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Das Passauer Stadtrecht vom 19. März 1225. *)

In¹⁾ nomine domini Amen. Gebhardus episcopus in perpetuum. Ut status nostre civitatis non solum armis et municionibus, verum etiam iuris et legalium institutionum sanctionibus decoretur, per quas civilis insolentie rabies reprimatur, una cum choro nostro, Ministerialibus ac civibus duximus consedendum, subscripta iura secundum legalia instituta, prout singuli casus exegerint, communicato tam ipsius chori quam ministerialium²⁾ quam etiam Civium consilio providimus in perpetuum irrefragabiliter conservanda. **1.** Primum itaque firmiter ac provide statuimus inviolabiliter observandum, quod si aliquis in nostram veniens civitatem ius in ea habere volens obtinuerit emphitoesim id est ius civis, quod vulgaliter dicitur purchreht, et impulsatus forsitan a quoquam fuerit, eo quod sit mancipium ipsius, impulsatus impulsanti in preiudicium libertatis civitatis extra civitatem non debet aliquatenus assignari. **2.** Quicumque rei alicuius debitor est alteri, si debitor domum habuerit in civitate et creditori suo debitum illud solvere detardat, si super hoc legitime citatus in iudicio comparere neglexerit, iudex creditori domum debitoris pro proprio assignabit, et si debitor infra annum non redimat domum, de cetero nemini super eadem domo creditor debeat respondere. Si vero debitor medio tempore mutuuum, quod accepit, velit reddere creditori, domum, que sibi obligata fuerat, non audeat creditor denegare. **3.** Si quis in comitia³⁾ civitatis domum vel agrum emit et possidet emptionem talem et utitur ea iure civili per spacium unius anni et unius diei et si a nemine inpulsetur infra spacium temporis iam dicti, statuimus, ut possessionem illam quiete debeat possidere, nisi forte fuerit, quod aliquis extra provinciam sit constitutus peregrinatione vel alia causa legitima impediende. qui dum reversus fuerit, a die sui reditus per annum medio tempore in-

*) Authentischer Abdruck nach der ältesten und getreuesten Kopie der verlorenen Originalurkunde auf Grund des Codex Lonsdorf. (13. Jh.) des H. StA. M., Passau Hochstift, Lit. Nr. 3, fol. 104b bis 106b. Bereits früher, jedoch mangelhaft abgedruckt in MB. 28b, p. 308—314, ferner bei Gengler, StR. S. 344—348; übersezt, jedoch nicht fehlerfrei, bei Erhard, I, S. 81—86.

¹⁾ Die Initiale I, für deren spätere Eintragung Platz gelassen ist, fehlt.

²⁾ hs.: misterialium.

³⁾ hs.: commitia.