UNIVERSITÄTS-
BIBLIOTHEK
PADERBORN

Universitätsbibliothek Paderborn

Tractatio Synoptica De Ivdiciis Ad Lib: II. Decretal: Gregorii IX.

Herberstein, Ferdinand von
Tabarelli de Fatis, Donato Vincenzo

Spirens., 1660

1. Qvod dicatur forum competens, & quibus modis forum constituatur?

urn:nbn:de:hbz:466:1-11416

Visual Library

imprudentiam albi calculi loco, ni-
grum immitteret. *Ælian: lib. 13.* Quæ-
ritur num Siciliæ Magiſtratus com-
prehenſum Alcibiadem judicare po-
tuiſſet? *Reſolut: pete ex num. 7. & 8.*

CONCLVSIO.
I.

FOrum competens preſsè ſumptum
hic vocatur tribunal, cuiꝰ juriſdicti-
ni reus ſubjicitur: nam de foro prima,
tritiſſima regula eſt. Actor ſequi deb
forum rei. *cap. ſi Clericus. 5. hoc tit. L. 2.*
C. de juriſd. om. Iud. L. ult. C. ubi in rem act.
Reus autem forum ſortitur, ſeu juriſdi-
ctioni ſubjicitur, præcipuè quatuor mo-
dis: ratione *Domicilÿ. Delicti, contractus,*
rei in territorio ſitæ.

2. Domicilium forum tribuit: & ho
triplex eſt. Primum: Reſpublica. Alte-
rum: Origo. Tertium: ſua cuiq; volun-
tas facit. Reſpublica commune domici-
lium, atque patriam nobis Romam faci
ſed extraordinariè *cap. ult: de foro comp: L.*
§. Romæ, ff. de excuſ: teſt: ut propterea adve-
na Romæ repertꝰ, ibidem conveniri po
ſ