

## Institutes Of Roman Law With Active Table Of Contents

Reprint of the original, first published in 1867.

Roman law is the foundation of all European legal systems. Lee's Elements of Roman Law was first published in 1944, and the fourth edition, now reprinted, appeared in 1956. After a brief introduction the book comprises a title by title translation of the Institutes of Justinian together with an exposition of each topic.

The Institutes are a complete exposition of the elements of Roman law and are divided into four books—the first treating of persons and the differences of the status they may occupy in the eye of the law; the second of things, and the modes in which rights over them may be acquired, including the law relating to wills; the third of intestate succession and of obligations; the fourth of actions and their forms. For many centuries they had been the familiar textbook of all students of Roman law.

"The Institutes" of Gaius, written about the year AD 161, was an introductory textbook of legal institutions divided into four books: the first treating of persons and the differences of the status they may occupy in the eye of the law; the second of things, and the modes in which rights over them may be acquired, including the law relating to wills; the third of intestate succession and of obligations; and the fourth of actions and their forms. Another circumstance which renders the work of Gaius more interesting to the historical student

## Online Library Institutes Of Roman Law With Active Table Of Contents

than that of Justinian, is that Gaius lived at a time when actions were tried by the system of formulae, or formal directions given by the praetor before whom the case first came, to the iudex to whom he referred it. Without a knowledge of the terms of these formulae it is impossible to solve the most interesting question in the history of Roman law, and show how the rigid rules peculiar to the ancient law of Rome were modified by what has been called the equitable jurisdiction of the praetors, and made applicable to new conditions, and brought into harmony with the notions and the needs of a more developed society. It is clear from evidence of Gaius that this result was obtained, not by an independent set of courts administering, as in England previous to the Judicature Acts, a system different from that of the ordinary courts, but by the manipulation of the formulae. In the time of Justinian the work was complete, and the formulary system had disappeared. The work was lost to modern scholars, until, in 1816, a palimpsest was discovered by B. G. Niebuhr in the chapter library of Verona, in which some of the works of St. Jerome were written over some earlier writings, which proved to be the lost work of Gaius. The greater part of the palimpsest has, however, been deciphered with the help of August von Bethmann-Hollweg, and the text is now fairly complete. More recently, two sets of papyrus fragments have been found. The discovery of Gaius' work has thrown a flood of light on portions of the history of Roman law which had previously been most obscure. Much of the historical information given by Gaius is wanting in the compilations of Justinian, and, in particular, the account of the ancient forms of procedure in actions. In these forms can be traced "survivals" from the most primitive times, which provide the science of comparative law with valuable illustrations, which may explain the strange forms of legal procedure found in other early systems.

## Online Library Institutes Of Roman Law With Active Table Of Contents

The Institutes of Roman Law Gai Institutiones Institutes of Roman Law Jazzybee Verlag

An indispensable reference to Roman Law, with an introductory essay by Erwin Grueber of Balliol College, Oxford.

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Excerpt from The Institutes of Roman Law IN translating Professor Sohm's Treatise on Roman Law I have been obliged to follow an arrangement, and to avail myself of expressions, to which, in some instances, English readers, not familiar with the terminology and methods of exposition in use among German jurists, will perhaps be inclined to take exception. Such a phrase as obligatory right, ' or 'petitory action, ' or heir by necessity, ' will strike them as no less strange than the arrangement which treats of the law of procedure under the heading of the law of property. But

## Online Library Institutes Of Roman Law With Active Table Of Contents

where the Object is to produce a close and faithful translation, the order of the original must, I conceive, be strictly adhered to; and where phrases such as *Forderungsrecht*, 'petitorische Klage', 'Noterbe', occur, for which we have no equivalent at all, or, at any rate, no recognised rendering, translations must be found which, if they are to be accurate, must of necessity be more or less unfamiliar. And this unfamiliarity will not be without its advantages if it saves the student from erroneously importing into a German treatise the ideas associated with some of the commoner terms of English jurisprudence. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at [www.forgottenbooks.com](http://www.forgottenbooks.com) This book is a reproduction of an important historical work. Forgotten Books uses state-of-the-art technology to digitally reconstruct the work, preserving the original format whilst repairing imperfections present in the aged copy. In rare cases, an imperfection in the original, such as a blemish or missing page, may be replicated in our edition. We do, however, repair the vast majority of imperfections successfully; any imperfections that remain are intentionally left to preserve the state of such historical works.

Excerpt from Gai Institutiones: Or Institutes of Roman Law  
The death of the author of this Commentary and Translation has taken from us one who in the intervals allowed him by his official duties gave himself with single-minded devotion to the acquisition and furtherance of knowledge. 'Omnium, quos cognovi, doctissimus' were the words in which Mr. Poste's great erudition was commemorated by the Vice-Chancellor of the University, the distinguished head of the distinguished College of which Mr. Poste was almost the senior Fellow; and certainly no one can read this Commentary without being impressed by the writer's philosophic spirit and extensive learning. It is especially remarkable that a scholar, who was

## Online Library Institutes Of Roman Law With Active Table Of Contents

never engaged in the teaching or practice of law, should have produced a legal textbook, which perhaps more than any other makes intelligible to English students the teaching of the great German masters of Roman jurisprudence and at the same time never fails to be interesting by reason of its own force and individuality. In re-editing this well-known work, at the request of Mr. Poste's executors and of the Delegates of the Clarendon Press, my endeavour has been to preserve as far as possible the character which Mr. Poste himself gave it, while making such alterations as seemed to be required at the present time. As Mr. Poste never revised his Translation and Commentary with any completeness since they were first published, their revision for this edition has been a more considerable undertaking than would otherwise have been the case. It should be noticed that the part of the Commentary relating to analytic jurisprudence has been much curtailed in the present edition. This has been done by the advice of persons engaged in the teaching of Roman law at Oxford, who are of opinion that the insertion of so much matter bearing on the general theory of law has rendered the Commentary unnecessarily difficult to students and that the subject is one better left to independent treatises. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at [www.forgottenbooks.com](http://www.forgottenbooks.com) This book is a reproduction of an important historical work. Forgotten Books uses state-of-the-art technology to digitally reconstruct the work, preserving the original format whilst repairing imperfections present in the aged copy. In rare cases, an imperfection in the original, such as a blemish or missing page, may be replicated in our edition. We do, however, repair the vast majority of imperfections successfully; any imperfections that remain are intentionally left to preserve the state of such historical works. Gaius was a Roman jurist of the 2nd century AD. His

## Online Library Institutes Of Roman Law With Active Table Of Contents

Institutes is an important legal textbook covering all the elements of Roman law. This volume contains a useful Introduction, English translation and the Latin text of Seckel and Kuebler. Its aim is to make the Institutes, one of the seminal works of Roman law, accessible to students with little or no Latin.

"AD 81. Agricola, the ruthless governor of Roman British is intent on capturing the last unconquered territory in Britain - Alba, Scotland." "Rhiann is an Alban priestess and princess who submitted to a political marriage to Eremon, an exiled Irish prince. Out of duty, grew love - a powerful and desperate love that will bind them together through conflict and betrayal. Now in them lies the hope of a nation. for Agricola's army is formidable - brilliantly armed and heavily supported. To the people of Alba it is a wall of steel and fire advancing across their homeland, bringing with it desolation." "The predestined day draws near: the armies of Alba and Rome will meet in an epic battle to decide the fate of a country. Rhiann searches for guidance in the spirit world, little realising how big a part she will play in this endgame. Eremon knows only that he must risk - and sacrifice - many lives, perhaps even his own."--BOOK JACKET.

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## Online Library Institutes Of Roman Law With Active Table Of Contents

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Excerpt from A History of Roman Law: With a Commentary on the Institutes of Gaius and Justinian In the early ages of the Christian era the Roman empire embraced all the countries around the Mediterranean Sea, together with vast tracts north of the Alps, and stretching in an unbroken line eastward along the Danube to its mouth, and westward and northward to the Atlantic Ocean, St. George's Channel, the Solway Frith, and the North Sea. Or, as Gibbon has it, The empire was about two thousand miles in breadth, from the wall of Antoninus and the north ern limits Of Dacia to Mt. Atlas and the tropic of Cancer; it extended in length more than three thousand miles, from the western ocean to the Euphrates; it was situated in the finest part of the temperate zone, between the twenty-fourth and fifty-sixth degrees of northern latitude; it was supposed to contain about square miles, for the most part of fertile and well cultivated land. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at [www.forgottenbooks.com](http://www.forgottenbooks.com) This book is a reproduction of an important historical work.

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