

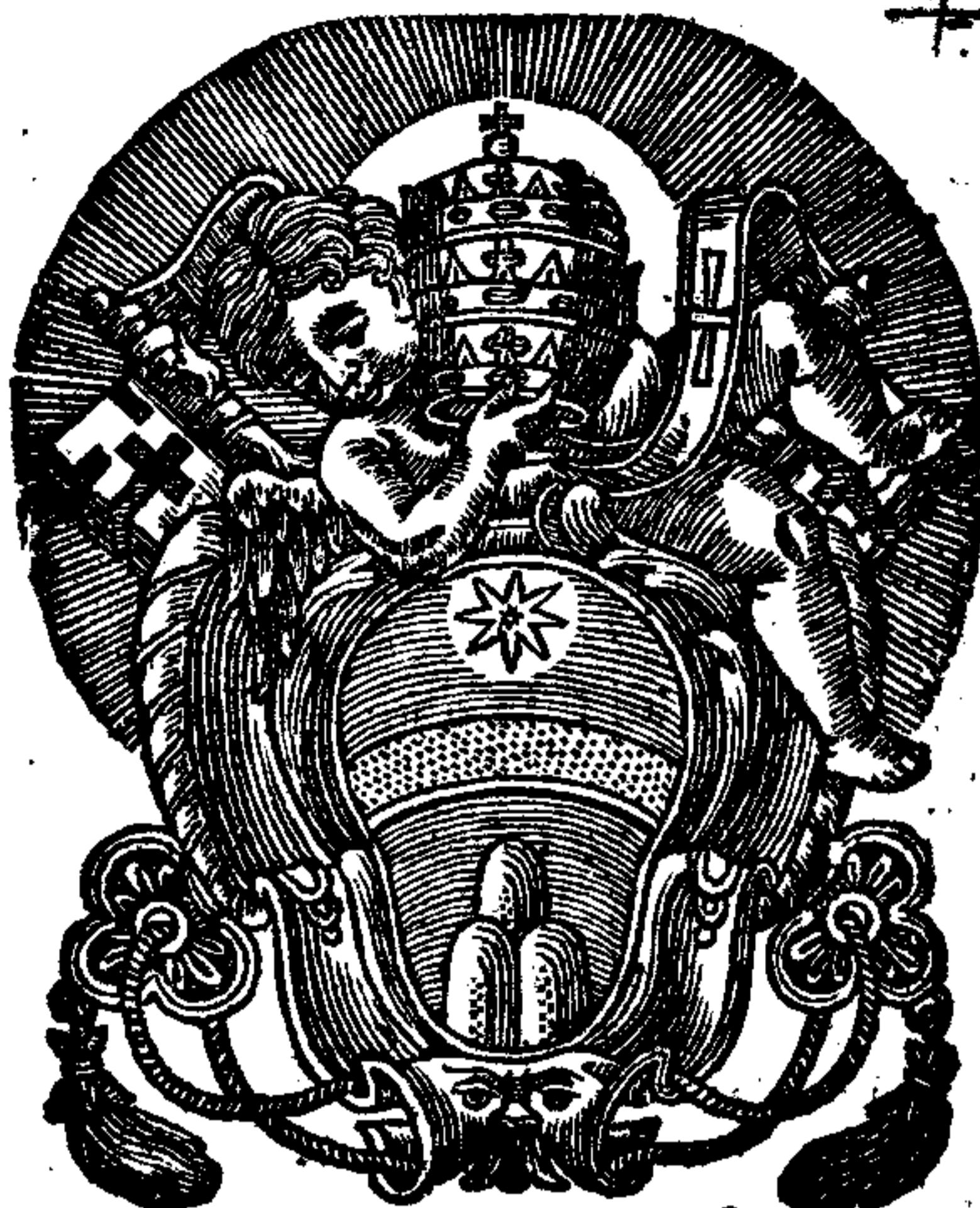
R.24.996

Foll. folio 64

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FOLL. Cap. 54-18



R. P. D.

ANSALDO

Compostellanæ Vicariæ S. Petri
de Porta , seu de Ecclesia
noua .

Veneris 28. Ianuÿ 1715.



D Vicariam S. Petri de Porta , seu de Ec-
clesia noua vacatam per mortem Andreæ
in mense Ianuario 1714. Abbas , & Mo-
ni Regij Monasterij S. Mariæ Soberado , ad
quos pro hac vice spectabat ius nominan-
di, deputarunt , & nominarunt Matthiam
cui coram Ordinatio Compostellano insti-
tutionem, seu approbationem expostulanti se opposuit Pro-
motor Fiscalis prætendens tales Vicariam providendam
per



per concursum, istoq[ue] subindē conuocato ratione vacatio-
nis in mense referuato S. Sedi, p[re]elegit Stephanum.

Appellarunt ab huiusce concorsus conuocatione tam Mat-
thias, quām Monasterium, obtinente comissione appel-
lationis mihi directa, obtinuerunt deindē inhibitionem Ro-
talem, quæ eti[am] legitimè præsentata fuerit memorato Ste-
phano, adhuc ille nullatenūs attenta inhibitione Rotali vi-
gore literarum suæ prouisionis possessionem adeptus fuit
controversæ Vicariæ, proptereaque disceptandum hodie
proposui dubium = *An constet de attentatis, ita ut sit cir-
cumscribenda possessio*, quod in omnibus DD. resoluerunt
Affirmatiuē.

Incontrovertibilia namque visæ sunt attentata, dum causa
appellationis à concursu, & p[re]electione Stephani commis-
sa fuit nostro Auditorio, antequam & expedirentur, ac in
partibus præsentarentur Executori literæ eiusdem Stepha-
ni, qui propterea nullatenūs poterat, posthabita inhibiti-
one Rotali, absque patenti incuso attentatorum, ac innega-
bili Tribunalis contemptu intrudi in possessionem prædicæ
Vicariæ ad tradita per Postb. resol. 4. num. 11. Rot. de-
cis. 406. num. 1. coram Buratt. & coram Priolo decis. 306.
num. 3. & 4. & seqq., & in Bononien. Bonorum super at-
tentatis 12. Maij 1710. §. Constat enim coram Reuerendissimo
Molines Decano.

Absque eo quod refragari valeat commissio obiecta per Mat-
thiam habens in ventre clausulam non tamen vigore literarum Apostolicarum, quæ æquipollit clausulæ sine præiu-
dicio literarum Apostolicarum, quoniam virtus præserua-
tiva talis clausulæ suum operari non potest effectum in ista
Hypothesi, in qua commissio appellationis ad Sac. Rotam
præcessit non solum præsentationem, sed etiam expeditio-
nem literarum Stephani, & sic prorsus inefficax remansit,
& non apta ad præseruandam earundem executionem, cum
trahi minimè possit ad lites futuras, & adhuc in rerum na-
tura non existentes, ut distinguendo tradit *Lott. de re be-
nefic. cap. 3. quist. 11. num. 37. clar. me. Card. de Luc. de
benefic. disc. 52. num. 13.* Et regulare est, quod Proutius
Apostolicus pendente lite possessionem apprehendens sem-
per attentare dicitur, quia literæ Apostolicæ tribuunt qui-
dem prouisionem Apostolicam in illa suppositione facti
enarrati Papæ, nullo autem modo ex mente eiusdem Papæ
collunt item de medio, & præcedenter existentem, ideo-
que

que sub prætextu illarum nemo potest colligantem eludere, & Iudicem inhibentem spernere ex animaduersis per Rot. dec. 152. num. 6. par. 11. rec., & in Dersusen. Beneficij super attentatis 28. Juny 1697. §. finali coram Emo Priolo cum alijs lato calamo adductis in Brixien. Beneficij 26. Aprilis 1709. coram Rmo Kaunitz.

Atque ex his demonstrato vitio attentatorum quo laborabat possessio Stephani in consequentiam resultabat, illam reuocandam esse, & circumscribendam, ne possessor attentans, & laedens Iudicis Maiestatem fruatur fructibus beneficij nulliter, & attentatè possessi ad notata per Lancellott. de, attentas. limit. 29. num. 3. Postb. de manut. resolut. 7. nu. 2. cum alijs in Anglonen. Attentatorum 5. Decembbris 1696. §. E' contra coram bo. me. Pio.

Et ita per Contradiccas &c.

ROMÆ, MDCCXV.
Ex Typographia Reuerendæ Cameræ Apostolicæ:

Superiorum permisso.

of plants and animals, and the
most abundant is probably the
black oak which covers about 1000
acres. It is followed by the white oak
and the red oak.

The black oak grows best on the
soil of the valley bottom, where it
is often found in great numbers.
The white oak is more common on
the hill slopes, and the red oak
is scattered throughout the forest.

There are also some smaller trees

such as the birch, maple, and pine.

The soil of the valley bottom is
rich and well-drained, while the
soil of the hill slopes is less肥沃。

The valley bottom is also more
humid than the hill slopes, which
is reflected in the greater
density of the forest.

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