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De iustistia et iure - Cod. Ettenheim-Münster 197

Bach, Iacobus

[S.I.], 1636

Sectio X.

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cum Lessis dieto ese j3. out jo. ga fixalis primavio solum videtur inshitutg ad accusanda delicta ne fiant fixet 2 davis conducat ad bonum fixer & sicut cuttodes solum tenentur en Justitia vitare daminum Lerpubl. quam custodiums, nec te: nentur as resistutionim nocha quam n'enquint, ne etiam de fisiali videtur dicenoum; hac pars mini videtur magis probabilis.

SECTION.

Vorum Juden in fevenda sensentia debeat segui gainionem magis probabilem!

Tuplen et de dubium in caa. primum fach. Drum intis . dubium fachi e vot in dubitavetur ashuc un hos futures sui compos cum testa = mentum confeirs, an Itires commissefit tale delietum ecie pro hunsemodi subje of plures invis nachis e pontris regula, quas observan debent, killest in dubio farensum is 150 posis quain actori & also similes qua progrie persinent az surbag. Dubium ivris e, quando dubitatur quid procipiat hes in tapicasu, an len extendatur vel a extendatur as upour evering to opiniones probabiles. De hos von dubio procede mene quadro : an tune mito Suden ferre untiam aro libito pro has vel ella parte ampleetendo man probabilem relicta alia inde chiam inferry in gravi in wasert an heart Judici segui opinionem probabilem relicta, probabilion, quando dubitation an yest hearts alique ficeat, in hor le. n'e perbris consistronis deren gliam coeteri, que bo liest operari cum opinione probabili, sed quatro E quando ofiniones venantar ima Bus epsorum libiganorum, an hene liver rebest indicare an illo cuiles para ho in iure maiorem probabilità bem.

Prima sentra societ quanto è ag probabile sus obrins partis sucrem pro neutra poe invicare, en ochere ved litigantes componeres vel druidere rem more ilhos, vel a fuent indivisibilis di undere partes fractuum, vel facere aham compensavem. hans docet Banner in fras g. 63. avt. 4. vub. j. circa islutivonem av Doum. guem segustur Sacobus Granaso in jmam zoa in man de actiby humanis tracti je disp. 4. num 29. ja cum opiniones nons on probabes aguales è Sus, ac rubindo in caret peccato declinare magis

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in vian parsem, quam in aliam pp ameritiam velaliam coam 7j. Armaria Ha thiret Staro indebitant. m terentur in da sentia extrema docet a solum quando et ag probabiles, sed chamsi ut one probabilior we Sidicem amplech drupt mes to: opinionem contrariam ming probabilem & secundum cam indicare it, he etun believa probabilione ita roat Marina Aragonia, Salon & Porras richer marie de Comagnos refert lanches lib. j. in decal. cap. g. num . 46. existen regular lales tom . 2. or man 2 to track . 8. Digg. vinca Sertia sentra docet cum aquali probabilitate poc Twicen eligere, quan volue jet jarten, cum inaquali n poe sed believe engere parsin probabiliorem hanc senent lobus, larguez, Az or, prospetert & againer lanchez voi supra num . 47. 8 hate vide= tur ex cours agus survotas, de guorum minte viden et late tomus pring contint opinionum in professione num . 28. 2 kgg. & hb. z. tit. g. num. j75. egg. & lib. 3. tit. j2. um tella =) Sit prima contho contra primam sentiam. Quando ving unita e ag probabilis, laber melly quisem faiset procurante iegro e, qua partes as concororam revuere, absolute, in it algeram ex illiseli= quan ac: gere. have to pent buthores 200 & 3 few unitie expty: go luxur Dubium Och sebito sui offici solum tenetur as investigantam to iligenter veri tatom et secuntam cam indicet ao in casa no probabilisime indiassian lex cat illam de veritatem & hunc houm habere hes get pro ello indiperione pro care cum illa aquali probabilitate. fune point Orles & wem our poet quando aqualis probabilitas amplection versatur circa factum voring partis, nam tunc cham probabile ने मुख्या है। I huni houn v: g: ex verum hardem, & perconsequens habere ent reliets Jus. Regatur seg: tune e. liest probabile sit hune hoiem v. g: hues, in is fusse photostutum havedem, certain to En habere sus in varieto net operen un ga adhor requiritur go probetus institutio iggius, cum a hace venentar in manual outra, h & probabile igrum habere Sus in indicio, in no eart pri illo vero case probabiles & ishem habere verun Exproximum Jus in indicio e debere pro igro indicare, quare Juden reguitur indicium ble to stray vel hispantei org probabile contra debitum huius invoici. Da contho nt contra Dam sentiam hi no magna Majeribilis h: inaqualitas inter probabilitatem obving partis liest obrag rit prone, here done t babilis, seccat Judex amplections ming probabilem sentiam. hance when a thur tenent Authores The unter, & garden omissis aby ravely, gurbus a reaction has probari plet, offendi it a priori, for week contributour a Republica ed most of the vel a Trinique of Freh's minister & indagator ventatis, are of xare may

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diligenter constax invenire, veritation & gro ca indicare vient. Ockonomy constituious a Drio vo d'ingenter avouideat vely dometins, & mering of diligenter procuret combatem. nemo a excusabit Occonomum gut invento duplici tritico requales pretij ted longe ina. qualis bonitatis emas setting relieto melion, heet obrume sit suffi leiens, aut conducat domain ming bonam velicta metrori pro aquali pretio. Item malto miny excurabitur medicy qui desent agroto medicinam ming securam relieta multo securiori, heet virag ist probabilis neuter ex Vexequetur fibeliter ruum many gnec laden qui propositis duado vije askquendi veritatem eligit ming, securam, e ming bonon relies melion & securiori, satisfacio debito of his inuchigandi defigenter veritatem è pro ca rabicandi. Lovro Tabiegm habere se in has obligade sient Occonomym ath ex mente oven subsitorum, qui certe in bene sentiunt de dudice allo qui se amicham vel alias privatas rages sensiam, mofert contra Mum qui meliorem e probabiliorem his caam . ras al a priori e, ga heart medicy constituitur as procutandam sanitatom comoris, e ideo senetur procaue re diligenter pericula vtendo remedit certiants, i sient Beconong constituition as procuparion bonum domestierem, es uses sene tur impedire percenta el pre sudone & magis orate constructur as procura no um bonum civile, ecces teneter ordigentor prosequere ne patiatar Republe, hoc. a. n prostos biligenter & Freliter is valuet warto ofiniones ming grobabiles, of tablis ent how mode cines spotiari is rebus quarum hat verum tominion es cas as alios transferri, quan il varianet runta ofiniones probabiliones, mais es periculum falsibatis e in oginione ming probabili grain in probabiliori is how moso in procauet viligenter ace impesis maiora Respubl pericula, as per consequens a exequily debitute sur munetis proturando diligenter bonum é incolumbatem Let the 3tia concho . How Sagiers debitam n'e abeo strictum of h port exercisor a culpa in multis causes indicando went a sentrash ming probabilent. In how conservice oum Authority Dia sentre, & fortisse in negatitur at Authority 3 fia . Emplical a . of for exemple supra adductis, nam Octonomy sage excusatur liest melly friticum & emat. Trimo is sit carries. It is ashioita cour deligentia pro llo inveniendo n'invenit, n'e tenetur ashibere exquisioam. I sio is not moving excess in bonitate, go a gavam out = but nihil nevere videher. 400 is hat also incommode empho melio = vis tribrei pa qua Paterfamilias gratum habebit of n'ematur.

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How were in harries locuse hit, gai 44 imiles cass excusatur rage a 72. securiori vemerio ad hiberto sie cham de scoice dicendam le; cope E. excusabitur. Trimo of h tenehur exquisito Audio investigare mar ween probabilitation opinionum, satis e si adhoe an hibeat diagentiam covere, gain posita, is admic a conduct notabilis enorqualitas, potent alteratram partem eligere. Do vi opinio que labier videtur probar believastinetar ming probabilis agree satrees superiores, a quibus wha reaccabitur sedtia inferioris, sed apar guot male artest infe : from the tenetur cum tanto the dipendice indicare in illa parter frent new Occonomy cum grani retrimento suo tenetur procurare melius protieum pro familia. Stio quando en electione untia probabilioris requeretur rearrahum in Ropubl vel alia in convenicatio, of sense: atur Republ maig Detrimentum pati ex hoc capite, quam ex es To eligatur sentra ming probabiles, in cursormatur Regullica Pobligane Laviem as probabilioum opinionem elizandam, ga soba has obligate it en debito erga bonum Respublica, hos ighum bonum Reignblue habendum semper & prococulis, at conseatur freri vel n treti contra Mam Trevierdobligavem. Ex his a constat magis veritas voe conclivis, quando e. Tois tatim of oculos profonitur inaqualitas viring ogrnionis, nec adhor indiget major thereo, nec volum e meomeenins fin eligenda probabiliore in vitorur magis excuentry quam beconomus, oui this in anomphe mely tribieum aguali pretro e une illo incon-Quenienti comparabile velinguit illus empto Seteriori solum vo como Maceat amico vel cogneto vendente, e'in hoi sensu locuty vio etier Marierry in cap . is pis artem de Sounitentia dut . y . n. 130.8134. erem dies ée in malo trans ladices que opinioniem varietable confisi, ironunciant pro mis amieis vt est gratim faciant. londre noan centian his briby concliorly explicatam obyci pt. Primo of ras The concliors viscour probares contra jonam conclision, ricut e. qui redicat contra habentom probabilis des infert illi iniuriam praferento ipsi erum qui ha sus ming groba bile, ita qui ex duobo habensiby ag probabile sus prafers vnum after, videtur inferre incuriam er our grafert abuestarrum ha = bentem asgualedus & nex cum aqual grobabilisate pt Sadon eligere. vaangarton. Ar negation this, go Laver, or vising, when teneble ex officio Toligenter ingirece veritatem et pro ca sentiam profesat, cum, agual a probabilitate iam pt presenter inficare vertitation el pro una parte, el licet exportat se juriento aberrardi a vero, non is to itare illus periculum ine also aquali periule,

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spe in garba contrara. mount Bues vitabiour Mus periculum dividendo aqualitor a more rem inter string. Teo contra, imo bune crit certig perientem, habertha bune es. In solum probabiles sed certissemen crit serum Unum priregulari uari ve sua quetas dimidiane partem, mely ongo e subire this pro: anne babile percentum, cum vatiero probabili de intiona illig, gos ing 12 que profestur sentia, que certisame privare verum Duna ve Input ned great mediam partem . tetum ! Tes contra objeces Loo ga hine sequitur que du HAL BON duem cum aqueli probabilitate aliquanso invidue po ono, e. in in nostes in which can a vadicare pro parte, contrario, hos a popul none m dubio generaret mantalum, sport mento ca de can accusar laden in sindreate tongram de senta invasta. It concedendo sie hen poor secheso nangalo, nec ives poet racabiliter puniri suser last stefore ein cap. aureari, dum in constet eun semper vadualsse junta opinionem 44 10 M as probabilem . To in aliquando sequerctur scansalum prisilorum, money o sune servari deberent regula cones circa enemodi sansaliem vi = avia, here randi in reby ex se licitio. timumeth Objecies 3 ho in co case poet Juden accipere ali. quid ab altero ex litigantity et pro es poty quamquo asuerrario trong n aptum p sentram proferat, ousle e o accifit pro to diqua ex Suttitia depita, fram a com a tenester pro illo indicare nec chian alegit pro pe tarpi, licità tent re e. e pro illo proferre sentiam & histe por acliques aliques pro sentra CALL. ferenta. Consequens a. videtur satis absurd um . Ki negando seg: accigerede pretium jos te à digna pretio, nam en substitu de: 120 1200 bebat enferre untram pro one, determinas a avistam partem probabili heet falsat mini centram viliorem, n in affit laborem, vel ali : fenery pa quis exparte Indicis dignumpretio, rient si aliquis ex Trestitua debeset ox retito Doare dotym on ex dusty virginity, a poet aliquid at ca percye. aro es eligendo. Ratro a a priori e, paraquegnas sebore ex sasti excumit whit com tia dave gem integram vni en vuolog, e poe jetere pretium pro ea, etrimen ram e. n danter integra mi ex dusty, cum in ex luthitie tene: atur dare integram, of for ergo satura Tustitia aliques detrakere, FUX OFFICE Letter 12 aloguin poet accigere propresio dimidrum rei danta, go cet in tenefor mashforth contra Ilstitlam V. untiam, no warto objeci et contra 3 tram conclidem, o in mello phareail julican' case vigeatiet fue dubitate pro es criz caa 2 ming probabilis, made. on in care of profern jentra contra Mum qui he Tuly see qui he coan probabiliosem his impliester e absolyed has & . If in nallo TOTE THEHRY & case lee & induantum contra eum qui hit sus certum, que tamen First & Ja indicari 2 E/S BLB BADISCHE LANDESBIBLIOTHEK Baden-Württemberg

induari contra eun qui his sus probabiles que suden conformat se opinioni probabili dietanti hellum sed poting adversarium, habere las. & heet quardo probabilitas vies a longe maior in post regulariter contra illum indicari h in hoc oriter ex neve in = Avinsees ingulorum prinatorum, et ita dieam quam ex obligave iping hours ger co pacto accepit a Regult. ming of diligen ber lingurent veritatem spro ea indicart, hor a pactum in fuit faktum ita visliter quin admitteret aliquas conceptiones violables axas goving in Btra contine in gaily poer Tudex indicare pro una parte probabile relingueros of wishes case wel in exami = nando magis excession caa propabilibris. Quinto objet solent alignes inra, in gurly videbur proferri semper caa probabilior prosertim in cap. invenis de yours. It in cap in guis outen. De poenitentia dist . 7. It in in ys will age to man value diversa, nam in priori agitur desimpedo mas Chrimony ovto ex copula dubia consanguishea, qua hiet in fuspet certa, habebat the grassing honem intis ff, cohabibavem & alsas circumstantias qua persinent as profravem facti de que iam brains supra cedinerram vacem. In porteriori a. Toco he grae = ceptum sed consilium Augustini virle 750 nemo differat poentionfram as finem viba, nach in negotie jaluhis aterria murguring debet rent tanti ponderis extra huiumodi dubia e peritula collo: Inquiri to adhucet circo sugradieta, an vudex qui une rapabili /caa sentiam profest pro farte probabili contra probabiliorem teneatur here ad resoltationem vider poet in teneringa tota obligas indicanoi pro parte probabilion britur ex debito To word his erga Remplot. ingrirrendi veritatem is secundum cam indicandi Evidando hot debitum sohem per: cabit contra Sempubl. & senetur restituere Reignbl. inexta betrimentum go patitur bonum was exilla percessione iradicy, I ged gridem restitation est so toto interesses litis, vt it. heret etram qui eligit ming dignum vel chiam indignum ad beneficium, n tenetur regulariter vestituere orgnion protermisso ruxta course sentiam, red sole Cectia inexta melyaram detrimento go Cicha patriur ex illa iniqua electrone. Sie etram videtur in præunti buen-Aumes. Verius in existino teneri ad restituendum parti probatilion omisso, Eita twenter repronere Luthous The sentice regra roleta, tierent e . Indicem facere contra les illeg partes . Latio autem est

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for in hoc case sammings patritur Leggable ne alud nisi in quantum ong invis, qui ho helionem caling prinatur bonis, hoc a. Jammiem habber resorcitur nin elle iden cruis hat bona as qua habebat probabiles sus & is Sudea tenetur as reservicionoum Jamenem Roigebl. senetur chiam as rebituenoum patti jur babilion qua fuit loisa. per de att ouvrimen ab exemple adoucto de eligone ming dignum is beneficium Calisticium, ili es & diversion damnum cour of interiortur vitari per electionem dignioris, a damno using private gai presermittibils. Melig ital exempliem poet adduct the custose montis green places On coursem courter consucent as vibanoum sammem wee, tunc e champi damnum fuerit Matum in one eda parte montris, e per consequens ream set in vnum solum ex Bris, ensors senebitus ei resortuere in rua culpa Matari e, ga oes courter eun consunerunt as imperienda singulorum damna. Sie Leder conducitur a toba Legubl. Es imperienta Ingulorum damna, è ideo singuli retinent ibi Tus contra Proceem pro parte damni uti ex laviers culps inferendo Denig conformar: gal magneraty of know culyabilem negligentiam front furta vel homieroia in Prestate, in solum jeclas contra Tuborham avaering Demput. sed etram arverez cos qui activantur la damna si voco qui tenetar resultane, it doesn't winter Doctores, gas reguisar Lessing lb. 2 . 194. 13. num. 70. Eph ming beneditar restrituere pro damno jo privati patienter , in fortunis for miguam hadiers sentiam ag a contracto fait a Regult as strang, imo magis ad directe a centras pro heritate proferendas. Dices & h magis oriburese intrince o incre privato : vam obligas petitaendi quando luden aperte profest sentram un care ingrobabili gram our profest pro parke, probabili contra probabiliotera, e per consequens vieret minguam heet reducare que parke improbabili ita nec licebit pro paste probabili contra probabiliorem. No negando seg: nam prima obligato oritar immediate ex pracepto nails in furants occurred to facil fler aufert a certs Dis rem vt detur in The . 2 da vero obligad oritur ex contracte implicito unter Remy. a Sudreem, hie a contracty accipere at modificades wexte mente contrahenhum, of sciluet Tudex obligation as fantam vel tantam diligentiam adhibendam & ad induandum pro parte, probabilion quanto h wast legitima excusor es, que modificades o habentur in graceato non perano, jo h oritur ex contracte libero sed ex you reil notheras. · lectro 15

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