Marculf II,7 (lat)

VII CARTA INTERDONATIONIS[a] INTER VIRO[b] ET FEMINA[c] DE EORUM RES[def]

Quicquid[g] enim[h] inter coniugatos[i] de propria facultate[j] manente caritate[k] pro[l] amorem[m] delectionis[n] invicem[o] condonare[p] placuerit, scripturarum[q] necesse est titulus[r] allegare[s] ne in posterum ab heredibus eorum vel a quemcumque[t] possit[u] convelli[v]

Igitur[w] ego in Dei nomen[x] **ille**[y] te: Dulcissima coniux mea **illa**[zaa] dum et[ab] inter nos[ac] procreatio[ad] filiorum minime esse videtur, ideo[ae] convenit[af] nobis, ut omne[ag] corpore facultatis[ah] nostrae[ai] invicem[aj] usufructuario[ak] ordine condonare deberemus[al] Quod ita et fecimus[am]

Proinde[an] dono tibi, dulcissima[ao] coniux mea, si mihi in hunc[ap] saeculum[aq] subrestis[ar] fueris, omni[as] corpore[at] facultatis[au] meae, tam de alode aut[av] de conparatum[aw] vel de qualibet[ax] adtractu[ay] ubicumque[az] habere videor et quod[ba] pariter in coniugium[bb] positi laboravimus, tam[bc] terris[bd] villabus[be] domibus cum omni[bf] praesidio[bg] acolabus[bh] mancipiis, vineis[bi] silvis campis, pratis, aquis[bj] aquarumve[bk] decursibus, aurum[bl] argentum[bm] vestimenta[bn] peculium[bo] utriusque sexus, maiore[bp] vel[bq] minore, ita ut, dum vixeris[br] usufructuario ordine valeas[bs] possidere[bt] vel dominare[bu] Excepto, quod pro animae[bv] remedium[bw] ad loca sanctorum condonavimus, ut inspecta nostra delegatione[bx] in omnibus conservetur[by] Et quantumcumque[bz] de alode nostra post[ca] meum discessum pro commune[cb] mercede[cc] ad loca sanctorum legaliter condonare et delegare[cd] volueris, hoc licentiam[ce] habeas faciendi, et inspecta[cf] ipsa[cg] delegatione[ch] inconvulsum permaneat. In reliquo[ci] vero omnes[cj] res ipsas[ck] quantum post tuum[cl] discessum intestamentum[cm] remanserit, ad nostros legitimos[cn] revertantur[co] heredis[cp]

Similiter et ego **illa**[cq] Dulcissime[cr] iugales[cs] meus[ct] **illi**[cu] commonit[cv] me[cw] dulcitudo[cx] tua in conpensationem[cy] rerum tuarum[cz] quod[da] in me visus es[db] contulisse. Si mihi in hunc[dc] saeculum[dd] suprestis[de] fueris[df] dono tibi omni[dg] corpore[dh] facultatis meae, ubicumque[di] aut[dj] undecumque[dk] tam de hereditate parentum quam de conparatum[dl] vel quod[dm] pariter laboravimus, totum et ad integrum, tam[dn] villabus, domibus *et cetera*[do]. Excepto quod pro animae[dp] remedium[dq] ad loca sanctorum delegavimus, ut inspecta ipsa instrumenta[dr] in omnibus conservetur. Et quid[ds] de ipsa alode mea post[dt] meum discessum[du] pro commune[dv] mercede[dw] ad loca sanctorum [delgare vel][dx] ingenuos[dy] relaxare volueris, licentiam[dz] habeas, et inspecta ipsa instrumenta[ea] in omnibus conservetur. Post[eb] tuum quoque discessum, quicquid[ec] intestamentum[ed] remanserit, ad nostros heredes, qui tunc propinquiores fuerint, revertatur.

Si quis[ee] vero, quod futurum esse non credimus, aliqui[ef] de heredibus nostris vel quicumque[eg] contra hanc[eh] interdonatione[ei] unde inter nos[ej] duas[ek] epistolas[el] unotenore conscriptas[em] firmavimus, venire aut eam[en] infrangere[eo] voluerit, nullatenus[ep] valeat[eq] vindicare[er] sed inferat partibus vestris cum cogente[es] fisco auri libras[et] **tantas**[eu] argenti[ev] **tantum**[ew] praesente[ex] vero aepistola[ey] in nullo possit convelle[ez] sed firma et inlibata[fa] permaneat[fb]

Stipulatione subnexa[fcfd]

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[a]INTERDONATIONIS] INTERDONATIONES *Le*$_1$, *Sg*$_2$, *Udd, Zeu*; *fehlt M*$_4$; INTER[...]NIS *Blatt beschädigt P*$_{16}^{a}$, *Zeu konnte noch* INTERDONATIONIS *lesen*; DONATIONIS *Lin*
[b]VIRO] VIRUM *M*$_4$, *P*$_{16}^{a}$, *Lin*

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[c]FEMINA] FAEMINA Le_1, *Udd*, *Zeu*; FEMINAM P_{16}^{a}; UXOREM M_4, *Lin*
[d]CARTA … RES] INCIPIUNT CARTAE *vor* CARTA INTER ... Sg_2
[e]DE … RES] *fehlt* Le_1, M_4; QUAE GESTIS MUNICIPALIBUS SIT ALLEGATA *Lin*
[f]RES] REBUS Sg_2
[g]Quicquid] quidquid *Lin*
[h]enim] *über der Zeile ergänzt* Sg_2; *fehlt Lin*
[i]coniugatos] coniugatos aut propinquos M_4; *verbessert aus* coniugatus P_{12}; coniugatus P_{16}^{a}, *Udd*; iugatis Sg_2
[j]propria facultate] propriis facultatibus M_4
[k]manente caritate] *fehlt Lin*
[l]pro] ob *Lin*
[m]amorem] amore M_4
[n]delectionis] dileccionis Le_1, *Udd*, *Zeu*; dilecci[...] *Blatt beschädigt* P_{16}^{a}; dilectionis M_4, Sg_2, *Lin*
[o]invicem] in invicem P_{12}; [...]em *Blatt beschädigt* P_{16}^{a}, *Zeu konnte noch* [...]cem *erkennen*
[p]condonare] alicui condonare M_4
[q]scripturarum] scribturarum Le_1, *Udd*, *Zeu*; hoc scripturarum M_4
[r]titulus] titulis Le_1, M_4, P_{16}^{a}, *Lin*, *Udd*, *Zeu*
[s]allegare] alligari Le_1, *Udd*, *Zeu*; alligare M_4, P_{16}^{a}, Sg_2
[t]quemcumque] quocumque M_4, Sg_2; quocunque *Lin*
[u]possit] posset Le_1, *Udd*, *Zeu*
[v]convelli] convelle Le_1, P_{16}^{a}, Sg_2, *Udd*, *Zeu*; evelli M_4; *nach* convelli *folgt:* quia secundum legem, si manente coniugio vir uxori, vel uxor marito aliquid donaverit, si is cui donatum est, prior mortuus fuerit, apud donatorem ea quae donata fuerint, remanebunt *Lin*
[w]Igitur] idcirco M_4
[x]nomen] nomine M_4, Sg_2, *Lin*
[y]ille] ill̄ Le_1, M_4, Sg_2; il̄ P_{12}, P_{16}^{a}; ill. *Lin*; ill(i) *ediert Udd*
[z]te … illa] *fehlt* M_4
[aa]illa] ill̄ Sg_2; il̄ P_{12}, P_{16}^{a}; ill. *Lin*
[ab]et] *fehlt Lin*
[ac]dum … nos] dum inter me et coniugem meam ill̄ M_4
[ad]procreatio] procreacione P_{16}^{a}, Sg_2
[ae]ideo] *fehlt* M_4; ideoque P_{16}
[af]convenit] convinit P_{16}^{a}, *Udd*
[ag]omne] omnem M_4; omni P_{16}^{a}, *Udd*, *Lin*
[ah]corpore facultatis] rem proprietatis M_4
[ai]nostrae] nostre P_{16}^{a}, *Udd*
[aj]invicem] inter nos M_4
[ak]usufructuario] fructuario M_4
[al]deberemus] debemus P_{12}; debeamus *Lin*
[am]Quod … fecimus] *fehlt* M_4
[an]Proinde] propterea M_4
[ao]dulcissima] o dulcissima M_4
[ap]hunc] hoc M_4, Sg_2, *Lin*
[aq]saeculum] scl̄m Le_1, P_{12}; seculum P_{16}^{a}, *Udd*, *Zeu*; scl̄o M_4; seculo Sg_2, *Lin*
[ar]subrestis] = superestis; supraestis Le_1; superstis M_4, Sg_2; *verbessert aus* subreptis P_{12}; subrestis P_{16}^{a} superstes *Lin*; suprestis *emendiert Zeu*
[as]omni] omnem M_4; omne P_{16}^{a}, Sg_2, *Lin*
[at]corpore] rem M_4; corpus *Lin*
[au]facultatis] proprietatis M_4
[av]aut] quam et M_4
[aw]conparatum] conparato M_4; comparato *Lin*
[ax]qualibet] quolibet M_4, *Lin*
[ay]adtractu] adtracto M_4; *auf Rasur* P_{12}; adstractu Sg_2
[az]ubicumque] ubicumquae Le_1, *Udd*, *Zeu*; ubicumque aliquid M_4; ubicunque *Lin*
[ba]quod] omne quod M_4
[bb]coniugium] congugium Le_1; coniugio M_4, Sg_2, *Lin*
[bc]tam] id est *ergänzt vor* tam M_4
[bd]terris] in terris M_4; de terris *Lin*

[be]villabus] domibus villabus Le_1; quam in silvis campis pratis pascuis perviis appenditiis M_4; villis Sg_2
[bf]cum omni] *fehlt* M_4; *über der Zeile ergänzt* P_{12}; cum omne P_{16}^{a}, *Udd*
[bg]praesidio] *fehlt* M_4; presidio Sg_2
[bh]acolabus] accolabus Le_1, M_4, P_{16}^{a}, *Lin*, *Zeu*
[bi]vineis] viniis P_{16}^{a}, *Udd*
[bj]silvis … aquis] *fehlt* M_4
[bk]aquarumve] aquerumve Le_1, *Udd*, *Zeu*; cum aquarum M_4
[bl]aurum] necnon aurum et M_4; auro *Lin*
[bm]argentum] et argentum Sg_2; argento *Lin*
[bn]vestimenta] vestimentum P_{16}^{a}, Sg_2; vestimentis *Lin*
[bo]peculium] pecora M_4; *fehlt* Sg_2; peculio *Lin*
[bp]maiore] maiorae Sg_2
[bq]vel] et *Lin*
[br]vixeris] advixero Le_1; advixeris P_{16}^{a}, *Udd*, *Zeu*
[bs]valeas] valias P_{16}^{a}, *Udd*
[bt]possidere] possedere P_{16}^{a}, *Udd*
[bu]dominare] dominari *Lin*
[bv]animae] anime nostre P_{16}^{a}, nostre *in margine ergänzt*; anime *Udd*
[bw]remedium] remedio Sg_2, *Lin*
[bx]delegatione] deligatione Le_1, *Zeu*; deligacione P_{16}^{a}, *Udd*; delegacione Sg_2; delegatio *Lin*
[by]conservetur] servetur *Lin*
[bz]quantumcumque] quantumcunque *Lin*
[ca]post] p; P_{16}^{a}; pus *ediert Udd*
[cb]commune] communi *Lin*
[cc]mercede] mercide Le_1, *Udd*, *Zeu*; mercedem P_{16}^{a}
[cd]delegare] deligare Le_1, *Udd*, *Zeu*; ligare P_{16}^{a}
[ce]licentiam] licenciam P_{16}^{a}, *Udd*
[cf]inspecta] si specta Sg_2
[cg]ipsa] *fehlt* P_{12}, *Lin*
[ch]delegatione] deligatione Le_1, *Zeu*; diligacione P_{16}^{a}, *Udd*; deligacione Sg_2
[ci]reliquo] relico Le_1, P_{16}^{a}, *Udd*, *Zeu*
[cj]omnes] ones P_{16}^{a}
[ck]ipsas] *fehlt Lin*
[cl]post tuum] postuum P_{16}^{a}; pos tuum *emendiert Udd*
[cm]intestamentum] intestatum Le_1, P_{16}^{a}, *Udd*, *Zeu*; in testamento *Lin*
[cn]legitimos] *verbesert aus* legitimus P_{12}; legitimus P_{16}^{a}, *Udd*
[co]revertantur] revertatur Le_1, P_{12}, *Udd*, *Zeu*
[cp]heredis] heredes Le_1, P_{16}^{a}, Sg_2, *Lin*, *Zeu*
[cq]illa] ill. *Lin*
[cr]Dulcissime] dulcissimae P_{16}^{a}, *Udd*; dulcissima Sg_2
[cs]iugales] iogalis Le_1, *Udd*, *Zeu*; iugalis P_{16}^{a}, Sg_2, *Lin*
[ct]meus] *fehlt* Sg_2; mi *Lin*
[cu]illi] ill̄ P_{12}, Sg_2 *und* il̄ P_{16}^{a}; ill. *Lin*
[cv]commonit] commonet P_{16}^{a}, Sg_2, *Lin*
[cw]me] *ergänzt* P_{12}
[cx]dulcitudo] dulcido Le_1, *Udd*, *Zeu*; dulcedo P_{16}^{a}, Sg_2
[cy]conpensationem] conpensatione Le_1, *Zeu*; *verbessert aus* conpensatione P_{12}; conpensacione P_{16}^{a}, Sg_2, *Udd*; compensatione *Lin*
[cz]tuarum] *fehlt* P_{16}^{a}
[da]quod] quas *Lin*
[db]es] ē Le_1; est P_{16}^{a}
[dc]hunc] hoc Sg_2, *Lin*
[dd]saeculum] sclm̄ Le_1, P_{12}; seculum P_{16}^{a}, *Udd*, *Zeu*; seculo Sg_2, *Lin*
[de]suprestis] supraestis Le_1, *Udd*; superstis Sg_2; superstes *Lin*
[df]fueris] *fehlt* P_{16}^{a}
[dg]omni] omne P_{16}^{a}, Sg_2, *Lin*
[dh]corpore] corpus *Lin*

[di]ubicumque] ubicunque *Lin*
[dj]aut] *fehlt* P_{12}, *Lin*
[dk]undecumque] undecunque *Lin*
[dl]conparatum] conparatu Sg_{2}; comparato *Lin*
[dm]quod] de quod P_{16}^{a}, Sg_{2}
[dn]tam] *fehlt* Sg_{2}; cum *Lin*
[do]cetera] citera Le_{1}, *Udd*, *Zeu*, *Udd*; reliqua *Lin*
[dp]animae] anime nostre P_{16}^{a}; anime *Udd*
[dq]remedium] remedio *Lin*
[dr]inspecta … instrumenta] inspectis ipsis instrumentis *Lin*
[ds]quid] quicquid Le_{1}, P_{16}^{a}, Sg_{2}, *Udd*, *Zeu*; quod *Lin*
[dt]post] p; P_{16}^{a}; pus *ediert Udd*
[du]discessum] discesum P_{16}^{a}, *Udd*
[dv]commune] communi *Lin*
[dw]mercede] mercide Le_{1}, *Udd*, *Zeu*
[dx]delgare vel] [...] *Rasur* P_{12} *ergänzt wie oben*; deligavimus vel Le_{1}; delegaveris sive *Lin*; *nur* vel P_{16}^{a}, Sg_{2}; deligare vel *ergänzen Udd*, *Zeu*
[dy]ingenuos] *verbessert aus* ingenuus P_{12}; ingenuus P_{16}^{a}, *Udd*
[dz]licentiam] licenciam P_{16}^{a}, *Udd*
[ea]inspecta … instrumenta] et inspecto ipso instrumento in omnibus conservetur et quod de ipsa alode mea post meum discessum pro communi mercede ad loca sanctorum delegaveris sive ingenuos relaxare volueris licentiam habeas et inspecto ipso instrumento *Lin*
[eb]Post] p; P_{16}^{a}; pus *ediert Udd*
[ec]quicquid] quidquid *Lin*
[ed]intestamentum] intestatum Le_{1}, P_{16}^{a}, *Zeu*; in testamento *Lin*
[ee]quis] qui *Lin*
[ef]aliqui] aliquid Le_{1}, P_{16}^{a}, Sg_{2}, *Udd*, *Zeu*
[eg]quicumque] quicunque *Lin*
[eh]hanc] *fehlt* Sg_{2}
[ei]interdonatione] interdonacione P_{16}^{a}, *Udd*; interdonacionem Sg_{2}; donationem *Lin*
[ej]nos] n; P_{16}^{a}; nus *ediert Udd*
[ek]duas] *fehlt* P_{12}, *Lin*
[el]epistolas] *fehlt* P_{12}, P_{16}^{a}, *Lin*; *ausgelassen Udd*
[em]unotenore … conscriptas] unotinore conscribtas Le_{1}, *Udd*, *Zeu*; uno denore Sg_{2}; uno tempore conscriptos *Lin*
[en]eam] *fehlt* P_{12}, *Lin*
[eo]infrangere] infrangire Le_{1}, P_{16}^{a}, *Udd*, *Zeu*; infringere *Lin*
[ep]nullatenus] nullatinus P_{16}^{a}, *Udd*
[eq]valeat] valiat P_{16}^{a}
[er]vindicare] evindicare *Lin*
[es]cogente] agente P_{16}^{a}
[et]libras] lib̄ Le_{1}, P_{12},
[eu]tantas] tan̄t Le_{1}; tan̄ P_{12}, P_{16}^{a}; tantum Sg_{2}; tant. *Lin*
[ev]argenti] argentum Sg_{2}
[ew]tantum] tan̄ P_{12}, P_{16}^{a}; tant. *Lin*
[ex]praesente] praesentem Le_{1}; presentem Sg_{2}; praesens *Lin*
[ey]aepistola] aepistl̄ P_{12}; epistolam Le_{1}, Sg_{2}, *Zeu*; epistulam P_{16}^{a}; epistola *Lin*
[ez]convelle] convelli Le_{1}, P_{16}^{a}, Sg_{2}, *Lin*, *Zeu*
[fa]inlibata] inconuulsa Sg_{2}; inlibate *Lin*
[fb]permaneat] permaniat P_{16}^{a}, *Udd*
[fc]utriusque … subnexa] *fehlt* M_{4}, *die Formel endet dort nach* pecora *mit* cum omnibus quae dici vel nominari possunt
[fd]Stipulatione subnexa] *fehlt* P_{12}, Sg_{2}, *Lin*; Stipulatione subnixa P_{16}^{a}

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