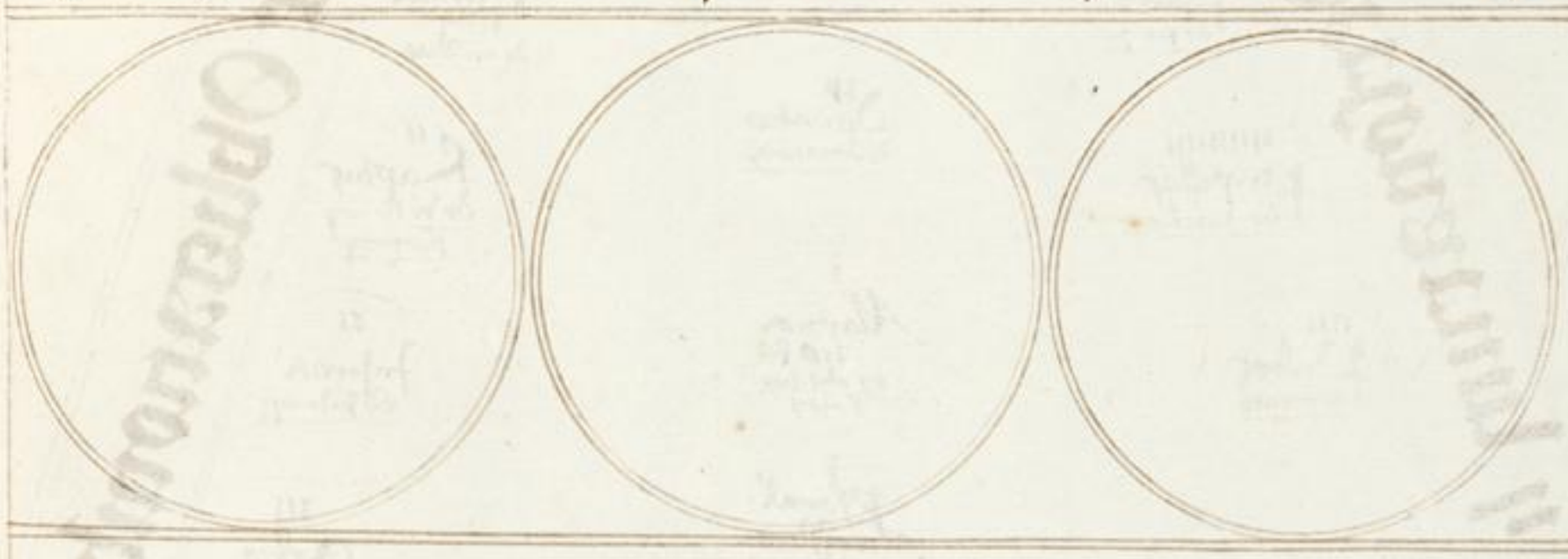
Exceptio Replicatio Interdictum



19 20 21

Pena Officium Judicium

Radices extractionū ouiz tabulor

Ius ad rem

Ius ad rem & Ius in re

Ius in re

Ius reru[m] iapt[arum] ñ. de re di li 2

Vniuersalis primi li radicaꝝ extractio

Ius

Seruus

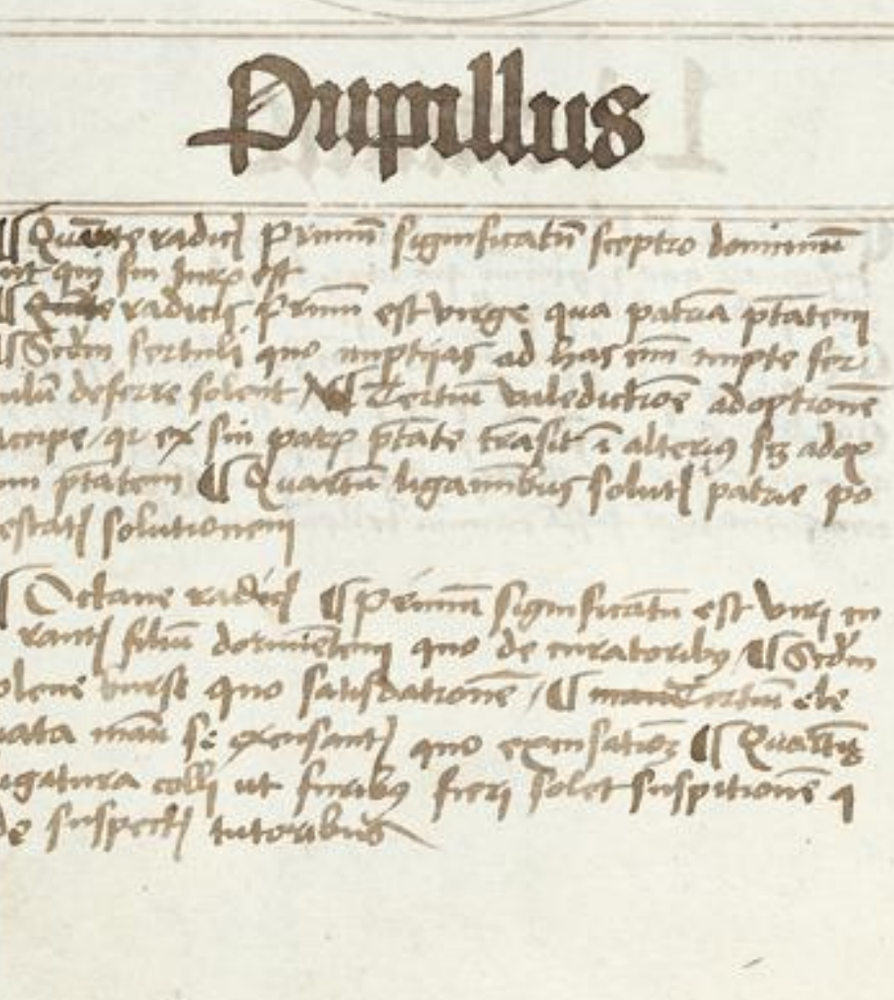
Iustus

Libertus

Vnuerſalis prim libr

Dominus

Pater



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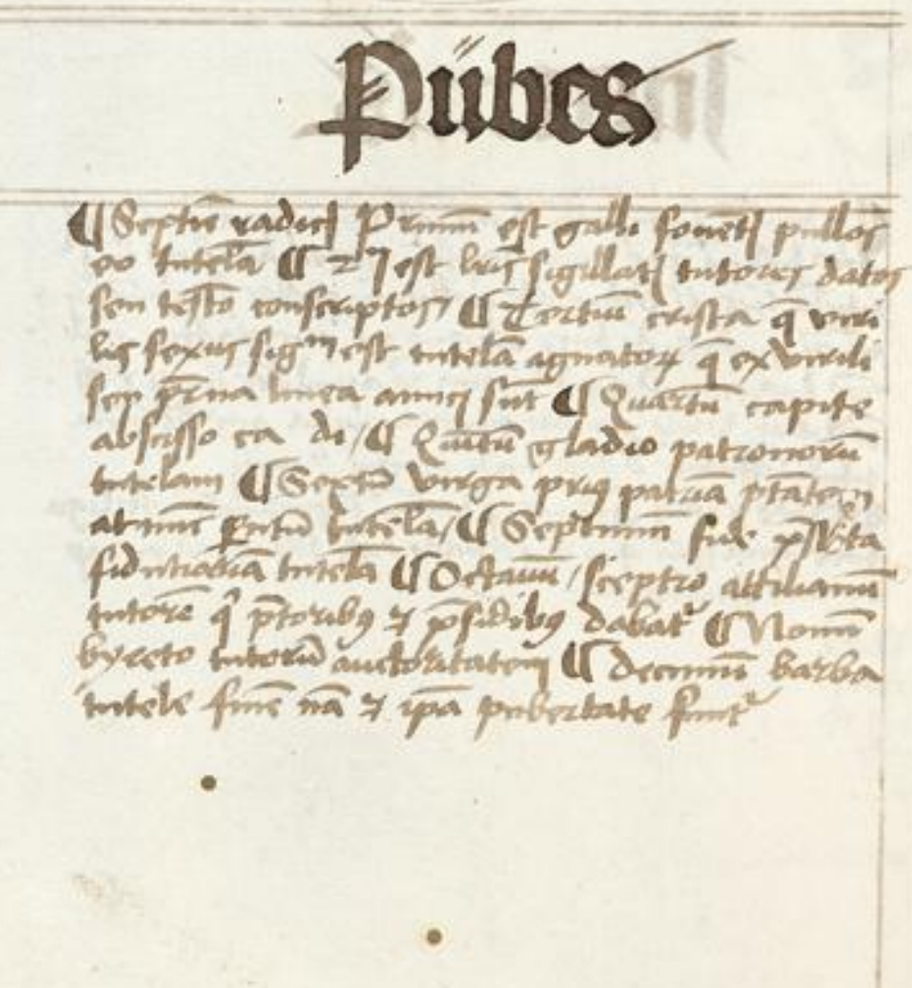


Pubes

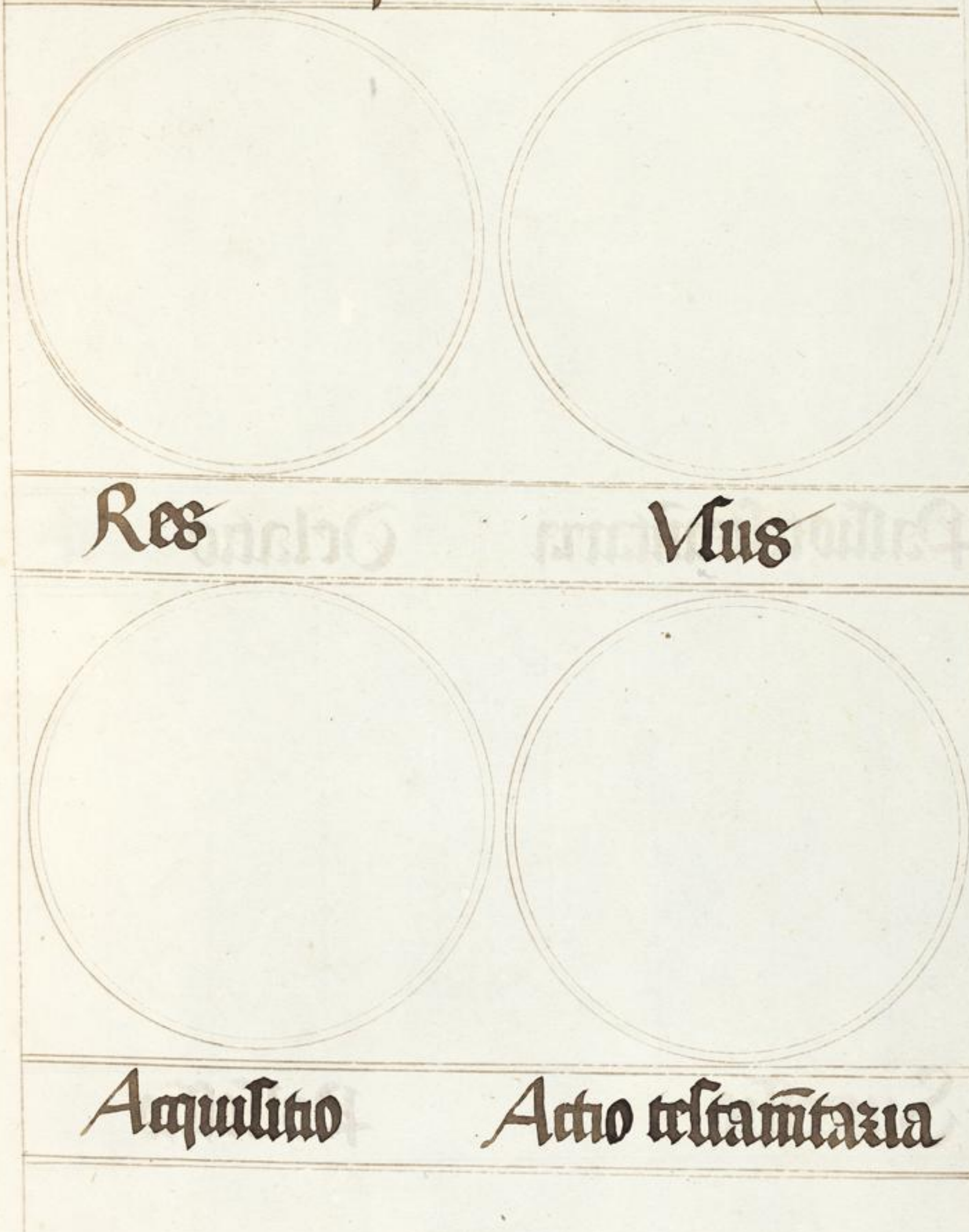
¶ Quarto radit primus significatio scripto domini
est qui sui iuris est

¶ Quinto radit primus est vrge qua patua ptatem
¶ Sedm septimi quo nuptias ad has rim rupte fre
tulo desinere solent ¶ Octauus subductios adoptione
sempe/ qi ex sui patre ptate trasit i alteri fi adop
tum ptatem ¶ Quartus hgarubus solut patue po
testat solutionem

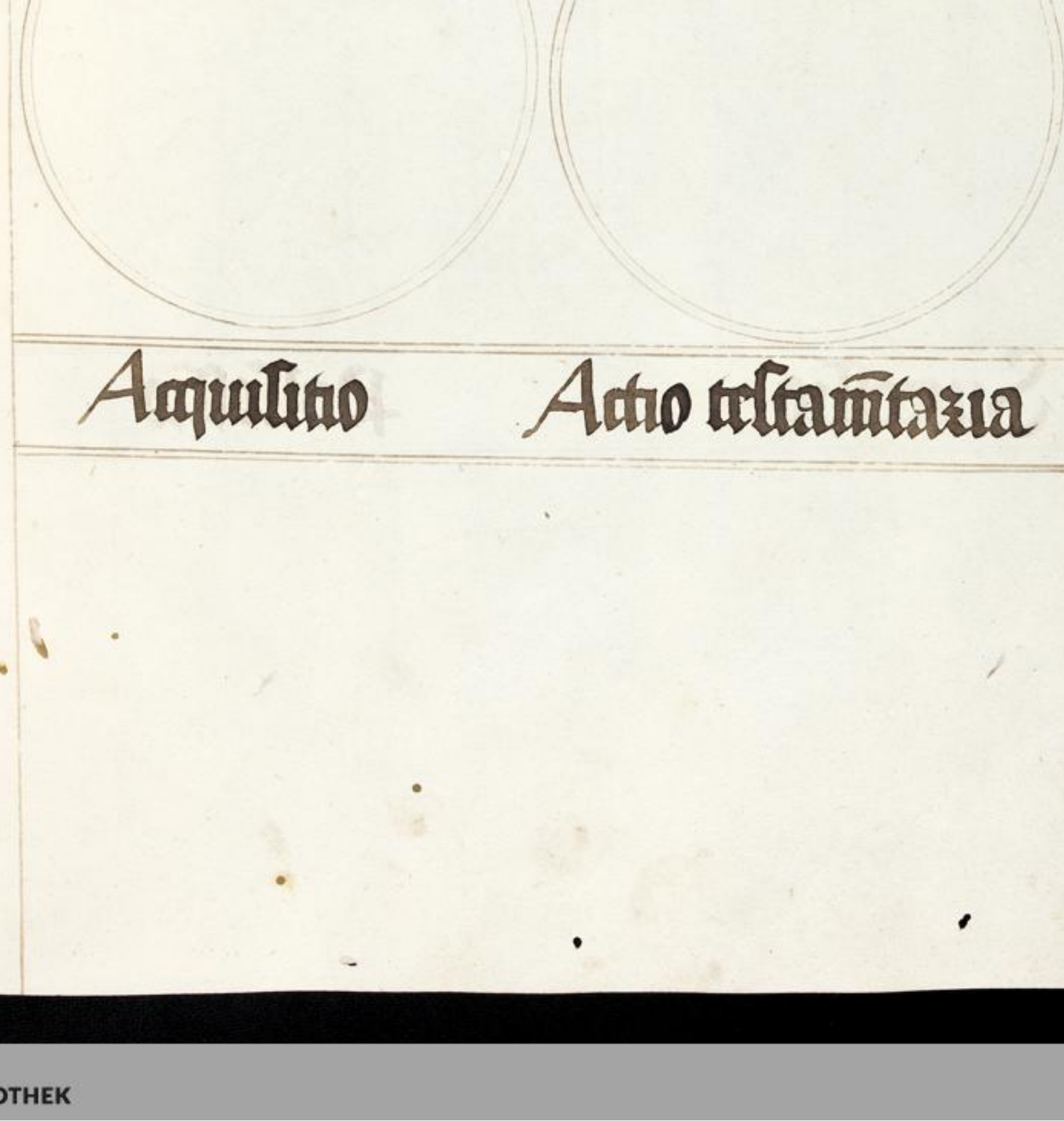
¶ Octauus radit ¶ primus significatio est vrg re
rum sibi dotiche quo de mrtoruby ¶ Sedm
plene breuit quo satisdatione / ¶ mundi rectus de
nata mulier ge gerisant quo remissa ¶ Quartus
legatura colly ut finiby fieri solet suspitione i
de suspecti tutoribus

¶ Septimus radit primus est galle sonet pullos
po tutela ¶ Secundus est hec sigillat tutores dator
sen testo conscriptos ¶ Tertius restat q vnic
his soxus sig est tutela agnatoy q ex vnicis
sex prima longa annis sint ¶ Quartus capite
absisso ex de ¶ Quintus et ladio patronoru
tutelam ¶ Sexto vrgen prig patua ptatem
abrumt finito tutela ¶ Septimus fid. possita
fidutia tutela ¶ Octauus / scriptis attributus
tutore i ptoruby y posteriby dabat ¶ Nonus
hyeeto tutoru auctoritatem ¶ Decimus barba
tutele finis na y ipa pubertate finit

Radiaim extracto 2 libm

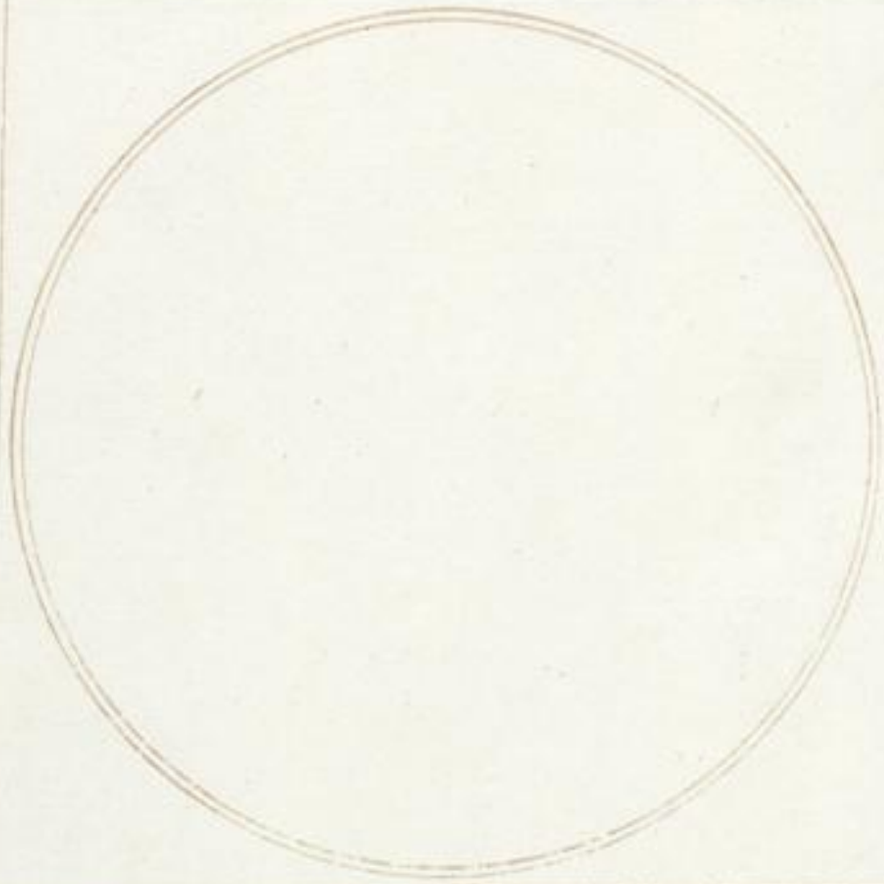


Res Vus

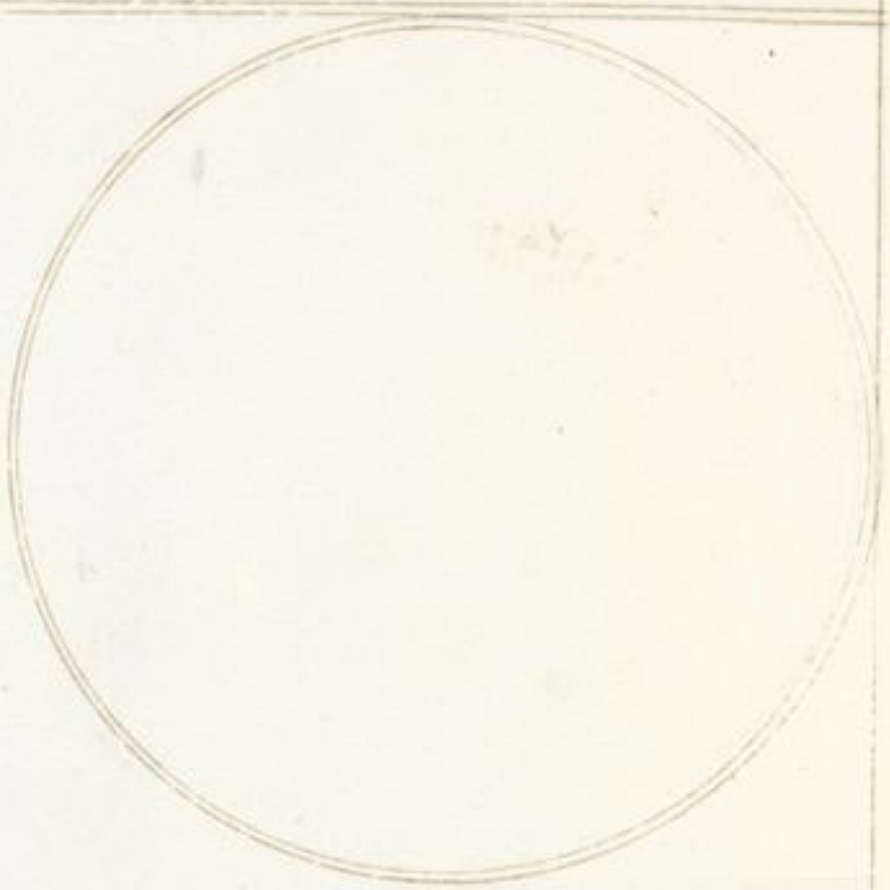


Acquisito Actio trstamtaria

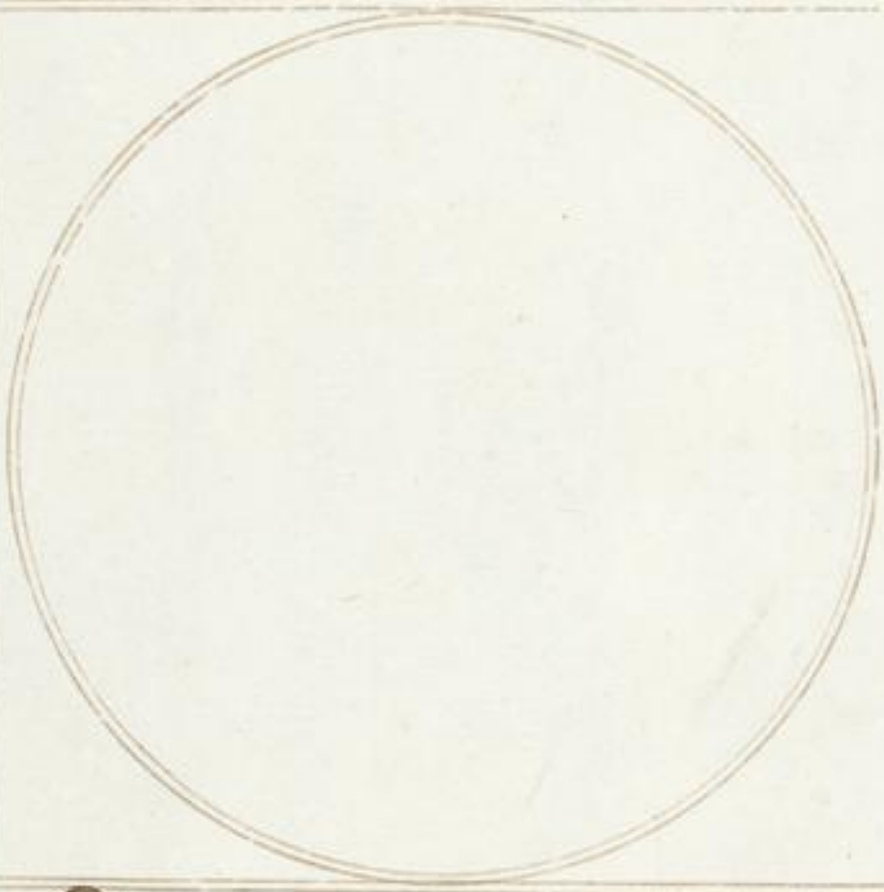
Radiali exitu 2 li



Radiali exitu 3 li



Pallio testamenta



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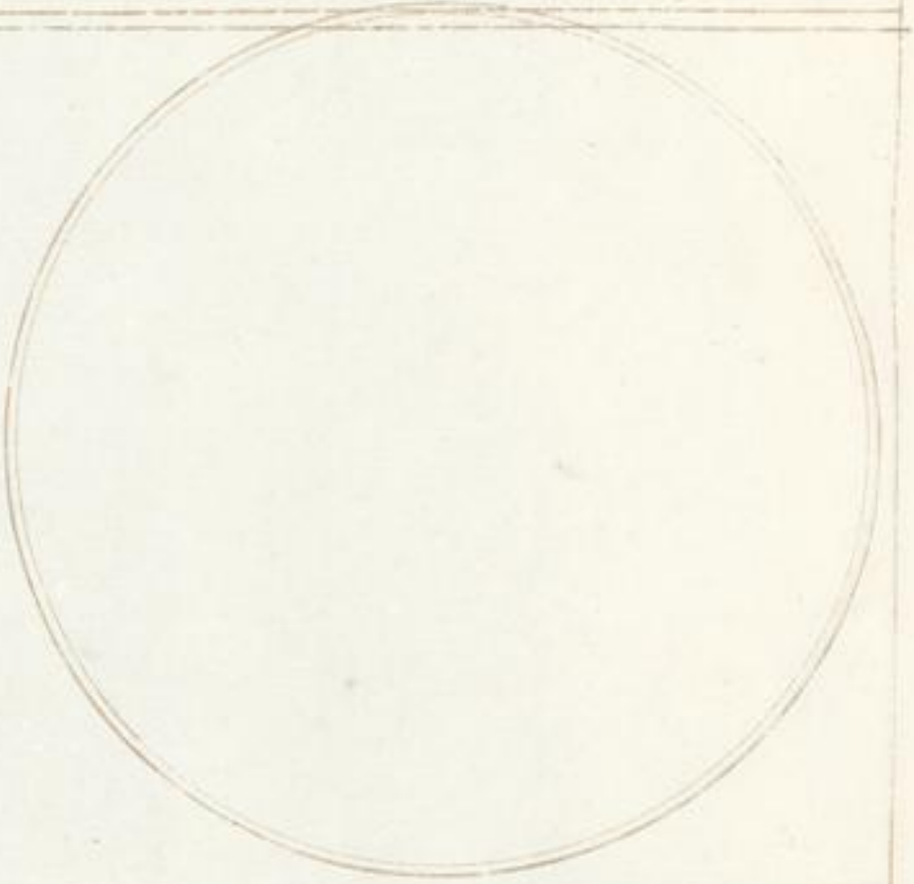
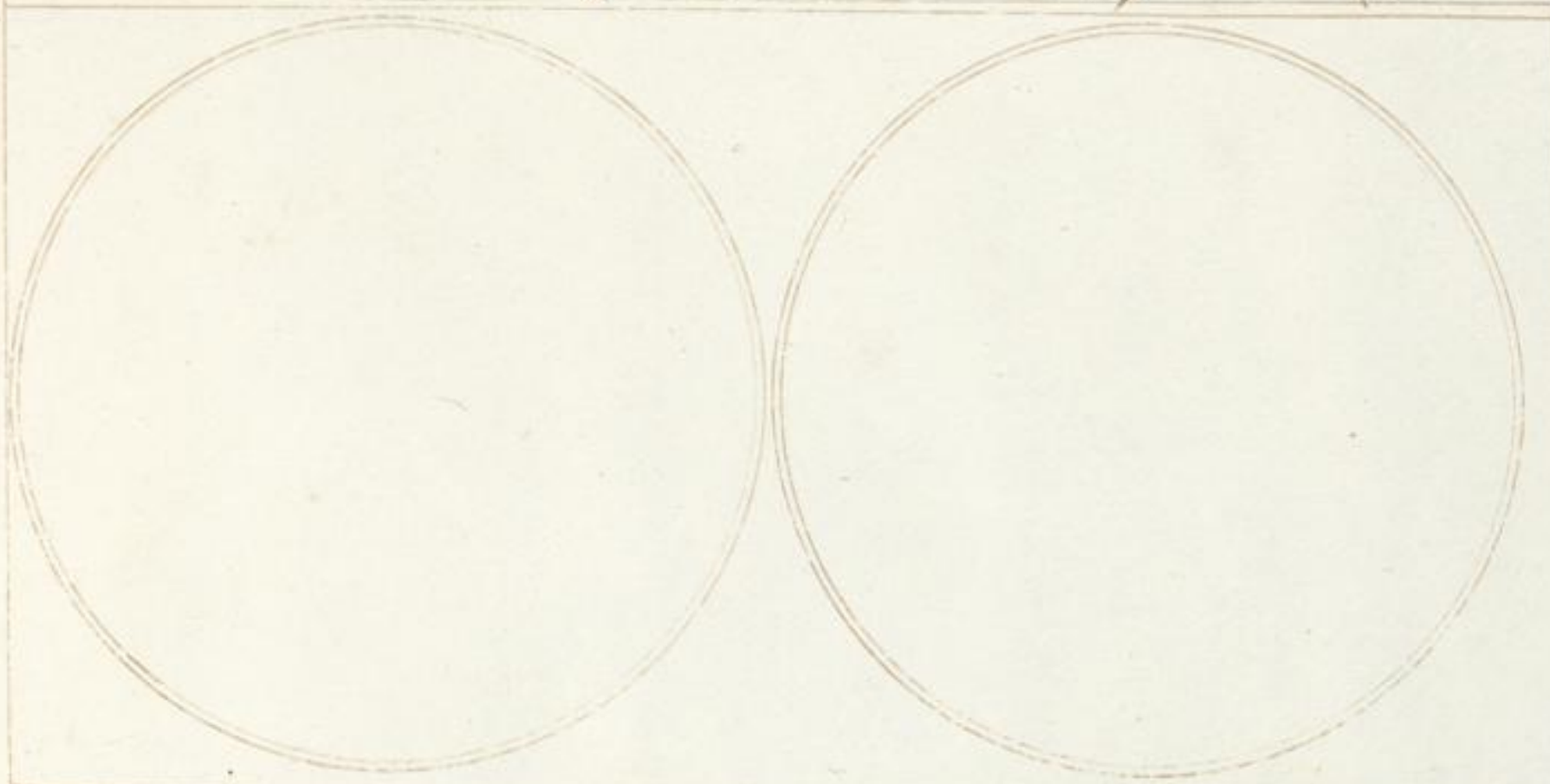


Succellio

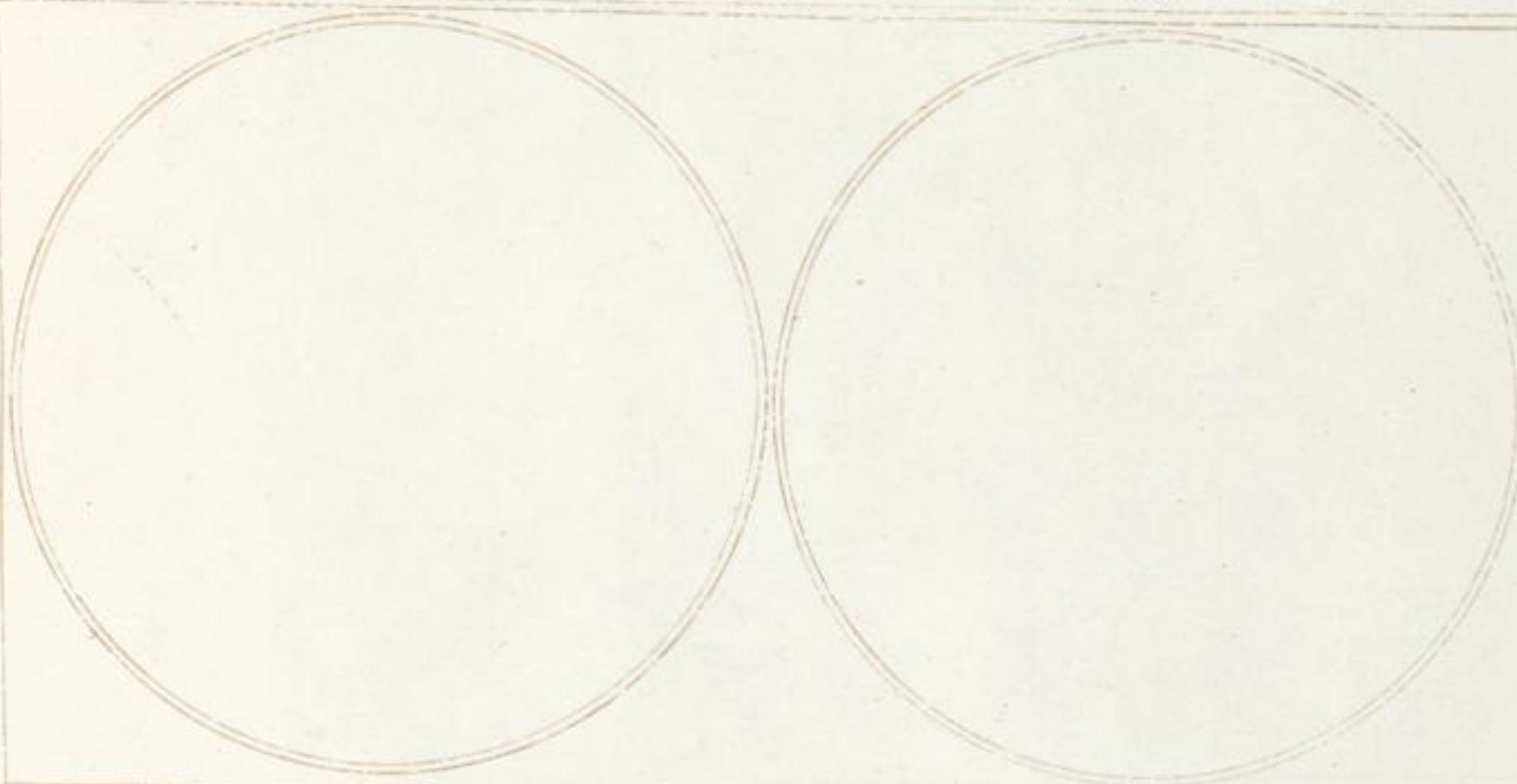
Possessio

Radium extracto tertij libri



Arrogato

Aduerso



Obliquato

Obliquato

Ra ex 3 li Radiaĩ ex̃t 4 li libri

Obligato Obligato delictor

Actio Judex

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Baden-Württemberg

BLB BADISCHE LANDESBIBLIOTHEK
Baden-Württemberg

Prima ymago hꝫ quinq; sinuositata

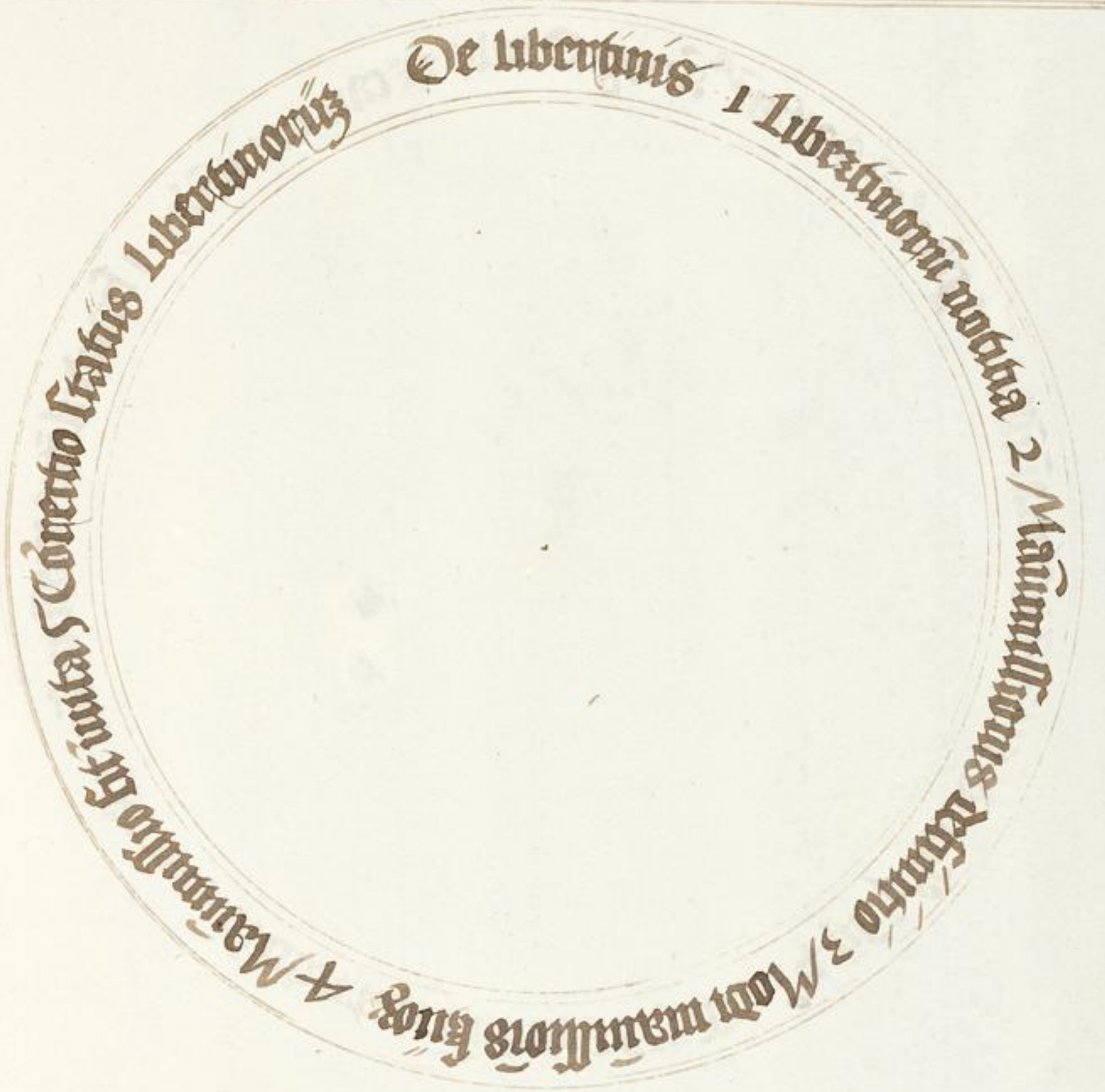
Secunda Distinctio

De Iure naturali scilicet quid 1 Quid sit ius naturale 2 Quid sit ius gentium 3 Quid sit ius civile 4 Quotuplex sit ius civile / Materia huius

Tertia Imago habet 6 significata

Quarta Imago hẽ duo Lismibicata

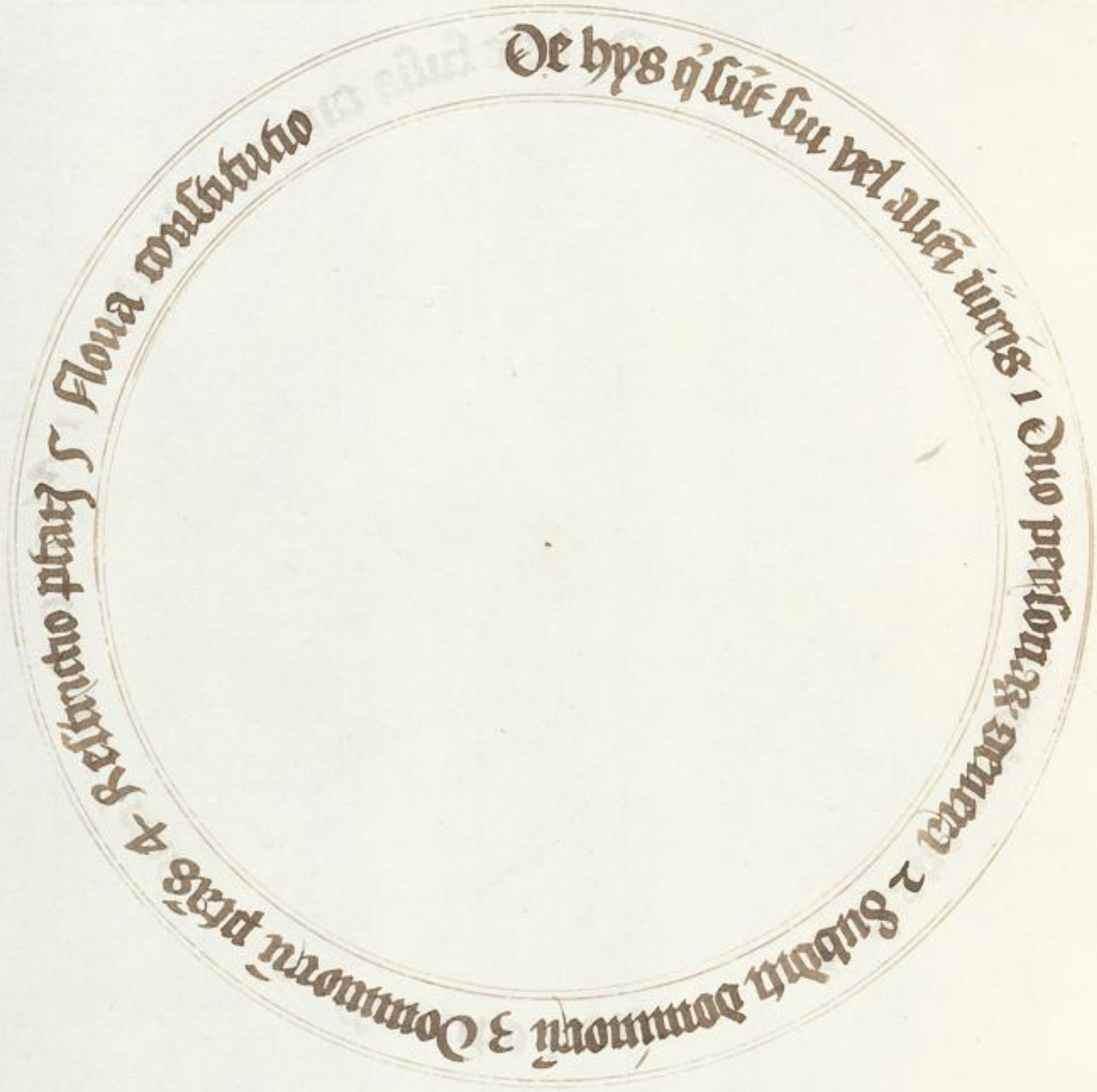
Quinta Imago hē ſ ſignificata



Sexta Imago hꝫ octo Lumbricata

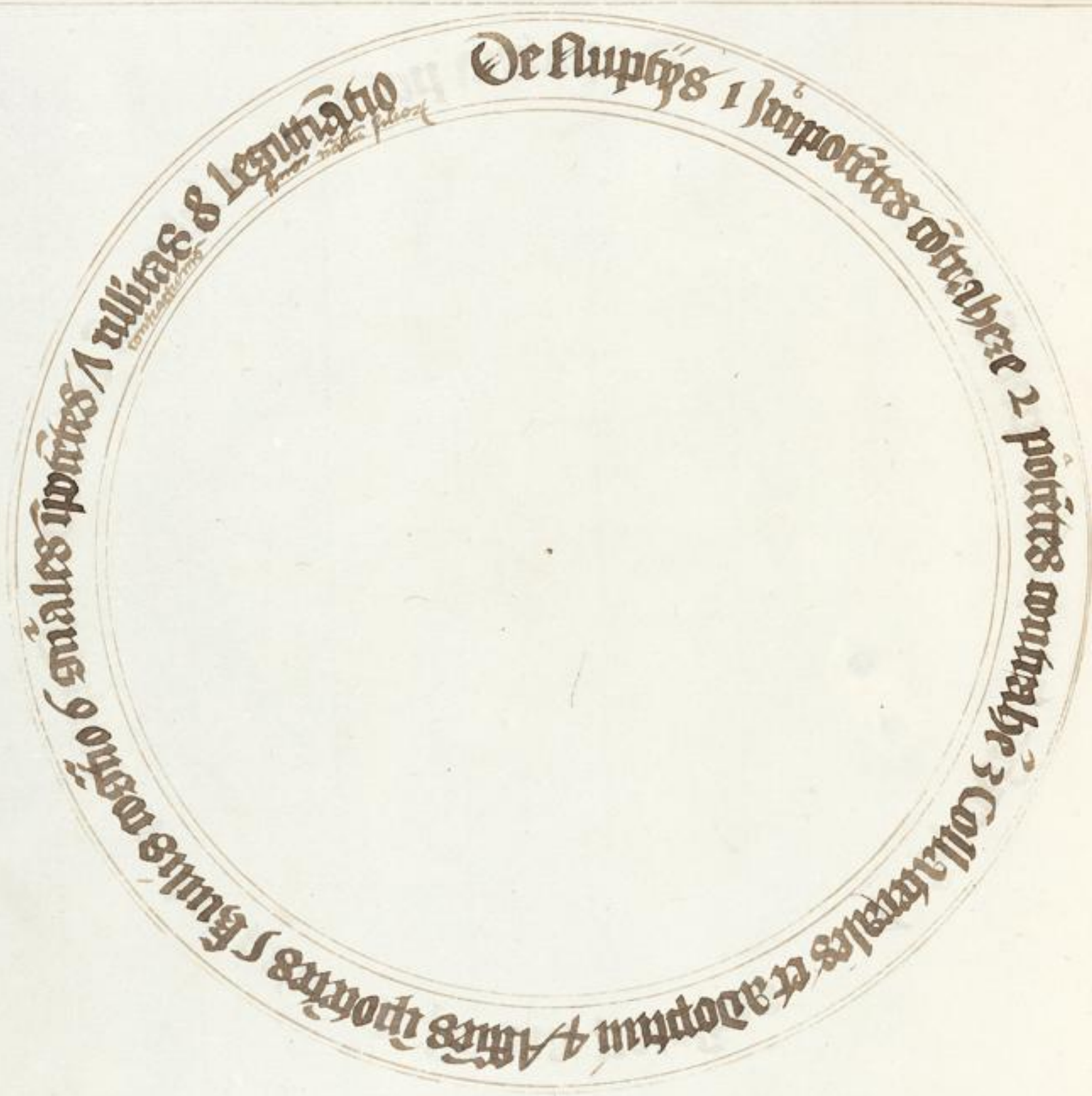
Septia Jmago ht tres pates i ez ta

Octaua Imago hF s Cognificata

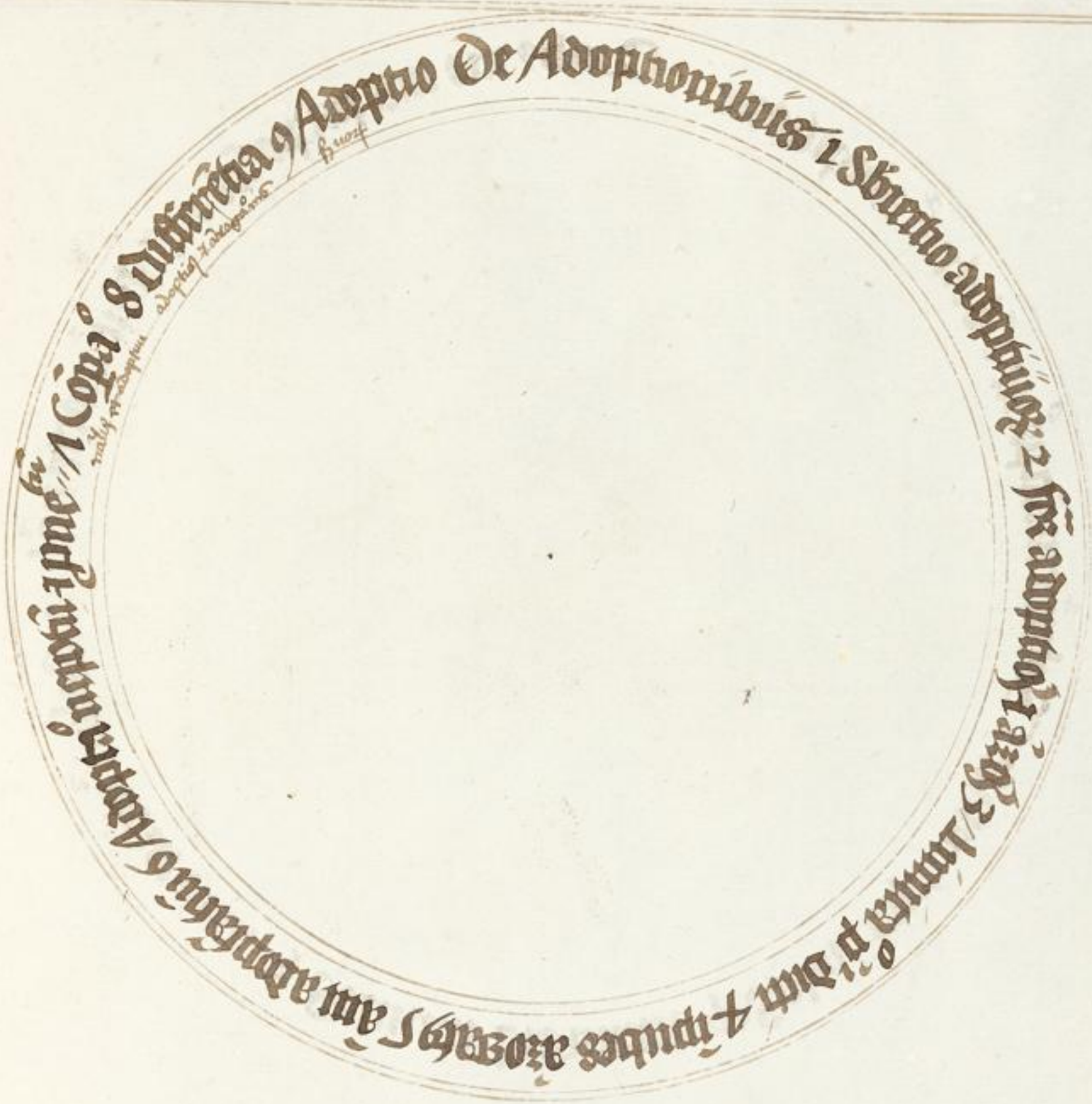


Nona Imago hē 4 sigillata

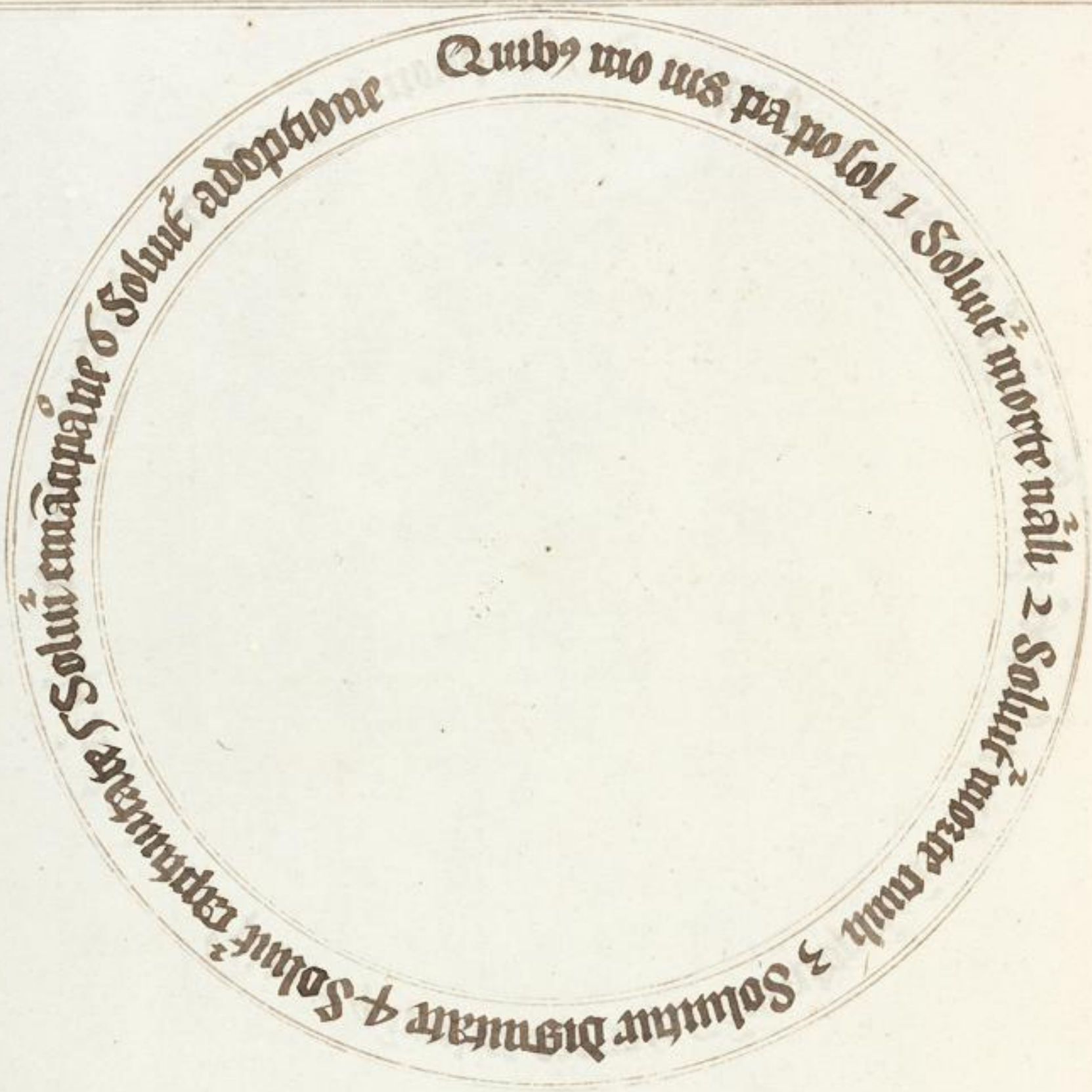
Octã Jmaso hẽ octo lismficata



Vndecia Imago hẽ nouẽ signata



Quodetiã Imago hẽ ꝯ sisnificata

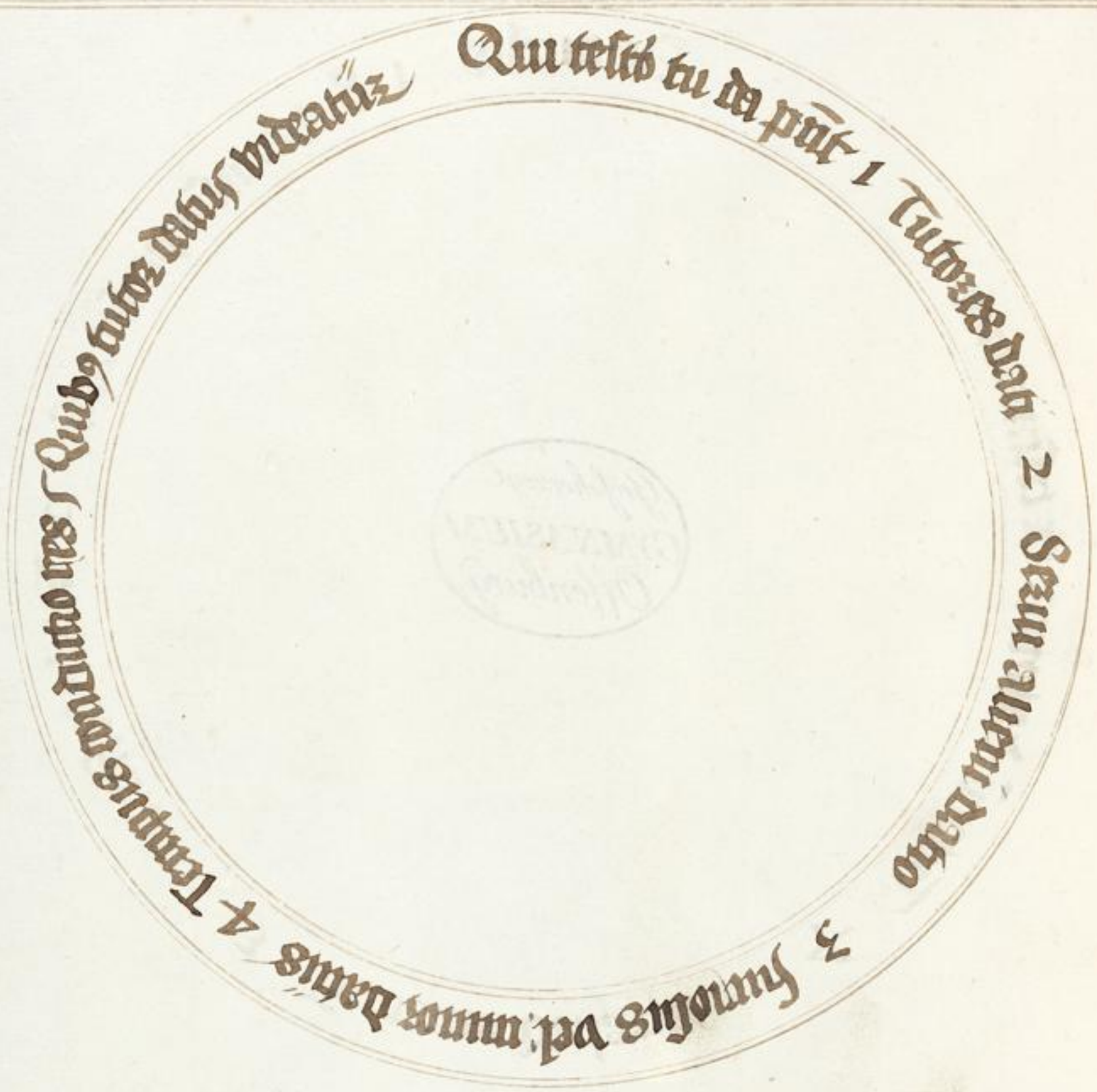


Tredecim Imagines 4 Lignificata

De tutelis I Subdivisio personarum 2 Tutor dessig-
nat 3 Tutorum declaratio 4 Tutor datus ex testamento

Grossherzogl:
GYMNASIUM
Offenburg

Quartadecia Jmago hꝭ ſ Lismuſcata

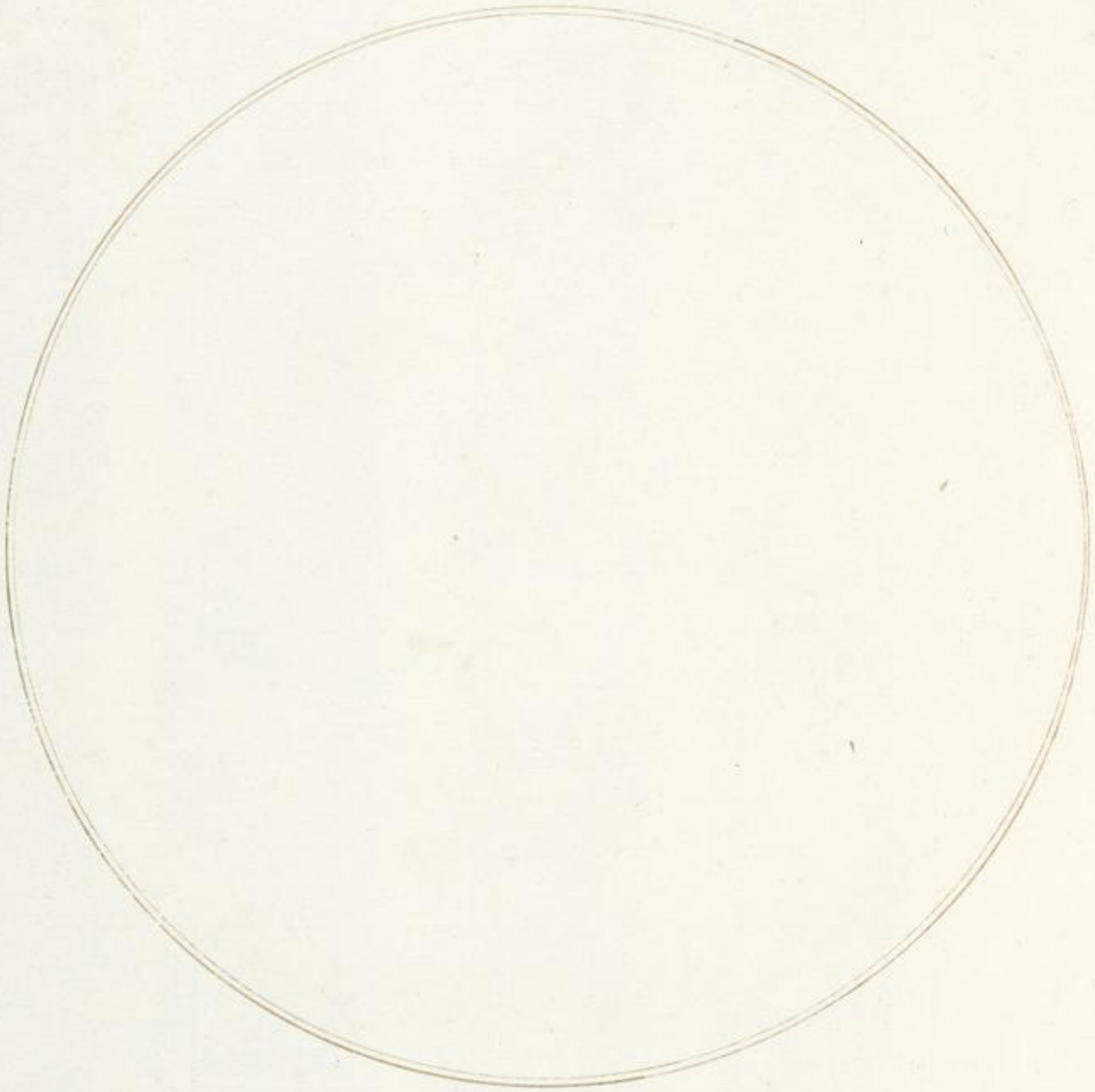


Quitadecia Imago ht 4 Semifrata

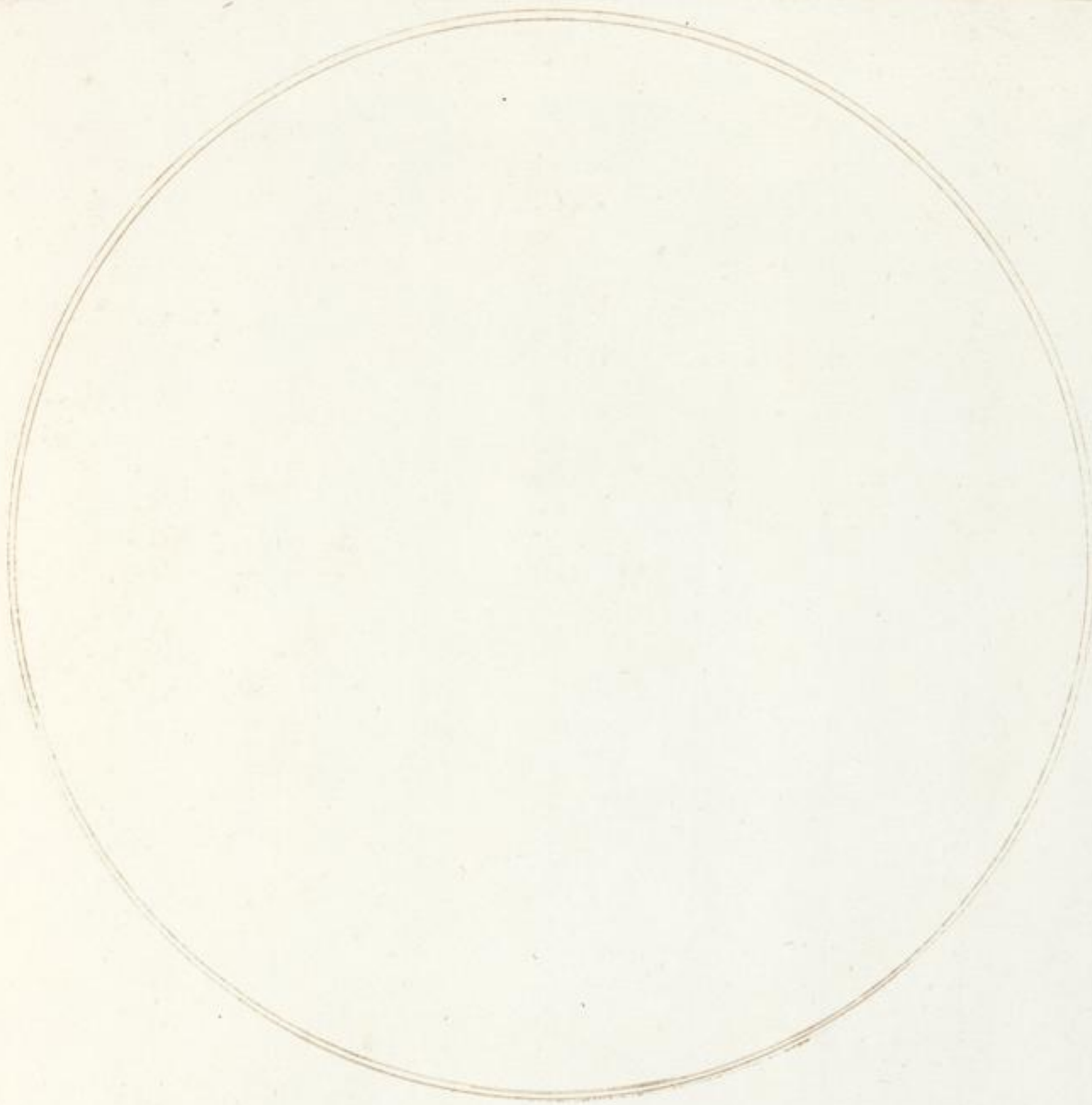
Sextadecima Imago hF s significata

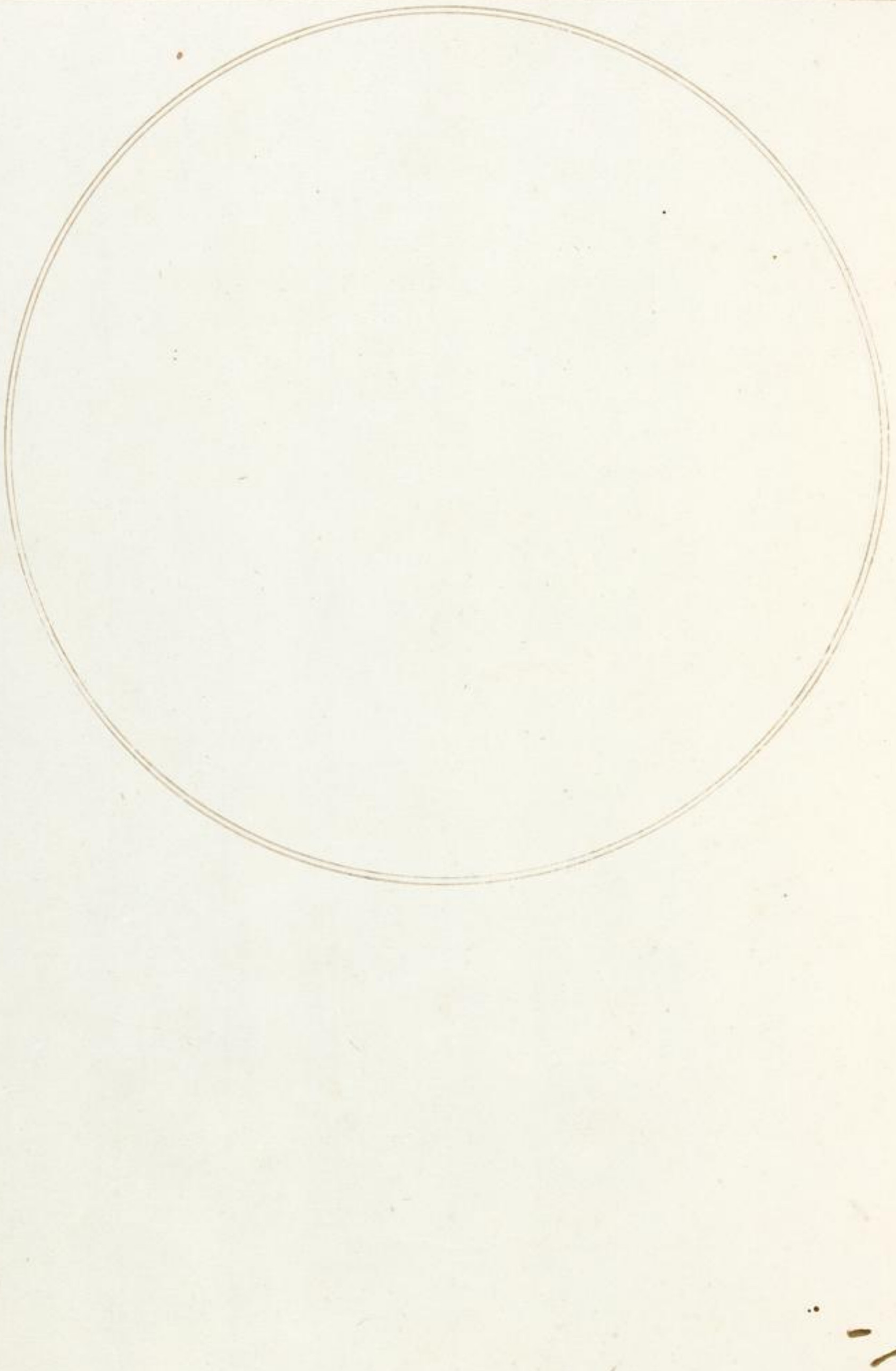
Oēnaleptiā Jmago hꝛo Lumuficata

Dca octaua Imagō hꝫ 3 lista



Oeffnung Jmago hꝛ s Lucia





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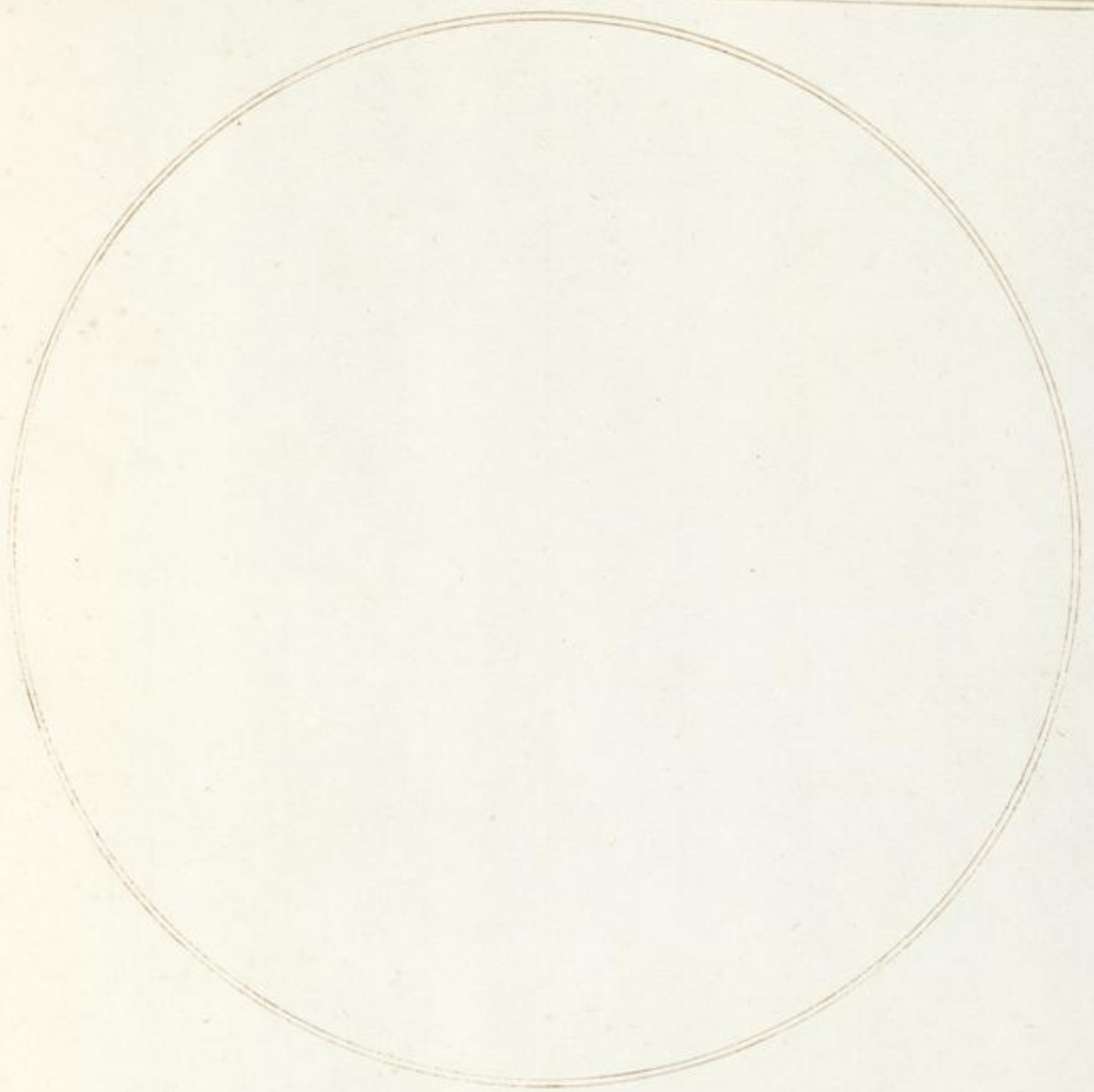

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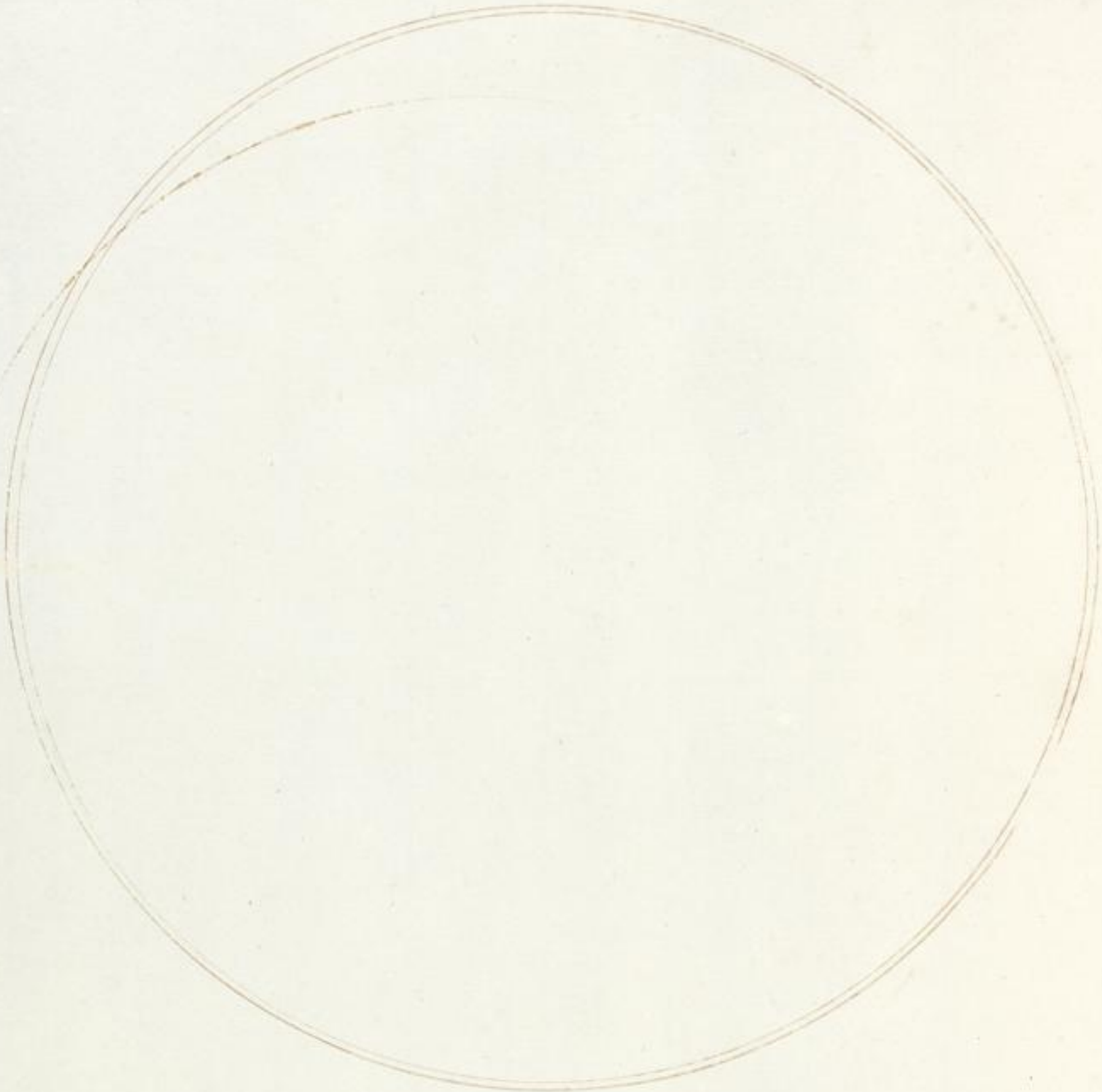
Baden-Württemberg



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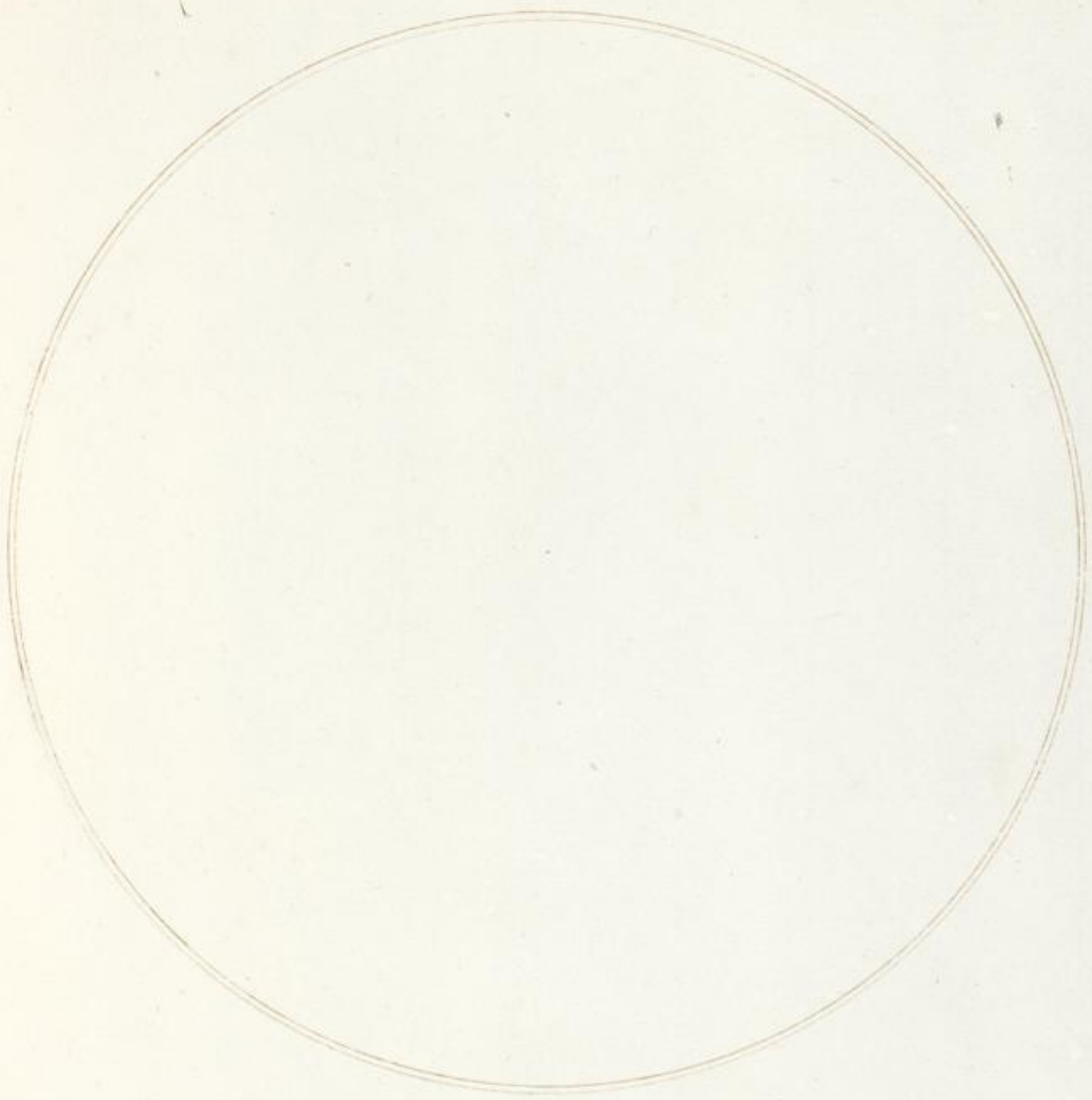

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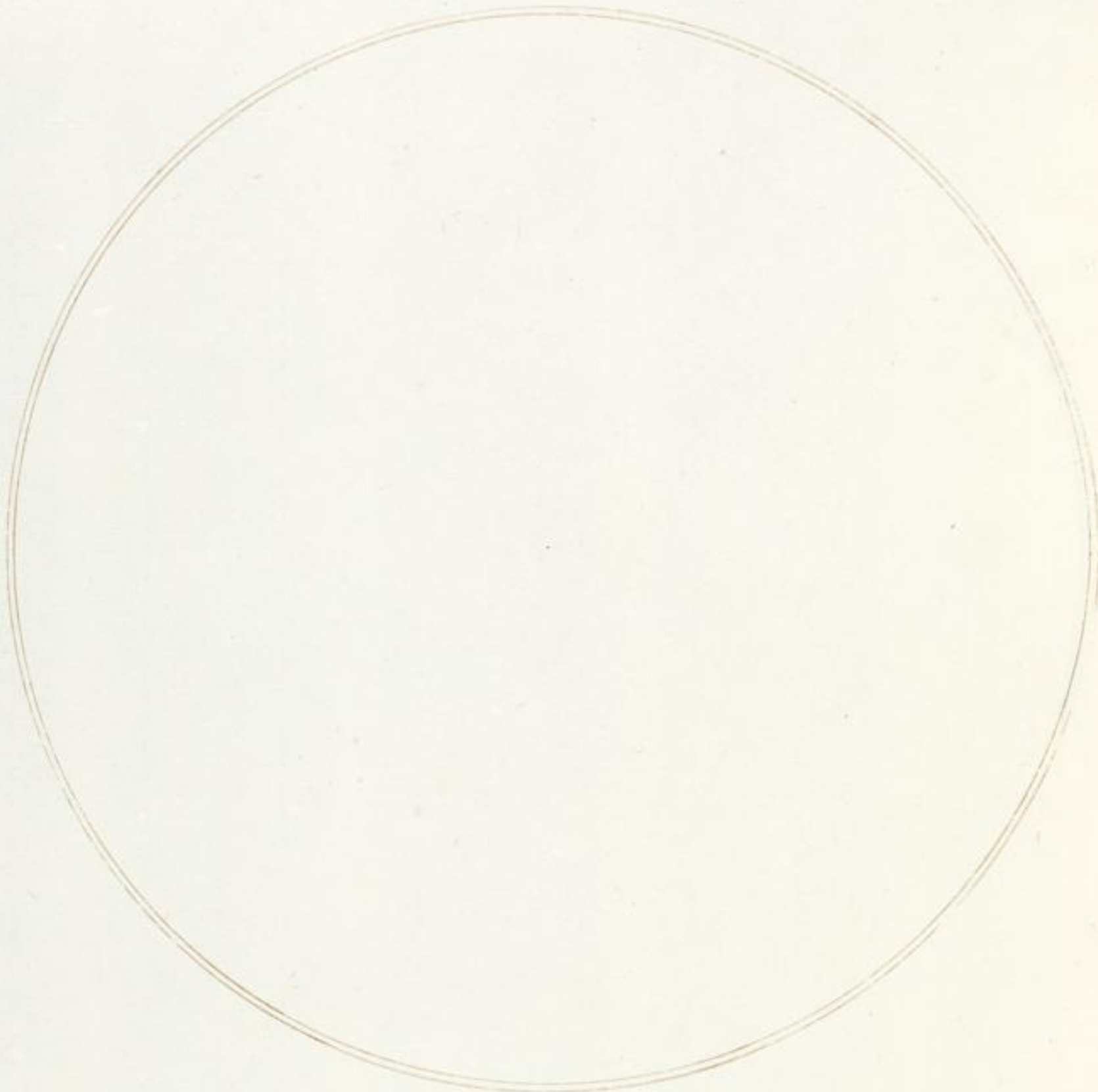

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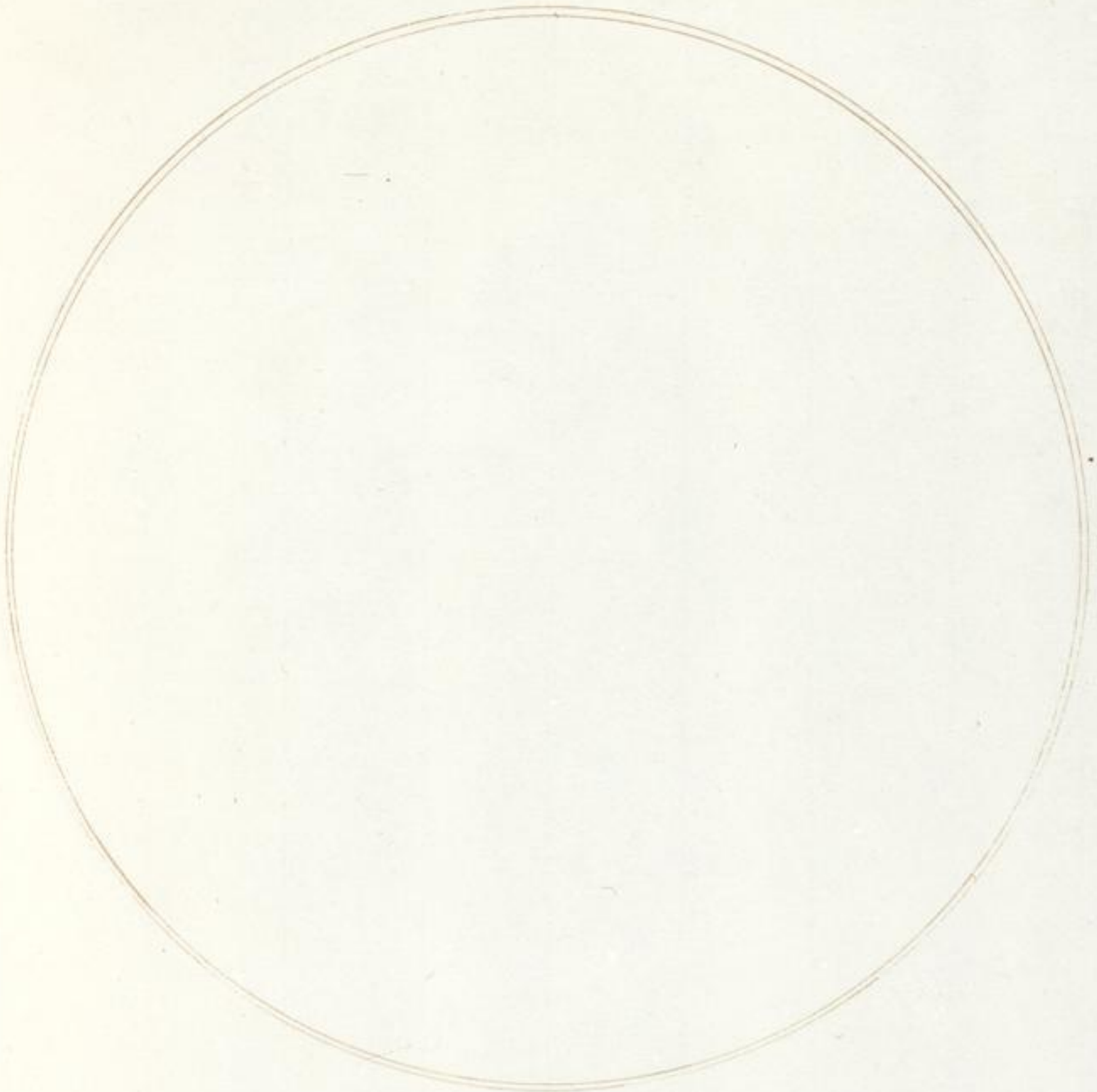

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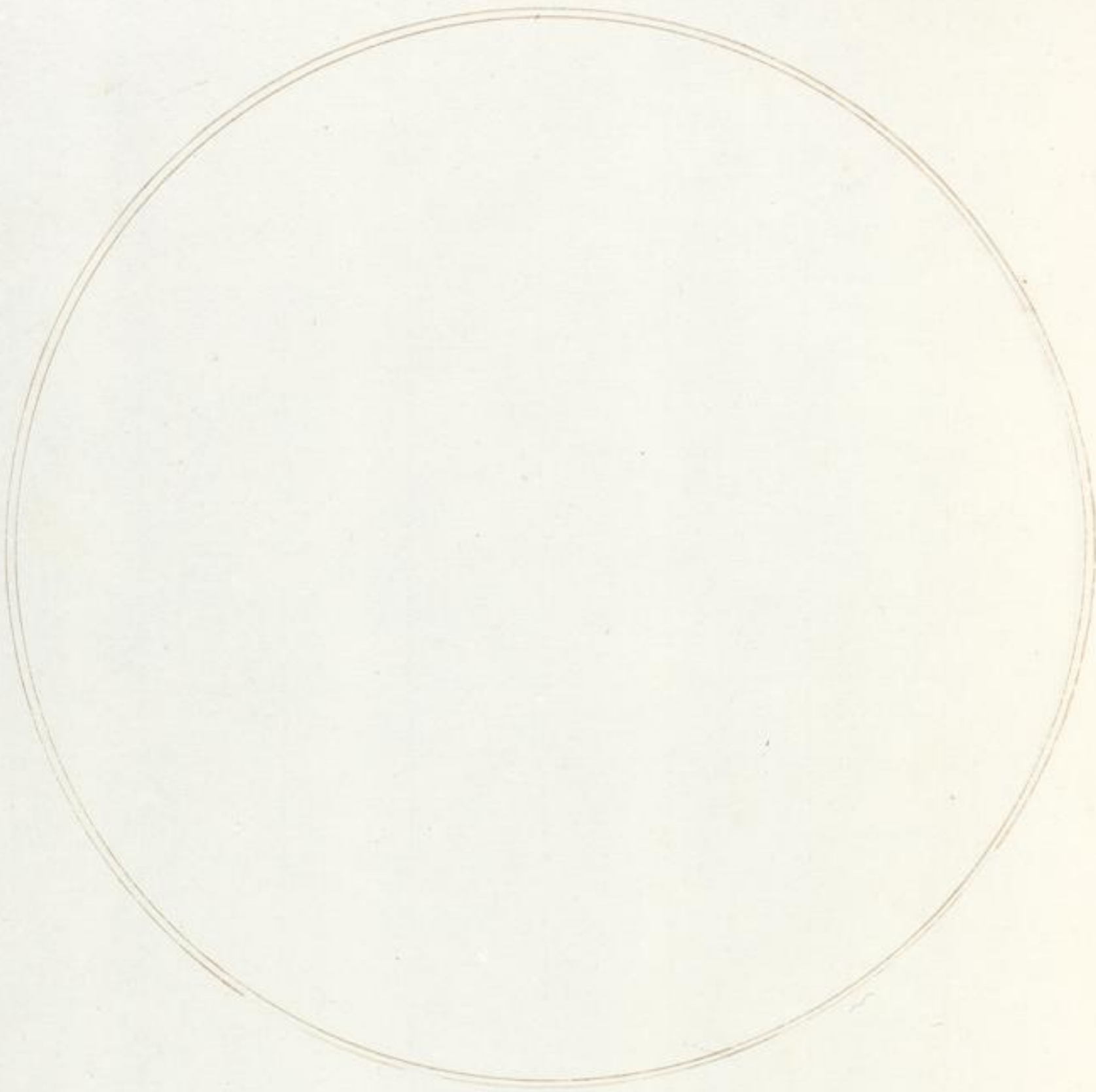

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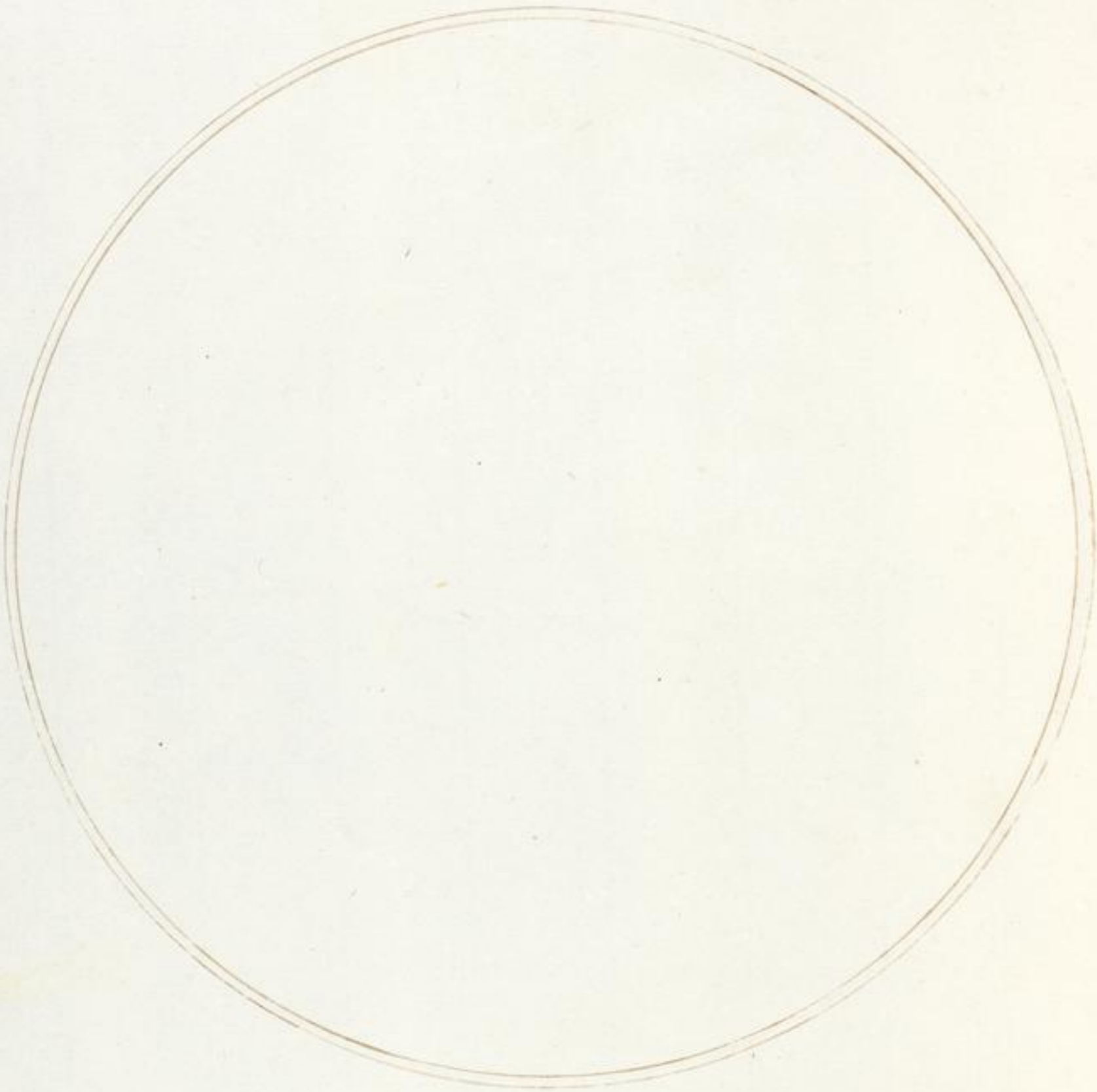

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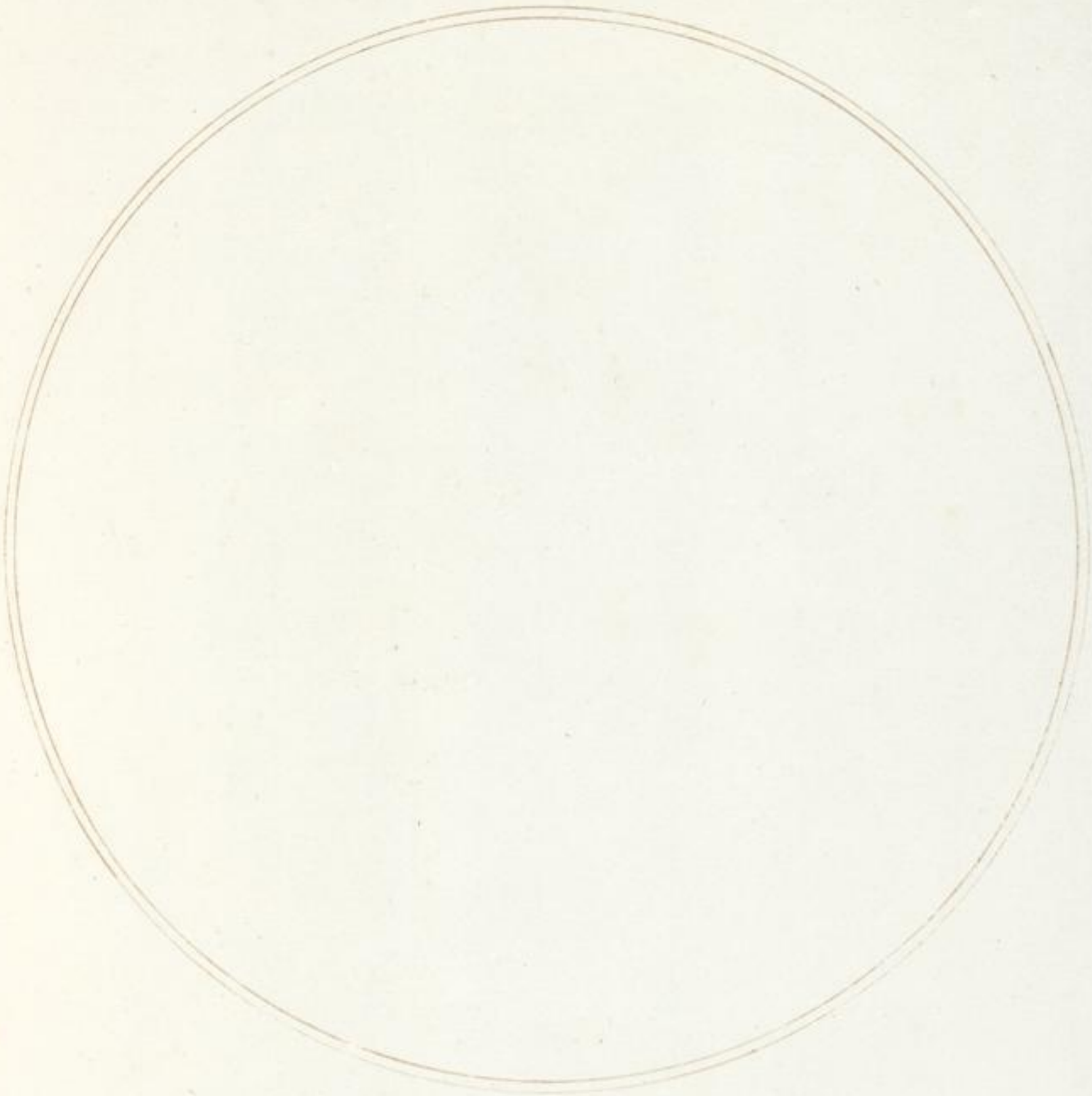

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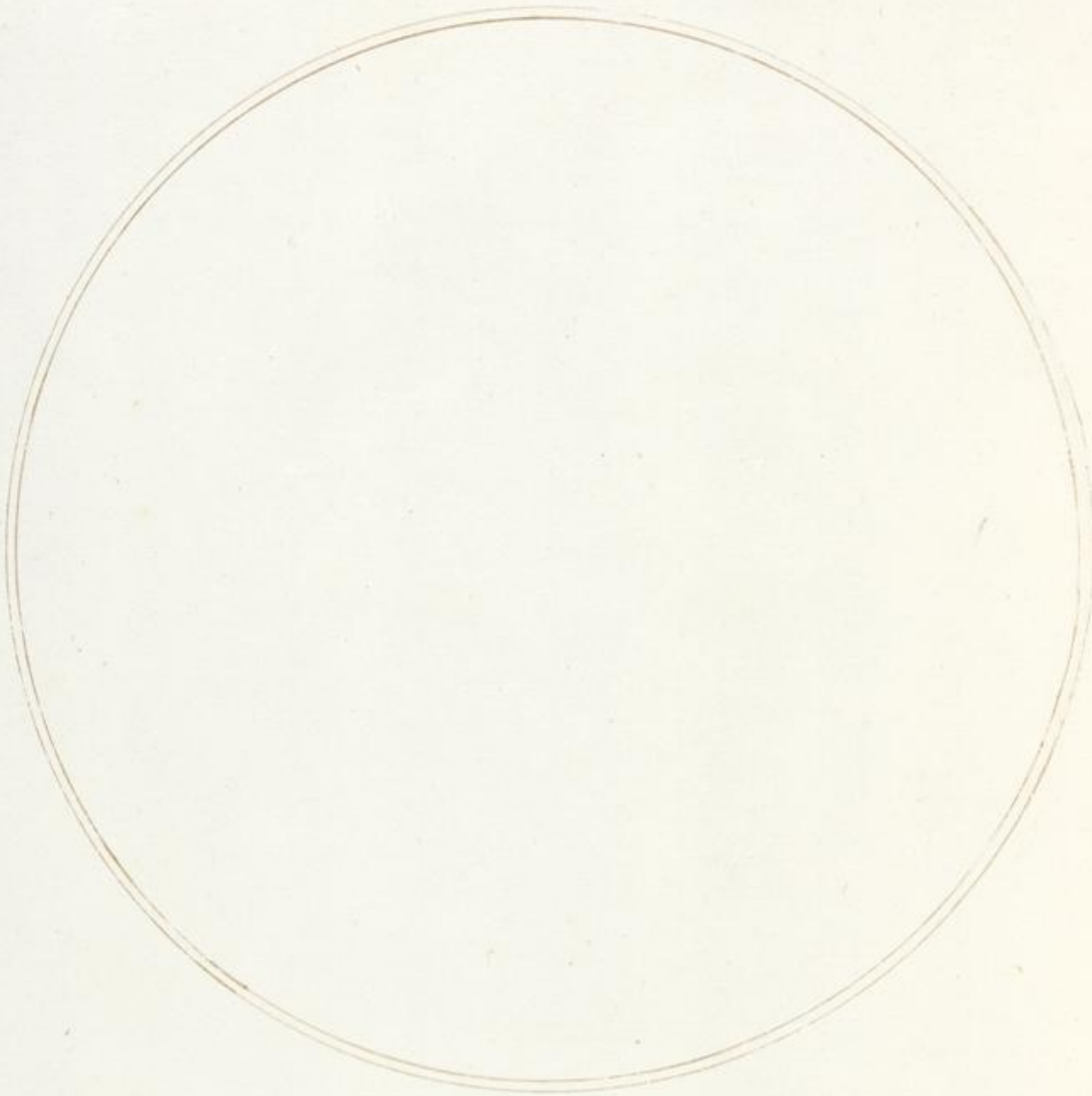

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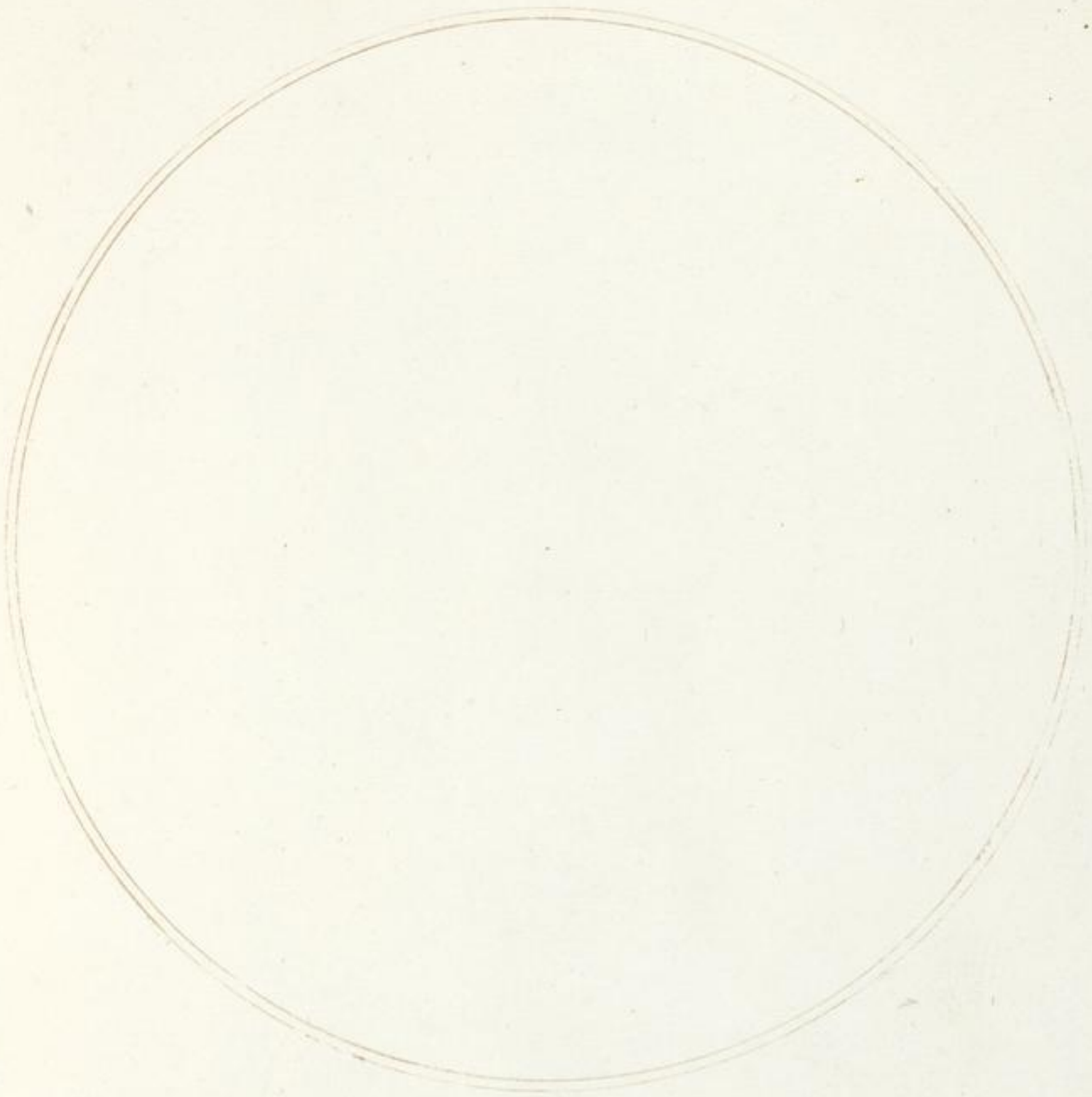

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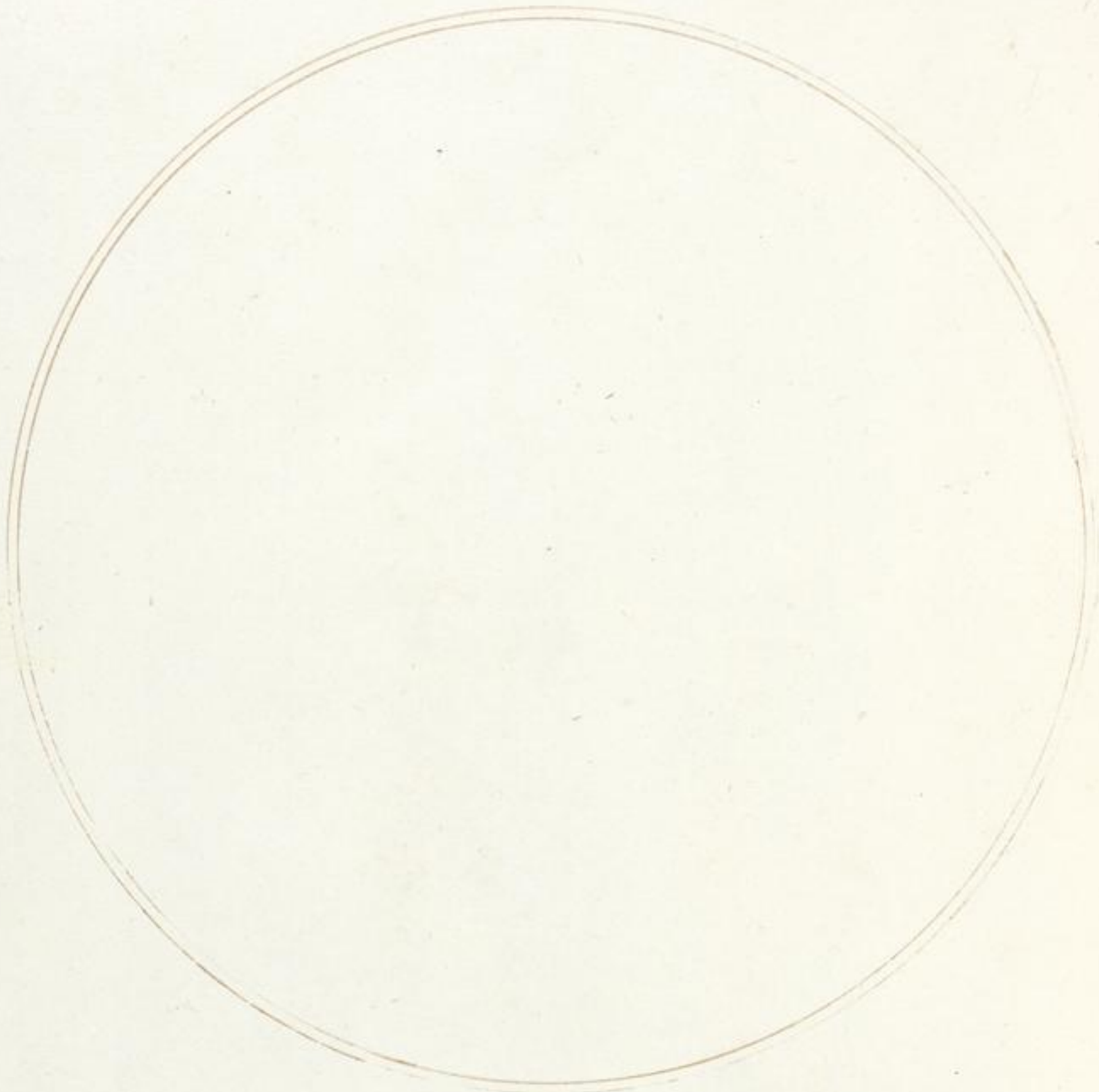

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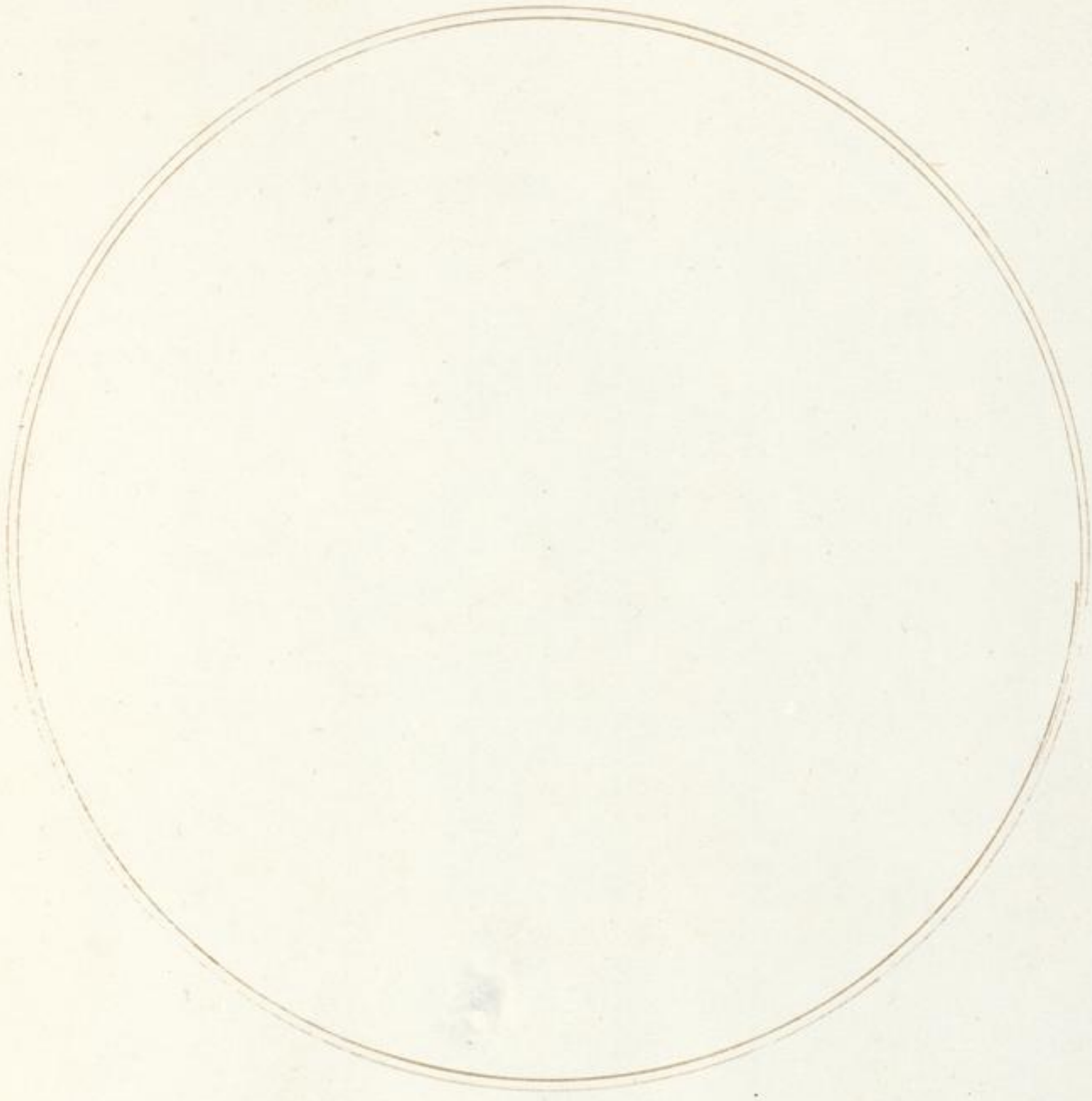

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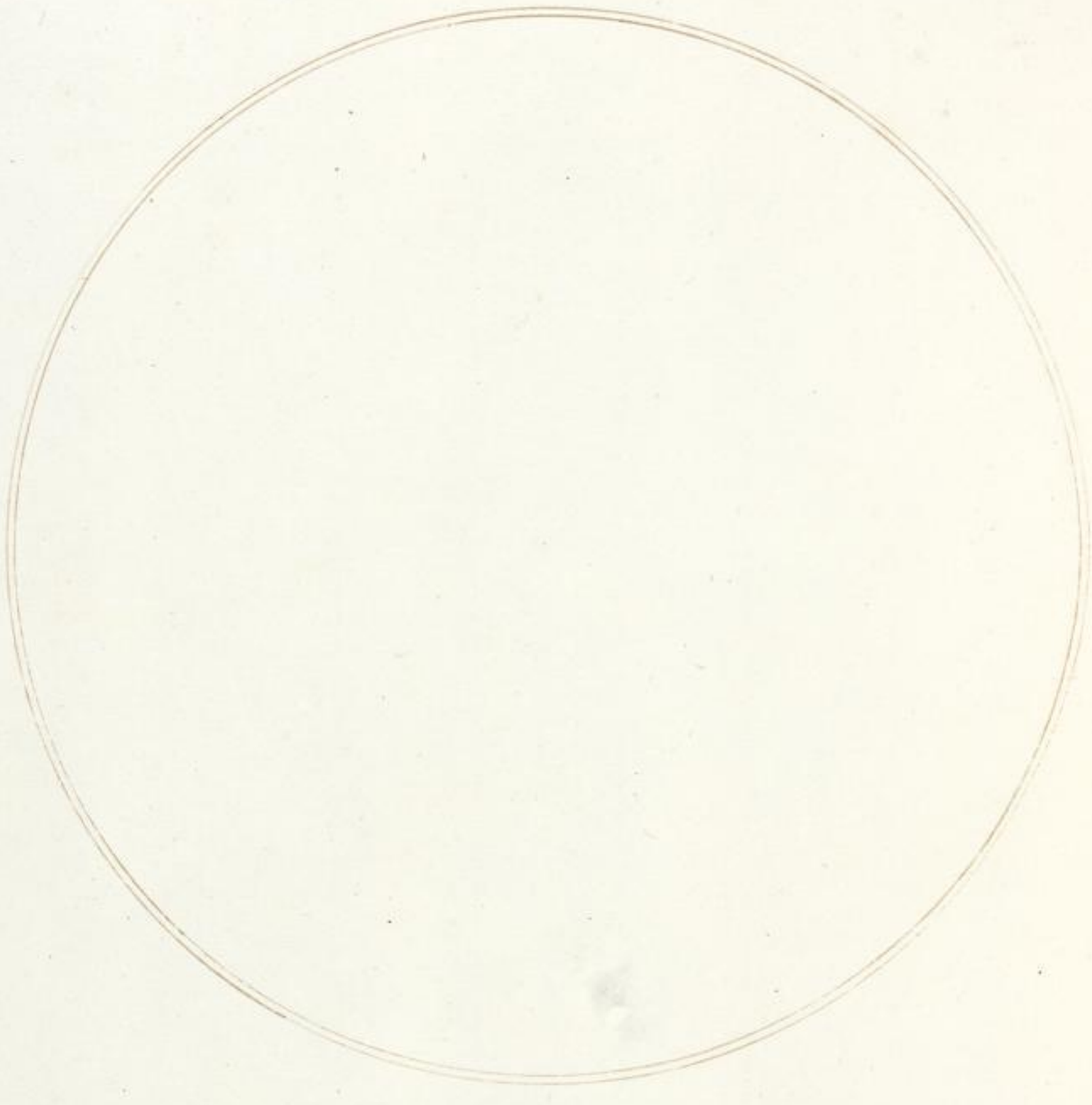

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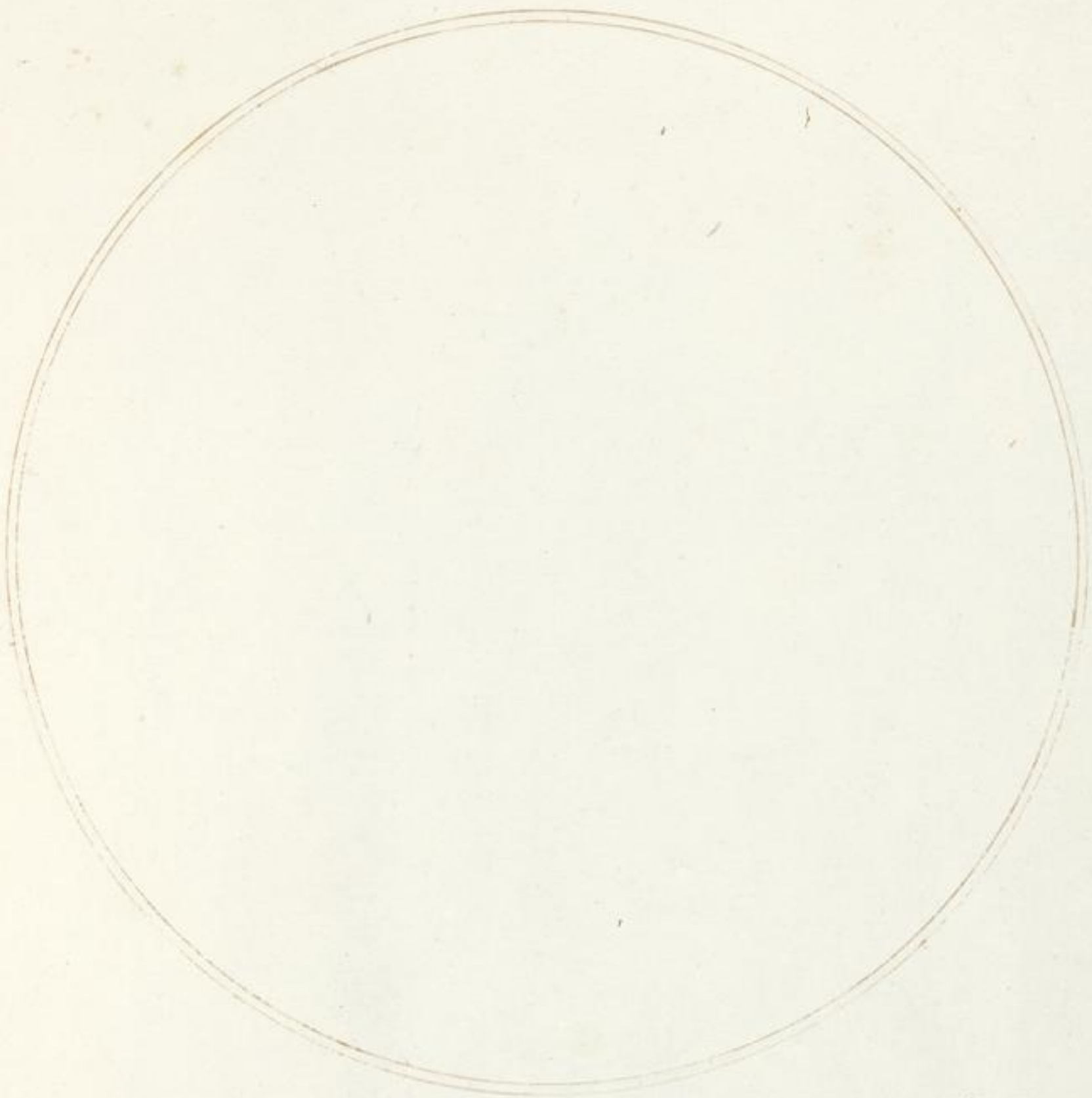

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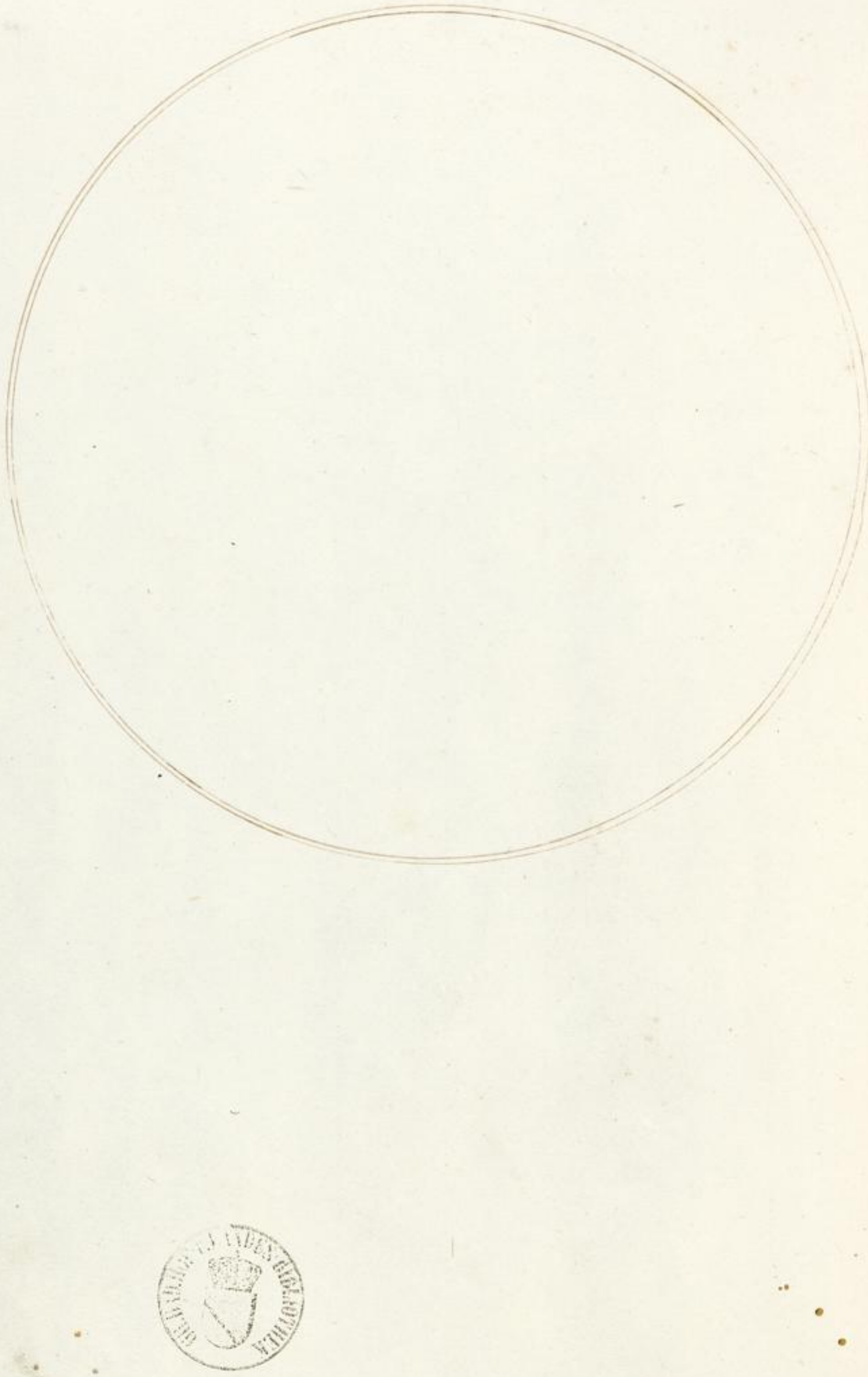

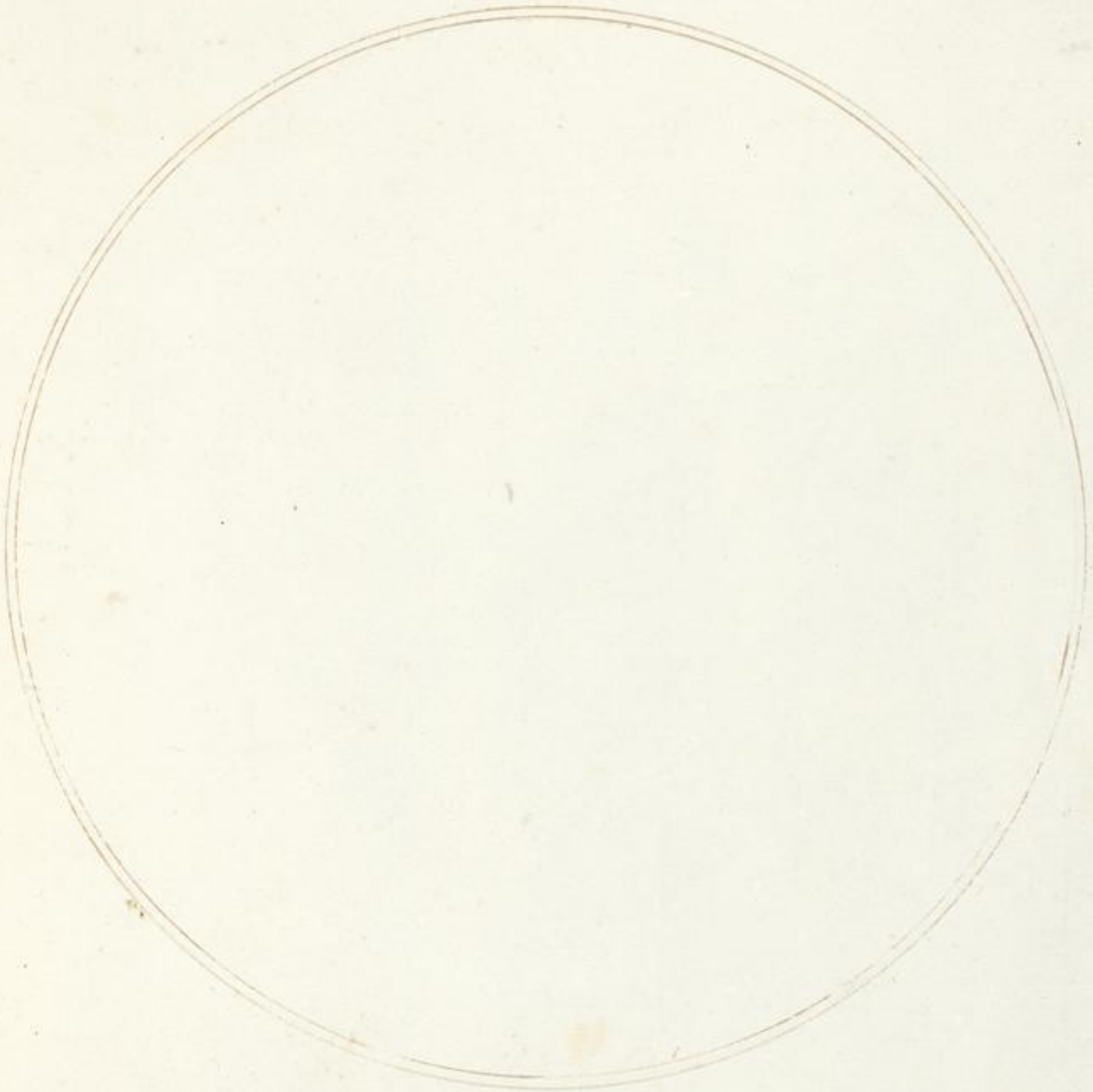

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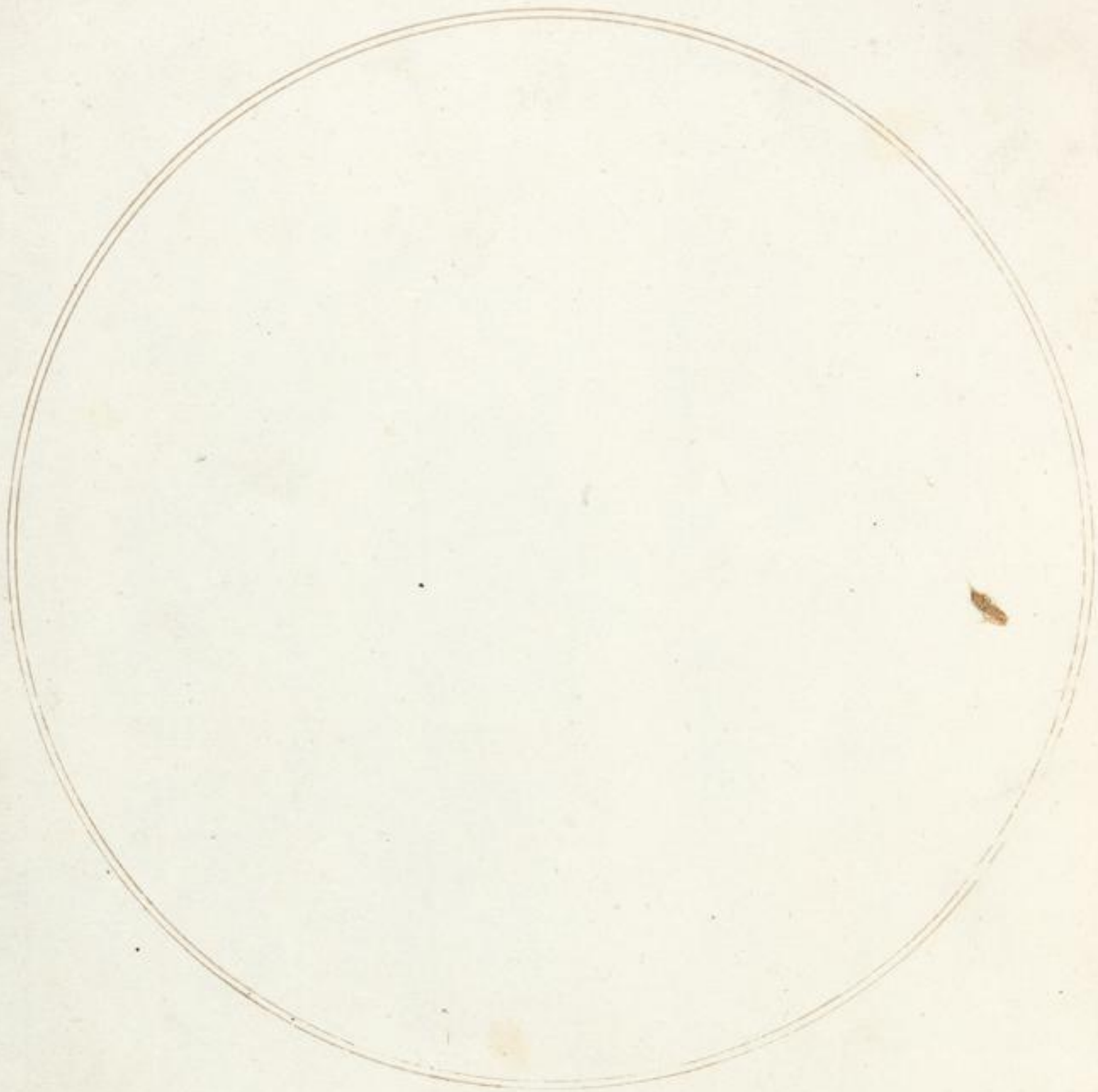

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