

EGVINARII

B A R O N I S I V-

R E C O N S. L E O.

N E N S I S

A D

Obertum Ortenfium, de Be-
neficiis, Commentarii, Me-
thodo in eundem
fubiekti.



V I R T V T E D V C E,



C O M I T E F O R T V N A.



L V G D V N I A P V D S E B.
G R Y P H I V M,
M. D. X L I X.

RENATVS CRE-

SPINVS BENEVOLO

LECTORI

S. D.



*V M D N. Eguin. Baro hisce suis ad Obertum Orten-
sum commentarijs, candidè lector, epistolam nullam
præponere statuisse: præsertim quòd in epistola, quam
suis de iure beneficiorum libris præfixerat, & copiosè,
& ornatè, de utilitate, & frequenti beneficiorum usu
differuisset: temperare mihi ipse non potui, quin quid
de Oberto sentirem, in ipso operis lumine perstringerem. Existant enim ple-
rique his temporibus, qui aliquam sortè sermonis elegantiam longo studio, et
labore consecuti, iuris candidatos, non alia de causa ab Ober. Ortensij lectio-
ne diuellere conantur, quàm quòd Latine, atque adeo Ciceronianè, hunc de
Beneficijs tractatum non conscripserit: ignari nobilissimam, maximeq; ne-
cessariam iuris partem, ab uno Ortensio plenissimè scriptam, literis contine-
ri. Nos uerò ab istiusmodi hominibus, quibus nihil placet, nisi quod Tullia-
nam eloquentiam redoleat, neque nos circumueniri patiamur, neque in eo scri-
ptorè dies, ac noctes tantisper uersari pudeat, dum consequamur, ut præci-
pua iuris partem, nimirum de Prædijs beneficiarijs, & possessorum con-
ditione, intelligamus: quarum rerum peritos, Cicero Prædiatores appellat.
Vti enim apicularum sedulum, & operosum examen, ad mellificium ex
ipsis carduis etiam suauem colligit succum: simili nos ratione par est, non
Latine lingue puritatem (quam olim aliunde didicisse oportuit) sed usum
Beneficiorum in foro, & in iudicijs frequentissimum, ex Ortensij carduis,
& paluris, uelut succum quendam dulcissimum carpere. Quibus hæc non
faciunt satis, Eguin. Baro consuluit, & sua diligentia effecit, ut ineptis hisce
cauillis nullus iam locus relictus sit. Is primum Ortensij libros barbarè olim
pro temporum consuetudine conscriptos, interpolauit: suumq; eis scribendi or-
dinem, ac stylum à ueterum Iureconsultorum oratione non abhorrentem, ad-
iunxit. Nam cum Ortensius, siue occupationibus suis in respondendo de iure,
& causis beneficiorum iudicando, siue alia de causa impeditus, duos libros
uelut in aduersaria coniectos, nullaq; methodo compositos, posteritati reli-
quisset: Baro totum librorum argumentum, pulchrè in ordinem confecit: &
ex ueteribus Iureconsultis, uiam, & rationem de iure scribendi mutuatus,
Methodum in quatuor libros digessit: primum τὸν πρῶτον, secundum*

OBERTI ORTEN-
SII CONSVETV-
DINES FEV-

DORVM.



De iis qui feudum dare possunt,
& qui non: & qualiter acquiratur,
& retineatur.

TITVLVS I.



VIA de Feudis tractaturi sumus, uideamus
primum, qui feudum dare possunt. Feudum
autem dare possunt, Archiepiscopus, Episco-
pus, Abbas, Abbatissa, Præpositus, si antiquis
consuetudo eorum fuerit feudum dare.
Marchio & Comes similiter feudum dare
possunt, qui propriè regni uel regis Capitanei dicuntur. Sunt
& alij, qui ab istis feuda accipiunt, qui propriè regis uel regni
Valuatores dicuntur: sed hodie Capitanei dicuntur, seu appel-
lantur: qui & ipsi feuda dare possunt. Ipsi uerò qui ab eis acci-
piunt feudum, Minores ualuatores dicuntur.

AD OBERTVM ORTEN-
SIVM DE BENEFICIIS COMMEN-
TARII METHODO IN EVN-
DEM SVBIE-
CTI.

Ait, Consuetudines Feudorum. Non sine causa Consuetudi-
nes Ortensius opus suum inscribit, in quo uarios regionum, municipi-
orum, curiarumq; mores adducit. ^a & hos quidem plerunq; ex dia-
metro inter se pugnantes. Quanquam consuetudinem Mediolanen-
sium maximè conscribit: apud quos pragmaticus fuit, & causas bene-
ficiarias sibi delegatas frequenter cognouit, & iudicauit. ^b Quod per-
inde est, atque si Gallus pragmaticus, consuetudines Regni huius de
Beneficijs, & præcipuè consuetudinem suæ regionis, quæ nondum li-
teris contineatur, posteris suis plenissimè scriptam relinquat: & obiter

^a inf. tit. 1. in
fi. tit. 13. tit.
24. lib. 1. &
tit. 9.

^b Tit. 1. lib. 1.

THE CONSTITUTION OF THE UNITED STATES

Article I
Section 1
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
Section 2
The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors in that State.
Section 3
The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have the Qualifications requisite for Senators in that State.
Section 4
The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and the Electors in each State, shall have the Qualifications requisite for Electors in that State.
Section 5
The Senate shall have the sole Power to try all Impeachments, when the House of Representatives shall have impeached; and no Person shall be convicted without the Concurrence of two thirds of the Members present.
Section 6
The Senators and Representatives shall receive Compensation for their Services, which shall not be increased during the Time for which they are elected.
Section 7
All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Form of such Bills.
Section 8
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Section 9
The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
Section 10
No State shall enter into any Treaty, Alliance, or Confederation, or State shall enter into any Agreement or Compact with another State, or with a foreign Nation, or with the Indian Tribes, without the Consent of the Congress, provided that such Agreements or Compacts shall not be repugnant to the Laws of the United States; and no State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its Insular, Maritime, or other Laws; and no State shall, without the Consent of the Congress, coin Money, or emit Bills of Credit, or make any Thing but gold and silver Coin a Tender in Payment of Debts; and no State shall, without the Consent of the Congress, pass any Law of Bankruptcy, or of Ex post facto Laws, or retroactive Laws, or Laws impairing the Obligation of Contracts, or grant any Title of Nobility.



Printed and Sold by J. B. Rieu, at the Old Bailey, London.
1800.