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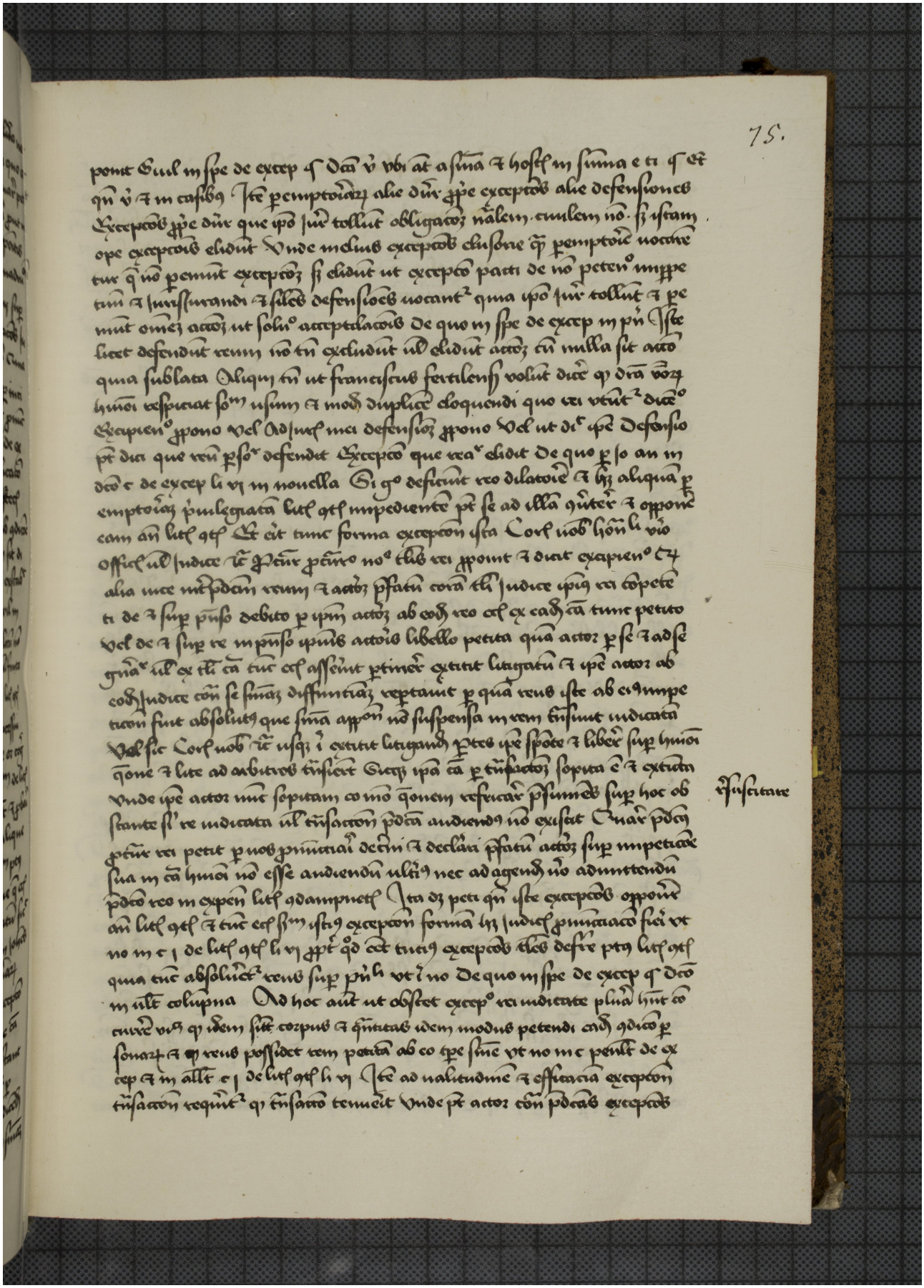

75.

ponit Guil in spe de excep q dcā v vbi at a sina ⁊ hostl in sunna e ti q et
qn v ⁊ in casibq Ste p emptoēm alie dūr ppe exceptōs alie defensiones
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tur q no p emunt exceptoēm si elidūt ut exceptio pacti de no petendo impe
tum ⁊ iurisiurandi ⁊ silēs defensiones vocant quia ipo sūt tollūt ⁊ pe
mūt omēs actoēs ut solūo acceptilatōis de quo in spe de excep in p'n Sste
licet defendūt reum in tū excludūt nl elidūt actoēm tū nulla sit acto
quia sublata Aliqn tū ut franciscus fertilensis voluit dicē q dcā vocē
huiōi respiciat sōm usum ⁊ modū duplicē eloquendi quo rei vtūt dicēdo
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pt dici que reū pso defendit Exceptio que rea elidit de quo p so an in
dcō e de excep li vi in nouella Si q deficiūt reo dilatōis ⁊ hīt aliqua p
emptoēm p'uilegiata litis ntis impediente pt se ad illa qūtēs ⁊ opponē
com an litis ntis Et cit tunc forma exceptōis ista Cors nos hōn li vio
officii nl iudice tē Petūr p'ūro nos tlis rei ppoūt ⁊ dicūt exapiendo et
alia iure intpdcēm reum ⁊ actoēm pfatū coram tli iudice ipsiq rei competere
ti de ⁊ sup p'uso debito p ipm actoēm ab eodē reo ctl ex eadē cā tunc petito
Vel de ⁊ sup re in p'uso ipūs actoris libello petita quia actor p se ⁊ ad se
gnia nl ex tli cā tūc ctl assēūt p'ūnēr exstitit litigatū ⁊ ipe actor ab
eodē iudice cōn se sinaēm diffinitiāēm reptauit p quia reus iste ab eiq impe
tōn fuit absolutūs que sina appēn nd suspensa in rem tūsiuit iudicatū
Vel sic Cors nos tē usqi i exstitit litigandū ptes ipe spōte ⁊ libēr sup huiōi
qone ⁊ lite ad arbitros tūsicēt Qicēs ipa cā p tūspectoēm sopita e ⁊ extincta
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stante sl' re iudicata nl tūsactōis pdcā audiendū nd existit Quar pdcā
p'ūr rei petit p nos p'nūciari decīi ⁊ declārī pfatū actoēm sup impetitā
sua in cā huiōi nd esse audiendū ultiq nec ad agendū nd admittendū
pdcō reo in expēn litis gdampnetis Ista dz peti qn iste exceptōs opponē
an litis ntis ⁊ tūc ctl ssm istā exceptōis forma hīt iudicis p'nūciacō fiēi vt
no in c. de litis ntis li vi ppt qd cit tuciq exceptōs tlis defīre pty litis ntis
qua tūc absolūtūs reus sup p'ūs vt i no De quo in spe de excep q dcō
in ult colupna Ad hoc aut ut obstet excep rei iudicate plia hīt co
currē vel q idem sit corpus ⁊ qūitas idem modus petendi eadē qdēm p
sonarū ⁊ q reus possidet rem petita ab eo ipe sūt vt no in c penult de ex
cep ⁊ in ult c. de litis ntis li vi Iste ad nalitudinē ⁊ efficacia exceptōis
tūsactōis requīrūt q tūsactio terminēt Vnde pt actor cōn pdcās exceptōs