que alt nō [illegible] ffe de offi p̄sid. l. ar. pbr. C. de
testa. l. i. Et eaque tñ aliqui faciunt cum alii
coll[illegible] nō auctoritatem p̄stando [illegible] publice habe
[illegible] sicut [illegible] offitio
[illegible]
[illegible] nō [illegible] p̄sonam [illegible] pōt agere offi
[illegible] ut cassaretur [illegible] excipet [illegible]
[illegible] excusator [illegible] quando intollerantur [illegible]
tores excusatores que [illegible] ab eis teneantur
et si p̄curator ab eis excusatus nō p̄ sinam [illegible]
eg[illegible] tem[illegible] quia iam aliqui adest [illegible] f. q̄ tene
ant [illegible] ignorantiam et publicam offitium [illegible]
que sunt [illegible] excusantur [illegible] p̄sonam [illegible]
assumant [illegible] cor p̄sentiam [illegible] cor nō pre
sente [illegible] Et post adhibi hic illa disti
ctio que posita est in electione s. de ele. illa. et nō
q̄ ordinamus [illegible] p̄curatorem excusatum p̄ recep
[illegible] cum [illegible] ipso iure q̄ ex eo p
[illegible] q̄ [illegible] excusatus pōt constitue p̄cu
ratorem [illegible] inbelli [illegible] actor [illegible] ap.
et receptus si [illegible] Item [illegible] ē q̄ p̄ p̄cura
torem agat quam p̄ se ut se nō [illegible] colont
[illegible] p̄curator ab [illegible] constitut
[illegible] agat in casibus pōt agere [illegible]
[illegible] exquo [illegible] constituto [illegible]
[illegible] ab solvi [illegible]
Item [illegible] excusatus nō [illegible] lit. [illegible] ma
[illegible] nō pōt [illegible] Item [illegible]
[illegible] filiat sic sibi [illegible]
cum [illegible] excusato actum est [illegible] ignorantiam
[illegible] et publicam [illegible] utilitatem
[illegible] et p̄sonam excusatus q̄ si
p̄ sinam est excusatus nō [illegible]
[illegible] ut [illegible] nō [illegible]
[illegible] alios [illegible]
[illegible] agere pōt ut nō [illegible] vid. fin.
[illegible] omnibus no
minatur [illegible] maioribus excusatis [illegible]
[illegible] ignorant [illegible] admissi
[illegible] quia [illegible] maior [illegible]
[illegible] p̄curatorem [illegible] contra [illegible] sic
[illegible] p̄curatorem [illegible] maior
[illegible] excusatum [illegible] contra [illegible]
[illegible] constitue [illegible]
ff. q̄ cuiusq̄ uni. l. i. § ult. Item loca valet q̄ licet [illegible] ex
cusatum p̄ sinam [illegible] si nō [illegible] Item [illegible]
testes [illegible] vel p̄curato. auctē. [illegible]
[illegible] auctoritate [illegible]
[illegible] talem p̄curatorem actorem.
et maior [illegible] tanquam [illegible] de
ff. q̄ cuiusq̄ uni. [illegible] Item [illegible] nobis [illegible]
Et [illegible] ratione quia actoris [illegible]
auctē [illegible] stare nō pōt q̄ universitas [illegible] sit
[illegible] ff. de [illegible] actorem [illegible] syndicum
ff. q̄ cuiusq̄ uni. l. i. [illegible] nō [illegible] nam [illegible]
[illegible] ē [illegible] q̄ [illegible] universitatem [illegible]
actorem. Item dic illam l. [illegible] q̄ universitas ac
torem constituit ad negocia [illegible] de actore con
stituto ab administratore universitatis [illegible] ab universitate
[illegible] nō ē [illegible] Et [illegible] generalis [illegible] q̄
[illegible] p̄curato [illegible] auctē excusator [illegible] sic

de [illegible] p̄curatoris siue nō [illegible] p̄curato [illegible]
sine auctē maior. Et [illegible] spāle [illegible]
excusator. Et [illegible]
cor [illegible]
[illegible]
[illegible] nō [illegible]
[illegible] aliud [illegible] p̄curatoris [illegible]
Item si p̄curator est [illegible] constitutus ab excusato
noie universitatis [illegible] ab solvitur nō [illegible]
[illegible] licet [illegible] litem [illegible] quia
excusaret constituens [illegible] eo postea excusatum
[illegible] removebitur [illegible] ratione [illegible] sicut [illegible]
constituens removetur [illegible]
ad ipsum excusatum [illegible] constituente [illegible] tinet excu
[illegible] alio noie suo agat [illegible]
[illegible] ad q̄ p̄tinet agere nō noie suo [illegible]
[illegible] cum [illegible] p̄curator [illegible]
agere noie [illegible] ad q̄ p̄tinet agere si ipse repelli
tur [illegible] ab eo [illegible] si est [illegible] p̄ q̄ posset
noie [illegible] agere nō [illegible] ut [illegible]
[illegible] agere [illegible] canone. [illegible] di.
[illegible] Item [illegible] excusator et sindic[illegible] et ac
tor universitatis [illegible] admistor [illegible]
lege [illegible] ff. q̄ cuiusq̄ uni. l. i. § [illegible]
[illegible] di. obtinet. [illegible] di. q̄ [illegible]
[illegible] ab agendo noie universitatis [illegible]
[illegible] q̄ universitas [illegible] noie agit [illegible] pōt
[illegible] Item [illegible] p̄sonam
qui [illegible] constituit [illegible] repelletur [illegible]
[illegible] sindicus [illegible] offitio ab ex[illegible] Item
[illegible] ipse [illegible] sindicus [illegible]
officius temporalibus [illegible] ad libitum [illegible]
aliud est q̄ [illegible] offitialis [illegible]
[illegible] de offi. [illegible] de offi. [illegible] Item
[illegible] glo [illegible] offitialis agit cor
noie [illegible] Item [illegible] temporalibus offitialis qui
agit noie constituentium ut syndici. Aliud in ali
[illegible] qui noie constituentium nō agit ut [illegible]
[illegible] noie nō [illegible] agit. [illegible] noie
[illegible] visitator [illegible] Item [illegible]
et nō [illegible] cum [illegible]
[illegible] constituit nec noie [illegible] agat [illegible]
[illegible] constituens est [illegible]

De syndico. Rubrica.

Sicut studii et syndico syndicus [illegible] p̄ universi
tate agit [illegible] cui [illegible]
[illegible] administrationem. C. de [illegible] l. ii. § i. [illegible]
[illegible] monach[illegible] de man
dato [illegible] q̄ i. [illegible]

Non est dete[illegible] talis.

Actio q̄ [illegible] de dolo et furti
[illegible] requiritur
[illegible] dampnu [illegible] sua
[illegible] ff. q̄ met. [illegible] sic ex [illegible]
[illegible] si nullum ē dampnum nulla fiet [illegible]
[illegible] actione q̄ [illegible] excipe [illegible]
[illegible] ratione [illegible] q̄ metu ē [illegible]
[illegible]
q̄ [illegible] q̄ pōt [illegible] ex [illegible]
ratione. Item tñ q̄ si ratione [illegible]
[illegible] estimationem [illegible]
rei ablate. Item [illegible] q̄
dampnu sit [illegible] nō [illegible] Item si [illegible] q̄

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metus cā peremp. hr̄ tn̄ alia bñficia q̄ metū inferentem. ff. j. quod. de vi et cāus dūis. marci. ꝯ omnia plane. ff. q̄ me. cā. ħ ept. a idonab. l. se. ff. de fur. cardonu. Contra metū īferens nō [illegible] liberet [illegible] rectitnat. h̄ ꝯ smo [illegible] q̄ me. cā. nec debeb. cād. [illegible] obviat excep[illegible] inid. q. h̄ bec ed' sunt p̄ res in u[illegible] cā. tn̄ petenda est alia. ꝯ. de ossi. del. ceruin[illegible]. Sin aūt excep. dūr oppositū. et ca nō obstāte lata est sn̄ia restōniq; actore tn̄ sor te post hoc a q. nō obstat et excep. rei. ind. ff. de ꝯpen. q. dicit. t. nō de. h̄ j. de cā pos. ꝯ ꝯpe. ai eccā. Nō obstat. C. lan. si quis ꝯduc. ubi diat q̄ conduc tor nō pot̄ rest̄ie q̄ dm. de dūno locatoru. q. id n̄ ē. q. ab eo cāīn h̄r voluntariam. Sz metum inferentes nō h̄r cam a metu passo saltē vo luntariam. **De his q̄ vi ul' metu l' cā siūt.**

Perlatum ē ad aud. n. patefaciens. de p̄ testatōne. ut nō ꝯ. de ꝯsti. aim. ꝯ. ꝯ. de ꝯle. aim cāii carnana. velū. i. insial reli giosum ut sit. ꝯ. xx. q. i. vidua. velum ꝯ̄ustatō nis. n. ꝯsectōnis. xx. q. i. devotis. Dilatūr. xxij. q. ij. utilem sorori. i. ꝯrutisse. q. ipē sui ꝯrussa ag̃e nō possent. si ꝯa sui eis post. ꝯ. de rep. ep. exrati. nō timore. quia iuuenis erat. et ꝯmi saluū h̄ebat. ꝯ q̄uia de voluntate ꝯtestata ē q̄ n̄ iteruit. iō tn̄ sc̄udit hon. ꝯbatiuis i negante. ad h̄ nō ꝯ. de ossi. del'. c. cum iuute. Credit q̄ moniales vi dentr plane eam nō timore mortis tēste h̄ ꝯ q̄ n. ꝯbuit ꝯ. C. qui. inst. poc. fi. ꝯ. c. xij. ul' ꝯ̄ote athi ꝯcit s homis ꝯbibus. xxx. q. ij. cūr. Ratū nō metū mortis n̄ tn̄ et iuuie q̄n gladij erāt ꝯsentes. si timore tp̄z q̄uic maritꝯ. q. potes ne ast ueb. ut s. cā. sic ff. q. me. cā. si ꝯ insp. Et ītel ligo huic metū ꝯsentē aīn sēp possit audi ꝯmactnn. quia iā potens erat q̄ n̄ potat h̄c lcati ad q̄ cōfugerat sub timore mortis. ff. q̄ me. cā. metum. i. ꝯn. vñ toto tp̄r vite es n̄ ꝯsū nō ꝯsumit ratificare. h̄ co mortuo si p' remā net tūc ꝯsumie h̄c ratū. Cū igitur. ꝯ. q̄ tp̄r p' mortē. l' postquam fuit secura. Dicunt quidā mensem. ar. i. q. i. constat. Ꝯ ordiam h̄ reli gionem ar. h̄ do mediatc. ff. de v. ob. ꝯtinuus. ꝯ. cal. Credit h̄ de cīnio q̄ lz ꝯterit metus. tn̄ si p' secut' est. ratificat in' j. de sp̄on. ad id qd. Et h̄ multꝯ. q. postq; ꝯuit uelū accepit de manib; ep̄i. et monasteriū ingredi et uar voluisse ui h̄ notum ratificauit tacite ul' si cessante tīo re in monasterio ꝯseuet. Et sic siūe postea mitte acceperit, nec h̄bo uouerit, ꝯ̄ itelligeret ra tificare. ut nō j. de reg' et tn̄s. ad relig. ꝯepte. ul' si in eod' monasterio eēt ut nō ꝯfessi' h̄itū nō por tauere. Utrū oīa est mē votum et h̄itus fuisse ꝯtōm. Quia votum te'ꝯuare n̄ metus intue nit qui in virum constantem cadit. n̄ ualebit ꝯ ꝯtestatō n̄ ex tali. s. iusto metu. intueuit. aim n̄ ꝯfit. nisi iusta cā intueuit. ut nō. ꝯ. de ꝯle. aim cāiia. nō est aūt iusta cā n̄ timet ꝯ ita ꝯ qui cadet in cō stantē viru. sz h̄ic fuisse ꝯtōz fuisse q̄ ꝯl aliq; met. l' talia ꝯsūpta ꝯtestatō sz h̄ indicia ꝯparerat q̄ h̄ic n̄ metus susciperet. Ṽn̄ si aīn nimatō m h̄; ꝯuc h̄itū susceꝯerit ul' p' dimitte. xx. q. iij. ꝯsens. secus si ꝯdi unt. id

dulsitatis ē. quia in voto aim exp̄ssa sit volun tas eius stand' est. nisi alij q̄ exp̄ssum appareat mortem. Et cum suscipiendo h̄itum inchu expresse uoueat. si ꝯsumptiue tn̄. tal ꝯsūptio [illegible] eluditur. Sed diuer [illegible] parum ꝯsum [illegible] votum al' h̄itus susceptione

Illis sa[illegible]. nō iustum metū admisso inemo[illegible]. revocari. h̄ petunt metu re [illegible] tn̄ modum metū inferentis testimo niū. Ames metat sanāto. l' h̄ bes q̄ iuramentū me

Ad tu exortum est suandum. ar. xxij. q. v. qui expulsus et c. si quis coactus. j. de test. sp̄o. accepta. j. de iur' iur'. sicut. ar. ꝯ. ꝯ. c. ꝯ. j. c. c. p. ꝯ. j. de resti. sp̄o. solliate. et xv. q. vi. auctoritā. Ꝯ. o. ar. dicit q̄ iuramentū metu extortū nem nem obligat. Et id dicit p̄tor. q. vi. me. de. cā. ff. tantum nō h̄ebo. q. me. cā. l. i. alij diaunt q̄ ꝯ ille qui iurat h̄r animum obligandi. se o bligatur. ar. non. ar. j. de iur. maiores. Cum de obꝯuatōne violentiū iuramentū. Ꝯ alij dicut q̄ lz metu extortū sit saluandum. tn̄ ꝯuari dz q̄ lz metus intueniat. tn̄ volunt. xv. q. i. merito. Nos di stinguimus inē iuramentū q̄ in sui n̄a est ma lum et q̄ p̄ ꝯsititum. ut nō. ꝯ. de ele. ueni ab tiem ineaūt tn̄ de ꝯpit. i. de dolo ul' metu extortis sa nitas agimus et dicimus q̄ iuramentū metu extortum si de rebus suis nō repetendis obligatorium ē q̄ ad h̄. quia dz id ꝯuare quousq; absolucre ꝯ epm sz absolui dz et postea petere dz. sic id de t. j. de iur' iur'. si uo. et c. v̄m. et cognoscet ep̄s an n̄ q̄ absoluat an fuit metus qui cadet in constantem virū, ff. q. metus cā. metum. Si aūt dec' pot' n̄ q̄n tal metus non intueniat. Sz opponēs sui ho non intueuit q̄ nō obstante tali renunciatō ne ꝯsicatur. Et q̄a ecīā n̄ de h̄ic intueneris renunciatōm ꝯcitam. si n̄ uult q̄ ius ipē re nūciauis nō possit repetere. ut nō. ꝯ. de renūc. q̄ in dubiis. ul' dic q̄ h̄ic metus h̄ ꝯfuit tantus q̄ in constantem virum cadet. Sz tn̄ n̄ pot dic inte n̄ prius obtenta absolōne a suo epō. Sz si iuramentum. l' fides nō intueniūt. sua aūte poss; ꝯuenire ut h̄ic dic. Ꝯep tn̄ inter ꝯ q̄ pot caueat. ut dn̄ te ꝯueniat ꝯ iuramentū. s. ut si iurauit solue usuras. soluat. sz post ea repetat. j. de iur' iur'. debitores. et c. ad nr̄am. Si quis iurat solue usuras. Sz si iurauit non repetere. poss; inde ex offō suo cōpelle de ꝯtorem. ad restituend'. j. de iur' iur'. ad nr̄am. Possz et deuūciare ad ꝯuiam si iurauit non denunciare illud nō dz ꝯuare. q̄ ē ꝯ regulā cuiā ꝯliam. ij. q. i. si peccauit. quousq; al' ꝯm de ꝯ cōmode ep̄s nō ueniat ad absolōm iuramen to. quousq; ꝯ ius nō repetitem. sz alit comiss absoluat. iuramento. sed si libro. ul' reliquiis ul' alia re sac. fiat ꝯmissione sua ꝯ dū. l' fide ꝯuiam cōfirmat. sic q̄ decetō ꝯ plectimus illius cāe. nam sib' iurauit. suo iure repetere n̄ posset. et c. p. ꝯ. sz ꝯ remitte poss; et deser iamtū. j. de iur' iur'. suo. Et sicut nō ob. ꝯsā renūc. ex ꝯ sa nito. ul' ex nono. alr̄ n̄ dec' renunciaꝯ. ꝯ. de renū.

Ad aud' nr̄am ꝯdatōe q̄ dubius h̄ nō. vi. q. i. de iuq;. repetend'. Si aūt fassz ꝯ repete. nō repetet. C. si ad uel. i. n̄ sz absoluet. l' ex offō

restituet sibi ut non s. expr. restitui actione
[illegible] causa continentur.

[S]ed et dolus [illegible] l. di. pbzot. i. q. i. constat [illegible]
[illegible]
[illegible] l. i. infine p[ro]missio [illegible]
[illegible] constare
[illegible]
[illegible] dolosi [illegible] de[illegible]
[illegible] qui cadit [illegible]
[illegible] qui non est [illegible]

[C]um [illegible] copulatione
[illegible] inspicientur [illegible]
[illegible] proci ad quos spectat
[illegible] sine p[ro]missio [illegible] epi non te-
[illegible] obstat [illegible] dilectos [illegible]
[illegible]
[illegible] canonica [illegible] ordi-
nem [illegible] tanquam auctorem [illegible] de regulis
[illegible] l. [illegible] promittere non impedi-
[illegible] l. xxij. q. iiij. si
aliquid [illegible] violen-
cia [illegible] necessitate cogente
[illegible]

[illegible]

tur ut cum dolo contra quia latitatione dolo
compensatur. ff. de ep. q. [illegible] restitutione eadem
ac contra. eam vel de dolo qua hic agitur restitu-
toria que petit [illegible] obligatione proditum
sit per metum [illegible] restitui-
[illegible]

[S]i [illegible] et violenciam quid si
non per violenciam sed dolum fiat [illegible]
saccum cum pecunia penes se depositum a-
lio ius [illegible] depositi [illegible]
[illegible] cum pecunia deposit. reddit signatum
a se [illegible] signatum apud se
depositum. [illegible] negat pecuniam fuisse [illegible] ne-
gat [illegible] lapides ibi tamen fuisse vel negat tantam
pecuniam quantam depositor dicat probones
deficiunt cum saccus fuit signatus [illegible]
quidam [illegible] in actione depositi [illegible] dolus
et perfidia depositarii [illegible]
positarium [illegible] de dolo et perfidia agatur [illegible]
sicut [illegible] de quo loquitur [illegible]
pecunie [illegible] que in sacco [illegible]
[illegible] secus si non dolo vel violencia [illegible]
[illegible] deposita [illegible]
[illegible] de dolo [illegible] probones

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[illegible]

fugit et armatus sit suo metu [illegible]

[illegible] timor nec presens [illegible]

[illegible] est fuge

[illegible] armatos venire forte [illegible]

[illegible] si armati [illegible]

[illegible] prohibilis suspicari debet [illegible]

[illegible] armati [illegible]

[illegible] contigisse [illegible]

[illegible]

[illegible] mi casus [illegible]

[illegible] solum spoliatum

agentis [illegible] singula mo

bilia que erant in domo [illegible] re imobili

qua fuit spoliatus [illegible]

mobili re qua fuit spoliatus [illegible]

[illegible] rebus imobilibus spoliatus fuit

[illegible] potuit de rebus [illegible]

[illegible] spoliationis [illegible]

[illegible]

Rubrica de restitutione [illegible]

[illegible]