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Quaestationes und Notata - Cod. Aug. perg. 41

Gregor <IX., Papst>

[S.l.], [14./15. Jahrh.]

Inc.: Anno XLII Octiviani augusti natus est. Iesus Christus filius Deus in Bethleem iude ex virgine Maria nocte die dominice [...]

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[illegible] ut libet absolucionem [illegible] abbas [illegible] excommunicati [illegible] monasterio [illegible]

[illegible] Ad eminentiam [illegible] a latere [illegible] legatum [illegible] excommunicati [illegible]

ab solvendis

memineritis a legatis cardina-
libus qui a latere Romani pontificis destinan-
tur pro tempore absolvuntur cum
idem legati mandatum super hoc
non ostendant expressum super quo
id a te volumus observari ut
fratres absque omni hesitatione [illegible]
ut absolutos quos constiterit
a talibus huiusmodi absolutionis
accepisse. Item.

A nobis fuit ex parte tua quesitum
an si quis in provinciali concilio [illegible]
[illegible] fuerint excommunicati sub hac
generali clausula ad ipsius excommunicatorum
subditos referentur an generaliter
extendatur ad omnes qui non
sunt de iurisdictione illius. Ad quod dicimus
quod sententia non nisi subditos obliga-
re[t] nisi forte plus contineat in a-
[illegible] auctoritate celebratis. Item.

Consuluit nos regia [illegible]. Item.
[illegible] canonica q. i. de mala fide [illegible]
[illegible]
violenter [illegible]
[illegible]
[illegible] non clausis [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] Item.

Perpendimus ex [illegible]
[illegible]
[illegible]
[illegible]
[illegible] patribus [illegible]

[illegible] si memineritis sacerdotes [illegible]
[illegible]
[illegible]
[illegible] ad absolutionem [illegible]
[illegible]
[illegible]
gratis. Item.

Universitati vestre presentium auctoritate
precipimus quatenus requirentibus [illegible]
[illegible] qui ad
[illegible] manus [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] Item.

In audientia nostra ex parte
tua proposita consultatione [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Conquestus est [illegible] Perpendimus [illegible]

Universitatis est [illegible]

Quicumque facit [illegible] in sententiam excommunicationis dampnatam

[illegible] A nobis [illegible] Consuluit [illegible] Perpendimus [illegible] In audientia [illegible] An quis absolvatur [illegible]

An presumitur excommunicatus [illegible] absolutus [illegible] qui semel fuit excommunicatus [illegible] de clerico excommunicato ministrante [illegible] Respondetur [illegible]

[illegible] possit absolvi [illegible]

ee

An excommunicatus possit compelli ad petendum absolucionem. extra de eo qui duxit in matrimonium c. significasti.

An propter delictum dominus possit familiam vel cum ea excommunicari vel interdici. xxiiij q. iij. Si habes. et ibi in rubrica de penitentiis et remissionibus c. quod in te.

An abbas possit absolvere monachum excommunicatum a canone. c. t. extra cum illorum et c. cum.

An quis absolutus qui non satisfecit vel solvere non potuit expensas [illegible] dicere non [illegible] in [illegible] de offic. deleg. extra de sponsalibus [illegible] et c. quamfrequenter et de iudeis [illegible] de donationibus [illegible] et xvj q. iij de [illegible] et de [illegible] ad aures.

[illegible] dicitur nominatim in[illegible] vel excommunicatus de [illegible] c. i. [illegible] offic.

In quibus casibus quis absolvi nequit [illegible] excommunicatus [illegible] c. nos et c. [illegible] et c. si vero et c. [illegible] et c. de [illegible]

Si clericus [illegible] verberavit. An sint mittendi ad sedem apostolicam c. [illegible] c. [illegible] cum [illegible] et xxviij q. iiij. c. nullus.

ut hoc etiam si [illegible] sic hoc in[illegible] [illegible] [illegible]

[illegible]

... de mandato prelatorum excipiuntur et ad iudicium admittuntur.

De sententia excommunicationis

[H]

In audientia [illegible] [illegible]

[illegible]

[illegible] non debent. **I**tem.

Quod de his [illegible]

[illegible]

Cum pro causa [illegible]

[illegible]

Anobis [illegible]

[illegible]

[illegible]

An sit excommunicatus qui verberat conversum Cisterciensis ordinis vel eum qui vovit et propositum renunciavit in domo manens vel eum qui est in habitu probacionis. xvij q. iiij. quisquis. xxvij q. i. de viduis. et c. t. non dubium et supra de regularibus. Statuimus.

An abbas vel prior ingressum excommunicatorum existentem in probacione absolvere possit e. t. cum illorum et c. monachi supra item.

An abbas seu prior possit excommunicare de off. or. quanto. de consuetudine c. [illegible]

An laicus possit detinere sine excommunicatione clericum in crimine deprehensum vel [illegible] sine mandato [illegible]. De iudiciis [illegible] cum non ab homine. et c. t. ut fame.