LEXICON
LATIN - ENGLISH

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LEXICON

INSTITUTIONUM GAI ET INSTITUTIONUM JUSTINIANI

LATIN-ENGLISH

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PRETORIA
The Institutiones of Gaius (c. 161 A.D.) and its successor, the Institutiones of Justinian (533 A.D.), were in their own time, as well as down through the centuries, important text books for students of Roman Law. They remain today important texts for students' early ventures into Roman Law, as well as into legal Latin.

This important fact — their usefulness particularly for tuition of beginners in Legal Latin and Roman Law — was the motive for the compilation of this Lexicon (in two volumes: Latin-English and Latin-Afrikaans) based solely on these two Institutiones. For anyone wishing to initiate a student into the reading of legal sources in Latin is soon confronted with the question of a suitable dictionary to be prescribed. In order to be suitable such a dictionary should satisfy several essential requirements: it should be adequate for at least a part of Latin legal literature; it should provide direct access to the legal language of such literature (thus eliminating the time consuming search for the technical legal meaning of a word among many other meanings); it should be generally comprehensible to the students making use of it; it should be of manageable size, and should not be too expensive. A legal Latin dictionary complying with all these requirements is unfortunately not available. The compilers believe that this Lexicon will supply this particular need.

For a complete list of Latin words used in the two Institutiones the following books were consulted: Zanzucchi P.P., Vocabolario delle Istituzioni di Gaio, Botte-
For the notes on proper names appearing in the *Institutiones* the main source of help was Heuman H. – Seckel E., *Handlexicon zu den Quellen des römischen Rechts*, 10 Auflage 1958, Akademische Druck- u. Verlaganstalt, Graz. Word meanings of the Latin vocabulary of the *Institutiones* were consistently determined by the context in which they appear.

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The compilers trust that the Lexicon will be of use, particularly to junior students of Latin and Roman Law.

*Compilers: H.L. Gonin  
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ABBREVIATIONS
LATIN AND ENGLISH

abl. — ablativus/ablative
abbr. — abbreviatio/abbreviation, abbreviated
abs. — absolutus/absolute
acc. — accusativus/accusative
adj. — adjectivus/adjective
adv. — adverbium/adverb, adverbial
advers. — adversativus/adversative
alci., ales., alqm., alqd., alqa. — alicui, alicuius, aliquem, aliquid, aliqua
   (v. aliquis)
ant. — antonym, antonymous
aor. — aoristus/aorist
c. — communis generis/of common gender
c. or c. — circa/about
card. — cardinalis/cardinal
cl. — clause
class. — classicus/classic
comp. or compar. — comparativus/comparison/comparative
conj. — conjunctio/conjunction
const. — constitutio/imperial law
Const. imp. — Constitutio “Imperatoriam maiestatem ...” — preamble to
Justinian’s Institutiones
Const. imp. ins. — Constitutionis "Imperatoriam maiestatem …" inscriptio  
(q.v.)
correl. — correlative
dat. — dativus/dative
DEF — definitio/definition
defect. — defectivus/defective
deg. — degree
demonstr. — demonstrativus/demonstrative
dep. — deponentes/deponent
determ. — determinative/determinate
disj. — disjunctivus/disjunctive
distr. or distrib. — distributivus/distributive
e.g. — exempli gratia/for example
ellipt. — elliptic/elliptical
encl. — encliticus/enclitic
f. or fem. — femininus/feminine
f. — finis/end
fig. — figurativus/figurative
fut. — futurus/future
FORM — formula
Front. inst. — Frons institutionum/inscriptio (Justiniani) institutionum/title of
(Justinian's) Institutes
gen. — genetivus/genitive
geog. — geographical
G. — Gaius
Gr. — Greek
hapax — hapax legomenon/word used only once
i.q. — idem quod/the same as
ibid. — ibidem/in the same place
imper. or imperat. — imperativus/imperative
impers. — impersonal
incom. — incommodi/of disadvantage
ind. or indic. — indicativus/indicative
indecl. — indeclinabilis/indeclinable
indef. — indefinitus/indefinite
indic. — v. ind.
indir. — indirect
infin. or inf. — infinitivus/infinitive
init. — initium/beginning
ins. — inscriptio/title
inst. — institutio/institution
interr. or interrog. — interrogativus/interrogative
intr. — intransitivus/intransitive
irreg. — irregular
J. — Justinianus/Justinian
lit. — literal(ly)
loc. — locus/place
untr. — untranslated
vb. or verb. — verbum/verb
voc. — vocativus/vocative

REFERENCES
E.g.: J.1.2.7 or 1.2.7: Justinianus, Institutiones, Liber 1, Titulus 2, paragraph 7.
G.1.127: Gaius, Institutiones (Commentarii), Book (Commentarius) 1, paragraph 127.

QUANTITY OF VOWELS
As a rule only the penultimate long vowel (of a word containing three or more syllables) has been marked long (e.g. acceptilatiōnis) so as to ensure correct accentuation when pronouncing such a word.
a, ab, abs prep. + abl. a (movement) from ursus fugit a domino the bear fled from his owner (4.9 pr.; v. discedo a; repello) b (separation, removal) from abstinere se ab hereditate abstain from the succession (G.2.158; 2.19.2 ad f.; v. avoco; excludo; excuso; libero; recedo; removeo; repello; summmoveo c (differ) from non multum a furioso differ he does not differ much from a lunatic (G.3.109; 1.2.4; v. discedo c; disto) d from (the point of departure/starting-point) a vetustiore iure incipere begin with the more ancient law (2.1.11); sumere originem ab take its rise from (1.5 pr.); ab initio contractus from the conclusion (lit. beginning) of the contract (G.2.123 bis; 2.8.1) e (derived) from sicarii appellantur a sica assassins (sicarii) are (so) called from sica (a knife; (4.18.5 sub f.; G.1.64 ad f.; v. dico c) f (receiving) from (the donor) libertatem accipere a domino in testamento receive freedom from one’s master by (lit. in his) will (3.11 pr.; v. consequor; emo; mercor; possideo; vindico) g (claim, demand, request, require) from si id ab ipso praetore postulaverint if they have demanded this (privilege) from the praetor himself (4.16.3 sub f.); qui contra nostrae constitutionis normam quicquam a reis exege-runt (those) who have demanded anything from defendants contrary to the standard of (= set in) our constitution (4.6.25 ad f.; v. peto a); petitio mihi est abs te I have a claim against (lit. from) you (3.29.2 med.; FORM); satisdatio a domino desideratur security is required of the principal (mandator; G.4.97) h (deprive) of; (seize) from avocare hereditatem ab eo take the inheritance from him (G.2.149; pass.; G.2.148); ab hostibus manu capiuntur they are taken from the enemy by force (lit. by the hand; 1.3.3) i (the agent) by (whom) servi a domino vincti slaves put in fetters by their masters (G.1.13) j on (at rest) ab utraque parte on either side (G.2.72)

abamita ae f sister of a grandfather’s grandfather (related in the sixth degree; 3.6.6; hapax)

abavia ae f mother of a great-grandfather; great-great-grandmother (related in the fourth degree; 3.6.4; hapax)

abavunculus i m uncle of a great-grandfather (related in the sixth degree; 3.6.6; hapax)

abavus i m great-great-grandfather (related in the fourth degree; 3.6.4; only in J.)

ab-eo -ire -ii/-ivi -itum a go away,
leave animalia abire ... solent the animals usually go away (lit. are accustomed to leave; G.2.68; 2.1.15) b fall (into a state) in desuetudinem abire fall into desuetude/disuse (G.2.103; 2.10.1 ad f.)

abesse v. absens, absum abicio (ab + iacio) -icere -ieci -iectum throw away (2.1.47; hapax)

abire v. abeo

abmatertera ae f sister of a great-great-grandfather (related in the sixth degree; 3.6.6; hapax)

abnepos pōtis m son of great-grandchild (related in fourth degree; 3.6.4; hapax)

abneptis tis f daughter of a great-grandchild (related in the fourth degree; 3.6.4; hapax)

aboleo (2) abolēvi abolitum destroy (only in J. and only pass.) a fall away haec actio ... aboletur this action ... falls away/is forfeited (4.4.12) b be rejected abolita est ... sententia the view was rejected (2.6.7 sub f.)

abortus us m miscarriage abortum facere suffer a miscarriage (G.2.131 = 2.13.1 med.; here only)

abpatruus ui m brother of a great-great-grandfather (related in the six degree; 3.6.6; hapax)

abripio (ab + rapio) -ripere -ripui -reptum take possession; seize (4.15.4a)

abs alternative form of ab (used before c, q, t e.g. abs te (3.29.2 FORM; v. abscdo)

abs-cedo (3) -cessi -cessum (v. abs) a go away, depart b be detached semper abscedente ususfructu if the ususfruct is permanently detached (from ownership; 2.4.1 ad f.; v. deduco)

absens gen. absentis adj. (pres. part. of absun) absent in absentis patroni locum tutorem petere apply for (another) tutor in place of her absent patron (G.1.174); absente adversario in the absence of the other party/by default (G.4.29; 2.20.31 FORM)

absentia ae f absence (2.6.7; v. absens; hapax)

absolutorius -a -um pertaining to acquittal (v absolvo) iudicia absolutoria suits in which the defendant may be absolved (4.12.2; hapax)

ab-solvo (3) -solvi -solutum absolve iudex absolvere debet possessorem the judge ought to absolve the possessor (4.17.2); iudex, absolvito (imper.) eum judge, absolve him (G.4.43 FORM)

absonans gen. absonantis adj. repugnant to, in conflict with usus absonans a iuris ratione an application repugnant to the principles of law (2.25 pr.; hapax; syn. with the classical form absenus)

abstineo (abs + teneo) (2) -tinui -tentum abstain from (with or without se) a quarundam nuptiis abstinerre debemus certain women we should abstain from marrying (lit. from the union of certain women ...; G.1.58; 1.10.6); abstinerre se ab hereditate refrain from/decline the inheritance (G.2.158 = 2.19.2 ad f.)

abs-traho (3) -traxi -tractum deprive of, withhold from (acc. + dat.) tertiam partem ei (dat.) abstrahere deprive him of a third part (3.3.5)

absum (ab + sum) abesse afui — be absent, be away nec interest quam longe absit is tutor and it does not matter how far away that tutor is (G.1.173); qui rei publicae causa absunt persons absent on the service of the state (1.25.2)

absurdus -a -um absurd, unreasonable, anomalous absurdim esset it would be absurd that ... (acc. + inf.) (G.2.244 ad f.); non est absurdum
it is not unreasonable to ...
(3.23.1 ad f.)
abunde adv. fully, abundantly abunde
eis (dat.) provisum est they have been abundantly provided for (2.8.1 ad f.; hapax)
abusive adv. erroneously, improperly (4.6.15; hapax)
ab-utor (3) -usus sum abuse (+ abl.; 2.10.10 sub f.; hapax)
ac v. atque
accedo (ad + cedo) (3) -cessi -cessum a have access to nemo ad litus maris accedere prohibetur no one is barred access to the seashore (2.1.1) b become accessory to nullis obligationibus (dat.) accedere possunt they can become accessory to no obligations (G.3.119); ad negotium accedere become party to a legal act (i.e. acknowledge obligations under it; G.4.84) c take, assume (+ dat.) filius conditioni patris accedit (G.1.80 med.) = ad conditionem patris accedit (G.1.67) the child takes the status of the father d be added accessit deinde a third kind of will was subsequently added (G.2.102); quicquid peculio (dat.) accedit any addition to the peculium (lit. whatever is added to; (2.20.20) e accrue to (+ dat.) per eos usucapio ... vobis accedit usucapion through them accrues to you (2.9.3 ad f.)
acceptilatio onis f formal verbal acquittal (of a debt incurred by means of a stipulation) stipulatio ...
Aquiliana ... per acceptilationem tollitur the Aquilian ... stipulation ... is annulled/cancelled by means of a formal acquittal (3.29.2)
accessio onis f a addition accession temporis non datur an addition of time is not (= cannot be) granted (G.4.151); eorum obligatio accessionis their ob-
ligation is accessory to the principal obligation (3.20.5; G.3.126) b accession (addition to or natural increase of property) si alienam purpuram quis intexuit suo vestimento (dat.), ... (purpura) accessionis vice cedit vestimento (dat.) if someone has woven another's purple stuff into his garment, ... the purple becomes part of the garment by accession (lett. by way of addition; (2.1.26)
accidit (3) accidit happen, occur, be the case a imper. (ut + subj.) accidit aliquando ut qui dominus sit, alienandae rei potestatem non habeat it sometimes happens that the person who is the owner does not have the power to alienate the thing (G.2.62 = 2.8 pr.) b pers.: multa accidere solent many events commonly (lit. usually) occur (2.1.13 ad f.); ignominia quae accidit ex venditione honorum the discredit arising from the sale of the property (G.2.154); quidquid sine dolo venditori accidit whatever happens without any design/intent (on the part) of the vendor (3.23.3 ad f.) c the persons involved: (i) + dat.: quod accidit ei cui aqua et igni interdictum est and this happens to him who has been banished (lit. one interdicted from fire and water, without which man cannot live; G.1.161 = 1.16.2) (ii) in + abl.: quod accidit in his qui adoptantur this occurs in the case of those who are being adopted (G.1.162; 1.16.1 en 3)
accipiens v. accipio c
accipio (ad + capio) -cipere -cēpi -ceptum a receive imperium accipit the emperor receives his imperium (sovereign power) through a law (G.1.5); a fisco per venditionem hoc accipiunt they receive this from the fisc by sale (i.e. in virtue of a contract of sale;
accommodo (1) -āvi -ātum a adapt, adjust to (+ dat.) actiones legum verbis accommodatae erant the actions were adjusted to the terms of the statutes (G.4.11) b attribute, give (acc. + dat.) huic stipulationi perfectum robur accommodare to give this stipulation complete validity (3.19.14)

accusatio ōnīs f accusation, indictment admittit eam ad accusationem he allows her to prosecute (lit. to the indictment; 1.26.3 ad f.; hapax)

accūso (ad + causa) (1) -āvi -ātum a accuse tutor accusari poterit a guardian will be liable to prosecution (lit. will be able to be accused; 1.26.2) b challenge, impugn, call in question the validity of liberis (dat.) permissum est parentum testamentum inofficiosum accusare children are allowed to attack the inofficious/unduteous will of their parents (2.18.1)

acies acīē f (line of) battle (G.3.196 ad f. = 4.1.6 ad f.)

acquirō (ad + quaero) -quisīvī -quisītūm (v. ad-quiros) acquire, obtain, procure (as property, by will or from labour) licet testamentum facere non possunt, attamen ex testamento vel sibi vel aliis (dat.) acquire possunt though they cannot (themselves) make a will, they can none the less acquire by will either for themselves or for another (2.19.4 ad f.)

acquisitio ōnīs f a succession per universitatem acquisitio universalis succession (3.12.1) b acquisition (of property) est etiam aliud genus acquisitionis, donatio there is yet another method of acquisition, i.e. gift (2.7 pr.); res quae patris acquisitio effugient property that passes out of the control of the father (lit. that escapes the acquisition of (i.e. by) the father; 2.9.2)

acta actorum n pl. a court rolls, register si non mandatum actis (dat.) insinuatum est if a mandate has not been registered/has not been recorded in the court rolls (4.11.3; only in J.) b solemn deeds, public documents servum quem dominus, actis intervenientibus, filium suum nominavit a slave whom the master, by a solemn deed, has named as his son 1.11.12; only in J.)

actio ōnīs f a action, claim actio nihil aliud est quam ius sequendii iudicio quod sibi debetur an action is nothing else but the right to seek by litigation/by a law-suit what is due to one (4.6 pr.) b case, lawsuit, action
actio (surrender in court of a right) is called a legis actio (a suit prescribed by statute; G.2.24). c verbs used with actio: admittitur actio an action is granted/will lie (4.4.6); comparata est actio a praetore the action was devised by the praetor (G.4.35); competit ei furti actio the action for theft lies to him (he may bring it; 4.1.13 and 17); constituitur (= datur) actio per legem Aquiliam the action is made available by the lex Aquilia (4.3 pr.; 4.5.1 med.); habere mecum (= contra me) mandati actionem to have the action for mandate against me (G.3.156); cum illo incipit actio esse the action now lies against him (lit. the action now begins to exist against him; G.4.77 = 4.8.5); instituit actio non potest the action cannot be brought (4.15.4); intercidit actio the action is extinguished (lit. falls away; 4.8.6); introduxit...praetor propriam actionem the praetor has introduced a special action (G.3.209); inventa est a praetore actio an action was devised by the praetor (4.6.4); locum habet mandati actio the action of mandate lies/is available (lit. has place; 3.26.11); nulla ex eo...inter vos mandati actio nascitur no mandate action is on that account...produced (= lies between you 3.26 pr.); proditae sunt actiones ex maleficio actions were made available (resulting) from wrongdoing (G.4.75). d description of actions: actio directa/legitima straightforward action (G.4.34; 3.27.1); i.e. following the wording or tenor of a statute or the established law, taken from the ius civile); actio efficax est the action lies/is operative (4.13; 1 and 3); hereditariae actiones actions arising from an inheritance (G.2.255); actio utilis equitable/modified/analogous/adapted action (G.2.78; the praetor wished to extend the claim formulated in the actio directa; he modified the intentio, rendering it more useful (utilior); yet it remains analogous to the actio directa, and equity was observed); actio furti an action of theft (G.2.78 ad f.); actio mandati action of mandate (G.3.156; 161); legis actiones actions under statute (Zul. ad G.3.219 init.) or untr. (G.4.11; 30).

actor actoris m plaintiff facilius reis praetor succurrit quam actorius the praetor more readily offers relief to defendants than to plaintiffs (G.4.57 ad f.); actor est qui desiderat aut exhiberi aut restitui plaintiff is (the party) who wishes that something shall be produced or restored (G.4.157 = 4.15.7); nec res quae iam actoris est magis eius fieri potest something already belonging to the plaintiff cannot more effectively become his (4.6.14 med.);

actus us m a driving/the right of driving beasts or vehicles (2.3 pr.) b task, job, drudgery medii actus homo slave of middle rank/intermediate class (4.4.7 ad f.; hapax in this sense)
ad prep + acc. a rest at a place (rare in this sense), at non usque ad eam constitutionem standum est we should not confine ourselves to (the provisions of) this constitution/law (lit. stop at this law; 2.20.3) b (movement) towards: to (may be intensified to usque ad; G.1.43) (i) literally: ad status principum confugiunt they betake themselves to seek asylum at the statues of the emperors (G.1.53 = 1.8.2 med.); ad alios judices eunt they appear before (lit. go to) other judges (G.4.122 ad f.); ad centumviro iritur one goes to (appear before) the centumviri (G.4.31);
ad praefectum urbis remittitur he is remitted to the city prefect (1.26.11); res corporales ad alium transferuntur corporeal things are conveyed to another (G.2.38); nec quicquam ad patrem transit and nothing passes to the father (1.11.2) (ii) metaph. (relating to rights, status, legal acts, guardianship, succession): ad patris condicionem accedit he takes his father's status (lit. goes to it; G.1.67); ad negotium accedit he comes into the case (G.4.162); alqm. adhibere ad involve someone in (G.3.110); non admittuntur ad hereditatem they are not admitted to the inheritance (G.3.21); res ad eum revertitur the guardianship reverts to him (G.1.170); ad hereditatem vocari be called to the inheritance (G.2.167; 1.25.2 ad f.); ad succedam participandum in order to accept an inheritance (G.1.176); ad pretium participandum in order to share the price (1.3.4); ad rem transferendam domini voluntas sufficit the will of the owner is sufficient for the transfer (= alienation) of the thing (2.1.44); heredibus nihil impedimento est ad hereditatem admundam there is nothing to prevent the heirs from accepting the inheritance (2.13.1 med.) (ii) with nouns: ad hoc for this purpose (2.1.39); ad administrationem sufficere to be sufficient for the purpose of management (1.25.8); ad in-famiam alcis. in order to scoff at someone (4.4.1); ad solacium liberorum amissorum as a consolation for children who have died (1.11.10); idoneus ad administrationem suitable for the office (1.23.5); e ad
with verbs: scribere ad (i) address/direct a communication to constitutio ... quam ad Caesarienses advocatos scrispsimur the constitution (law) ... which we addressed to the Bar of Caesarea (3.19.12) (ii) comment on Paulus (libros) tam ad Massurium Sabinum quam ad Plautium scrispsit Paul wrote commentaries on both Massurius Sabinus and Plautius (2.14 pr. med.); quod ad contumeliiam domini respicit this (act) is intended to insult his master (lit. regards the insult of ...; 4.4.3)
ad-augo (2) -auxi -auctum increase, extend aducta sunt iura (their rights were increased (3.7.2; hapax)
ad-cresco (3) -crevi -cretum acquire to (+ dat.) ei adcrescit illorum portio their share accresces to him (3.4.4); ius adcrescendi right of accrual/accretion (G.2.126; 2.7.4)
ad-dico (3) -dixi -dictum adjudge (acc. + dat.) a praetore vindicanti (dat.) filius addicitur he is by die praetor adjudged to the claimant as his son (G.1.134 med.)
addictio onis adjudication, assignation (G.3.189; 3.11.5)
ad-do (3) -didi -ditum add poetam dicimus nec addimus nomen we refer to "the poet" without adding his name (Homer; 1.2.2 med.; only in J.)
ad-duco (3) -duxi -ductum lead into una ovis sive capra in ius adducebatur a single sheep or goat (from a flock) would be led into court (G.4.17 med.; only in G.)

ademptio onis f revocation ademption legatorum ... firma est the revocation of legacies ... is valid (2.21 pr. bis; only here; v. adimo)
ademption is so far peculiar to Roman citizens that ... (G.3.93 ad f.); et haec adeo ita sunt ut ... these principles are so strict (lit. these (rules) are so much so that ...; G.3.93 ad f.; 1.10.1 med.); with a neg.: so far from adeo non intelligitur ... ex contractu obligatus ut ... so far is he from being regarded as bound by a contract that ... (3.27.6)
ad-eo -ire -ii -itum (v. eo, ire) a approach (ad + acc.) datur eis potestas ... adire praetorem they are empowered ... to approach the praetor (G.1.29 med.) b accept adire hereditatem accept an inheritance; ante aditam hereditatem before acceptance of the inheritance (G.2.36); de adeunda hereditatem deliberare to deliberate whether to take on the inheritance (2.19.5); pres. part. adiens: proximo agnato non adeunde hereditatem if the nearest agnate does not enter on the inheritance (G.3.22)

adf- v. aff-
adgn- v. agn-
adhibeo (ad + habeo) (2) -hibui -hbitum a involve (ad + acc.; in + abl.; acc.; dat.) testes alieno negotio (dat.) adhiberi possunt people may be called as witnesses in the cause of another (2.10.8) b employ, show, take care nec sufficit ei tantam diligentiam adhibuisse quantum suis rebus adhibere solitus est nor does it suffice for him to have taken the same care (of it) as he was accustomed to take of his own (property; 3.14.2 med.)
adhuc adv. still usque adhuc even/until now (4.6.28 sub f.); adhuc non not yet (3.23.3); locus adhuc sacer manet the place still remains sacred (2.1.8 ad f.); alii adhuc ulcerius ... dixerunt others, going further, have maintained that ... (G.3.184); adhuc integro mandato
before the mandate has been acted upon (lit. the mandate still being untouched G.3.160 = 3.26.10); solvitur adhuc societas etiam morte socii partnership is also dissolved by the death of a partner (G.3.152 = 3.25.5); si locupletior factus sit et adhuc petat if he has been enriched and yet claims (the money; G.2.84 ad f. = 2.8.2 sub f.)

**adicio** (ad + iacio) -icare -iici -iectum add to (acc + dat.; in + abl.) id quod per alluvionem agro tuo flumen adiectit, ... tibi acquiritur what(ever) the river has added to your land as silt (lit. by alluvion) ... becomes yours/is acquired for you (2.1.20; G.2.70); fideiusser omnibus obligationibus adici potest a surety may become accessory to any (kind of) obligation (lit. may be added to all obligations; G.3.119a; 3.20.1); adiectum est in hac lege it has been added in/to this law (G.3.214; G.2.171)

**adiectio** onis f addition coheredis adiectio addition of a coheir (G.2.243 ad f.; 2.20.36 sub f.); sponsoris adiectio aut detractio addition or omission of a sponsor (G.3.178); adiectione (abl.) opus est adiuvandi di rei (from reus) gratia an addition (to the formula) is required for the benefit of the defendant (G.4.127)

**adiens** gen. adeuntis v. adeo adire

**adimo** (ad + emo) (3) -emi -emptum deprive of; take away from, revoke, retract (acc.; acc. + dat.) morientibus huiusmodi licentiam adimere deprive the dying of such power (1.7 pr.; 4.6.33c); codicillis hereditas neque dari neque adimi potest an inheritance can neither be given nor be taken away by codicils (2.25.2); ademisse legatum non videtur he is not regarded as having revoked the legacy (2.20.12 sub f.)

**adimpleo** (ad + in + pleo) (2) -plêvi -plêtum a supply, complete (id) quod deest adimplere supply what was lacking (3.2.3a sub f.); opus adimplevimus we have completed the work (Const. imp. 2 ad f.) b perform, keep (a promise) adimplere fidem keep fulfil his promise (2.23.12 med.); recusat contractum adimplere he refuses to fulfil/implement the contract (3.23 pr. ad f.)

**adipiscor** (ad + apiscor) adipisci adeptus sum acquire, gain, obtain tutelam adipiscuntur they acquire the guardianship (G.1.175); adipiscendae possessionis causa in order to obtain possession (G.4.144 = 4.15.3); animo solo possessionem adipisci nemo potest by mere intention no one can acquire possession (G.4.153 ad f. = 4.15.5 ad f.); doctrinam adipisci gain knowledge (3.6.9 ad f.); libertatem adipisci potuerunt they would have been able to obtain their freedom (3.11.1 ad f.)

**adire** v. adeo adire

**aditio** onis f acceptance ante hereditatis additionem before accepting the inheritance (G.2.35); gravamen additionis the burden of accepting the inheritance (2.190.6 ad f.; here only)

**aditus** us m access, admission nec ulla legesse aditius illis ad civitatem datur and by no law are they allowed admission to Roman citizenship (lit. is access to it given them; G.1.26); soli (dat.) sorori ad ... successionem patebat aditus only to a sister ... the succession was available (lit. open; 3.2.3b med.; here only)

**adiudicatio** onis f allocation, adjudication (4.17.4 and 6); adiudicatio est ea pars formulae qua permittitur iudici rem alicui ... adiudicare the adiudicatio is the part of the formula by which the judge is empowered to assign property ... to someone (G.4.42)

**adiudico** (1) -āvi -ātum assign, adju-
ad-iungo quantum adiudicari oportet iudex Titio adiudicato (imper. 3rd pers.) let the judge assign to Titius so much as ought to be assigned (G.4.42); singulas res singulis hereditibus iudex adiudicare debet the judge is to assign individual items to each of the heirs (4.17.4)

ad-iungo (3) -iünxi -iunctum join to, add to (+ dat.) solet tutori curator adiungi a curator is usually appointed with the guardian (1.23.5)

ad-iuvo (1) -iüvi -iütum help, support, assist, protect, favour (in court) debes per exceptionem rei iudicatae adiuvandi you should be protected by the exception (plea) of matter adjudged (4.13.5); adiuvandi rei (from reus) gratia for the protection of the defendant (G.4.127 = 4.14.1); matrem adiuvabant they helped/favoured the mother (3.3.5); adoptivi... a praetore non adiuvantur (in this matter) adoptive children... are not assisted/supported by the praetor (3.1.11); (quae) sententia... Homericis versibus adiuvatur this view is supported by lines in Homer (3.23.2 ad f.)

adminiculum in offence, transgression (1.8.2 ad f.; hapax)

ad-mitto (3) -misi -missum a admit, grant access, let in (abs.: ad/in + acc.) et mulieres... admissuntur even women are admitted/allowed (to act as accusers; 1.26.3); substitutum in partem admissit he lets in the substitute for a share (G.2.177); non admissuntur ex ea legem ad heteridiam under that statute they are not admitted to the inheritance (G.3.21)

adminstratio onis f management, direction, (tenure of) office prodigis interdicitur bonorum suorum administratio prodigals are interdicted from administering their own property (lit. the management is forbidden to them; G.1.53 ad f.); ex administratione teneri be liable in consequence of their administration (1.24.2; v. ex h); ad administrationem negotiorum sufficere be competent to manage affairs (lit. to suffice for the management; 1.25.8); tempore administrationis during the tenure of his office (as judge; 4.18.9)

adminstro (1) -ävi -ätum manage, direct (affairs), administer negotia pupilli administrare manage/conduct the affairs of the pupil (1.23.6); tutelam pupilli administrare administer the guardianship of a pupil (3.19.20); alieno auxilio in rebus suis administrandis egere (+ abl.) noscuntur they are recognized as requiring (lit. known to require) the assistance of others in the conduct of their own affairs (1.25.13 ad f.)

admissum in remedy, relief (lit. prop.) aliud eis adminiculum servatur they have another remedy left (lit. it is preserved for them; 2.13.7 ad f.; only in J.)

adminiculum in remedy, relief (lit. prop.) aliud eis adminiculum servatur they have another remedy left (lit. it is preserved for them; 2.13.7 ad f.; only in J.)
adultus

ad-moneo (2) -monui -monitum a speak, treat of opus est ut de hac actione . . . diligentius admoneamus it is necessary that we treat of this action . . . more fully (4.7 pr.) b teach, inform admonet nos Xenophon (so) Xenophon informs us (4.18.5 sub f.); remind someone/point out that (acc. + inf.) admonendi sumus adquiri vocbis non solum per vosmet ipsos sed etiam per . . . servos vestros we should point out (lit. be reminded) that (obligations can be) acquired for you not only through yourselves but also . . . by your slaves (3.28 pr.)
adnepos pòtis m grandson of a great-grandson or of a great-granddaughter (descendant in fifth degree; 3.6.5; hapax)
adneptis is f grand-daughter of a great-grandchild (descendant in fifth degree; 3.6.5; hapax)
adnuo v. annuo
ad-olesco (3) -olevi adultum grow up, attain majority postquam pupillus adoleverit after the pupil has attained majority (2.16.1 ad f.; v. adultus)
adoptio onis / adoption adoptio duobus modis fit aut principali rescripto aut imperio magistratus adoption takes place in two ways, either by imperial rescript or by the authority of the magistrate (1.11.1); se in adoptionem dare give oneself in adoption (G.3.83); adoptivi liberi (qui) sunt in potestate patris adoptivi . . . adoptive children who are under the power of their adoptive father . . . (2.13.4 init.) c familia adoptiva adoptive family i.e. the family that has received (adopted) its new member and has thus been acquired for him by adoption (G.3.31; 2.13.4 sub f.)
ad-opto (1) -āvi -ātum adopt parenalis filium suum adoptandum alii (dat.) dare (potest) a natural father (may) give his son in adoption to another (3.14.14); feminae . . . ex indulgentia principis ad solacium liberorum amissorum adoptare possunt by the grace of the emperor women can adopt as a consolation for (their) children who have died (1.11.10)
adquire v. acquiro
adscribo v. ascribo
adsum adesse adfu/affui — be present, attend, appear (in court), actor adversario denuntiabat ut ad iudicem capiendum die XXX (= tricesimo) adesset the plaintiff gave notice to his opponent to appear on the thirtieth day in order to receive a iudex (G.4.18; hapax)
adulescens centis c youth, young person adulescentes curatores non acipiunt praeterquam in litem youths are not given (lit. do not receive) curators, except for a lawsuit (1.23.2; only in J.)
adulter adulteri m adulterar (G.3.194 sub f. bis; only here)
adulterimus -a -um false signum adulterinum false seal (4.18.7; hapax)
adulterium ii n adultery lex Julia de adulterii coercendis the lex Julia for the suppression of adultery (4.18.4; G.3.194 ad f.)
adultus i m an adult (1.20.5); nec
pupillus ad legitimam tutelam vocatur nec adultus neither a pupil (a person under the age of puberty) nor a minor is (to be) called to legal guardianship (1.25.13; only in J.)
ad-venio (4) -vēni -ventum be gained by, lit. accrue to (+ dat.) diligentior scientia vobis ... adventura est a fuller knowledge will come to you (from this study; 4.18.12; hapax)
adversarius ii m opponent praesente adversario (abl. abs.) in the presence of the other party (G.4.29 ad f. = 4.10.1)
adversum prep. + acc. v. adversus adversus prep. + acc. a against (dominus) adversus eum qui subripuit vectimentum habet furti actionem (the former owner) has the action for theft against him who filched the garment (2.1.26; G.2.79 ad f. bis) b towards servus contumax adversus dominum factus est the slave became rebellious towards his master (4.6.23) c contrary to adversus ea quae diximus contrary to the rules we have stated (1.10.12)
adversus -a -um bad, unfavourable, ill adversa valetudine impeditur ... he is prevented by ill health (1.23.6; only in J.)
ad-vero (3) -verti -versum ascertain imprimis advertere debemus an is ... habuerit testamenti factionem we must first ascertain ... whether he had the capacity to make a will (G.2.114; hapax)
advocātus i m advocate, counsel uti-usque etiam partis advocati iusiurandum subeunt the advocates of each party also swear (lit. undergo) an oath (4.16.1 sub f.); ad Caesarienses advocatos scrisimus we have written to the advocates/the Bar of Caesarea (3.19.12; only in J.)
aedes aedis f a (sing.) temple servi ad aedem sacram vel ad statuas prin-
cipum confugiunt ... the slaves flee to a sacred temple (for asylum) or to statues of the Emperor (1.8.2 med.) b (plur.) building, house si aedes incendio consumptae fuerint vel etiam terrae motu corruerint, ex tingui usum fructum ... constat if a building is consumed by fire or has collapsed by reason of an earthquake, ... it is evident that the usufruct is ex tinguished (2.4.3 ad f.; G.2.42; 4.149-150)
aedificātor tōris m builder in possessione constituto aedificatore if the builder has been put in possession (of the soil; 2.1.30 med.; hapax)
aedificium ii n building aedificia omnia urbana praediam appellantur all buildings are called urban estates (2.3.1); si ab eo petamus fundum vel aedificium ... poterit nos repellere if we bring an action against him for the recovery of the land or the building ... he will be able to defeat us (with an exception; G.2.76); aedificia ruentia buildings in danger of falling (lit. buildings tumbling down; 4.7.4a)
aedifico (aedes + facio) (1) -avi -atum raise, erect a building, build quod in solo nostro ab aliquo aedificatum est ... iure naturali nostrum fit what has been built by someone on our land by natural law becomes our (property: G.2.73); non ignorabat in alieno solo se aedificare he was not unaware that he was building on the land of another (2.1.30)
aedilicius -a -um (not aedilitius) aedilician, of the aediles aediliciae stipulationes aedilician stipulations (3.18.2); aediliciae actiones aedilician actions (4.9.1); aedilicum edictum edict of the aediles (ibid.; only in J.)
aedilis aedilis m aedile (a magistrate) proponebant et aediles curules
... the curule aediles too issued an edict (1.2.7; G.1.6; only here)

**aedituus** i m custodian of a temple aeditui dicuntur qui aedes tuentur those who guard buildings (temples) are called custodians (1.13.2; hapax)

**aeneus** -a -um of bronze libra aenea bronze scale (G.1.119 FORM.; only in G.)

**aequalis** aequale adj. equal aequales partes in lucro et in damno spectantur the shares of (lit. in) gain and loss are regarded as equal (3.25.1; hapax)

**aequaliter** adv. equally, in equal shares hereditas ad duos pluresve patrones aequaliter pertinet the inheritance goes to two or more patrons in equal shares (G.3.59; 3.8. pr.; only here)

**aeque** adv. a likewise, similarly harum (obligationum) aequo quattuor species unt of these obligations likewise there are four kinds (3.13.2) b equally: with neg.: not so suspectus (tutor) remotus, si quidem ob dolum, famosus est: si ob culpam, non aequo a suspected person, if removed (from guardianship) on grounds of fraud suffers infamy, (but) not so if (merely) for negligence (1.26.6) c just as (much) aequo culpae (nomine) tenetur he is just as liable for negligence (as the other; 4.3.8; ellipsis of nomine; v. culpa)

**aerarium** ii n treasury, fisc adversus sacratissimum aerarium ... intende bring an action against the sacred treasury (2.6.14; hapax)

**aereus** -a -um of bronze olim aereis tantum nummis utebantur formerly people used only bronze money (G.1.122; hapax)

**aes** aeris m the air naturali iure communia sunt omnia haec: aer et aqua profluens et mare by the law of nature the following things are common to (lit. of) all: the air, running water and the sea (2.1.1; hapax)

**aequitas** tatis f equity tam conveniens est naturali aequitati it is so much in keeping with natural equity (2.1.40; 2.1.39); praetor naturali aequitate motus dat eis bonorum possessionem, the praetor, moved by natural equity, grants them the possession of goods (3.1.9; only in J.)

**aequus** -a -um a equal certum est ... aequis ex partibus commodum et incommodum inter eos commune esse it is certain ... that the shares in profit and loss between them are equal (G.3.150; 3.3.3 ad f.) b fair aequum erat feminas tutorum auctoritate regi it was fair that women should be governed by the consent of guardians (G.1.190); ex bono et aequo according to the rules of equity (lit. as from what is good and fair; 4.6.30)

**aër** aëris m the air naturali iure communia sunt omnia haec: aer et aqua profluens et mare by the law of nature the following things are common to (lit. of) all: the air, running water and the sea (2.1.1; hapax)

accessit tertium genus testamenti quod per aes et libram agitur a third kind of will was added, (called) per aes et libram (lit. by bronze and scales; hendiadys (G.2.102 = 2.10.1); (libripens) aere percutit libram idque aes dat testatori velut pretii loco he strikes the scale with the bronze piece and gives it to the testator as the symbolic price (lit. as it were instead of the price (G.2.104 sub f.) b metaphor.: aes alienum debt suscepto aere alieno after debt has been incurred (G.1.192 ad f.); aes alienum hereditarium an hereditary
aestimatio

<table>
<thead>
<tr>
<th>debt (G.3.84); illum aere alieno liberare free him of his debt (2.20.21 ad f. FORM) c aes militare military pay dicebatur autem ea pecunia quae stipendii nomine dabatur &quot;aes militare&quot; money given to a soldier by way of pay was called &quot;aes militare&quot; (G.4.27)</th>
</tr>
</thead>
<tbody>
<tr>
<td>aestimatio onis f (estimated) value aestimationem eius praestare debet he has to give its value (G.2.205 ad f.); necesse est ei ... aestimationem eius solvere he is bound to pay its value (G.2.262); pecuniaria aestimatio the money value (G.4.48); litis aestimatio v. lis c (iii)</td>
</tr>
<tr>
<td>aestimo (1) -āvi -ātum a assess, put one's value on permittitur nobis a praetore ipsis iniuriam aestimare we are allowed by the praetor to make our own assessment of the outrage (G.3.224; 4.4.7); atrox iniuria aestimatur vel ex facto ... vel ex loco ... vel ex persona a harsh insult is judged either according to the deed, ... or by the place, ... or by the person (G.3.225 = 4.4.9) b regard as cum eo herede agitur quem praetor suspectum aestimaverit the case is brought against an heir whom the praetor regarded as suspect (G.4.102 ad f.) c hold, be of opinion that nonnulli occupantis esse meliorem condicionem aestimant some (authors) are of opinion that the (first) taker is in a stronger position (G.2.215)</td>
</tr>
<tr>
<td>aetas aētātis f age, years (of a person; 1.5.3 ad f.); old age (4.10 pr. ad f.); perfectae aetatis esse be of full age (G.1.144)</td>
</tr>
<tr>
<td>affectus us m intention calumnia in affectu est sicut furti crimine malicius accusation, like the charge of theft rests on intention (G.4.178); furtum sine affectu furandi non committitur theft is not committed without the intention of stealing (2.6.5)</td>
</tr>
<tr>
<td>affectio ōnīs f a intention affectio maritalis the intention to marry/of marrying (3.1.2a med.) b inclination (ibid.) c relative (4.18.4)</td>
</tr>
<tr>
<td>affecto (1) -āvi -ātum seek, canvass for tutela non affectata unsought guardianship (1.25.5; hapax)</td>
</tr>
<tr>
<td>affero (ad + fero) afferre attuli allatum a carry to/towards (in + acc.) talis erat res ut sine incommodo in ius afferrer non posset the thing was of such a nature that it could not be carried to court without inconvenience (G.4.17) b cause (loss) damnum alci. afferre cause someone loss (G.3.160 med. = 3.26.10); damnum allatum est damage was caused (3.25.2 ad f.); praesidium alci. afferre secure someone's safeguard (1.24.2) c adduce/apply to (ad + acc.) hae causae ad hunc casum afferri posunt these considerations may be adduced in the present case (G.1.39)</td>
</tr>
<tr>
<td>afficio (ad + facio) -ficere -feci -fectum visit with, do something to (+ abl.) alqm. iniuria afficeretur disgrace, put someone to shame; iniuria affici suffer injustice (1.8.2 sub f.); alqm. supplicio afficeret punish someone; ne iniuria defunctus afficiatur lest the deceased be humiliated (1.6.1 ad f.); si (eos) infami iniuria affectos (esse) cognoveris if you find that they have been subjected to/have suffered shameful injustice (1.8.2 sub f.); ultimo supplicio eum afficeret inflict the death penalty on him (4.18.2)</td>
</tr>
</tbody>
</table>
| affinitas tātis f affinity (resulting from a marriage relationship) affinitatis veneratione quadrundam nuptias abstinere necesse est from regard for ties created by marriage we should abstain from marrying (lit. from the marriage of) certain women (e.g. a
daughter-in-law or stepdaughter; 1.10.6; G.1.63)

affirmo (ad + firmo) (1) -āvi -ātum allege in contrarium quam quod reus affirmat in contradiction of what the defendant alleges (G.4.119); si rem corporalem possideat quis, quam Titius suam esse affirmat if anyone is in possession of a corporeal thing which Titius alleges is his . . . (4.6.1 ad f.)

ager agri m (agricultural) land, field id quod ita paulatim flumen agro nostro adicitut that (is regarded as accretion) which a river adds to our land so gradually that it is impossible for us to estimate how much is being added at any particular moment (G.2.70 = 2.1.20); confines agri contiguous estates (4.6.20); metiri agros pati to have his fields measured/surveyed (4.17.6 ad f.)

agito (1) -āvi -ātum discuss quaestio quae de tutore agitatur the question which is being discussed concerning a guardian (G.2.234; hapax)

agnascor agnasci agnatus sum be born afterwards agnascendo (abl.) by being born after the death of the testator (G.2.133)

agnatio ōnis f a agnation inter avunculum et sororis filium non est agnation sed cognation between a mother's brother and the son of his sister there is not agnation but cognition (G.1.156; 1.15.1) b birth of a suus heres after the death of the testator; agnation (G.2.138 ad f. 2.17.1 ad f.)

agnātus i m agnate sunt agnati per virilis sexus personas cognatione iuncti, quasi a patre cognātī agnates are those akin to each other through persons of the male sex, being as it were cognates on the father's side (G.1.156 = 1.15.1); vocantur agnati who legitimate cognatione iuncti sunt; legitima autem cognatio est ea quae per virilis sexus personas coniungitur those persons are known as agnates who are related by civil cognition; and civil cognition is that which is established (lit. bound) through persons of the male sex (G.3.10)

agnatus-a-um agnate, related on father's side (3.3.5; v. cognatus-a-um)

agnōsco (ad + gnosco) (3) agnōvi agnition a accept, acknowledge nec principem quidem agnoscore quod ei poenae nomine legatum sit (it is declared . . . ) that not even the Emperor (will) accept what is left him by way of penalty (2.20.36 med.) b recognize de partu agnoscedo concerning the recognition of a (newly bom) infant (4.6.13) c apply for contra tabulas (testamenti) bonorum possessione agnita after applying for possession against the will (3.1.14 sub f.)

agnus i m lamb agni et haedi et vituli et equuli lambs, kids, calves and foals (2.1.37; only in J.)

ago (3) égi actum sue, bring an action: pass.: an action lies a furti agere = furti actione agere in theft; institute an action for theft (G.3.204 = 4.1.14); agere mandati (actione) have an action on the mandate (3.26.10 med.); cum herede agere take proceedings against the heir (2.20.12); ad exhibendum de ea re agere bring an action for its production (actio ad exhibendum; 2.1.29); in personam agere have/bring an action against the person (4.1.14); criminaliter agere take criminal proceedings (4.4.10); agere iniuriarum sue on an outrage, bring an actio iniuriarum an action for insult (4.4.2); agere go to court, sue; filiae nomine tecum iniuriarum agi
potest in respect of the daughter an action for insult lies against you (4.4.2); ipse agere potest *he himself may sue* (G.4.124 sub f.); pura actione recte agit *he rightly brings* an unqualified claim (4.6.33c ad f.); *in duplum agere* bring an action for twofold (4.6.23) *b drive actus est ius agendi vel iumentum vel vehiculum* (the servitude) actus is the right to drive animals or (to move) a vehicle (across the land of another; 2.3 pr.); veluti si servus stipuletur ut sibi ire agere liceat *e.g. if a slave stipulates for a right of way (lit. that he be allowed to go or drive animals across the land; 3.17.2) c do, perform, achieve nihil agit *his act is void, he achieves nothing* (G.1.37 = 1.6 pr.); auctoritas tutoris nihil agit *the approval of the guardian has no validity* (1.21.2) d radices agere *take root* (2.1.31 e claim, demand ille qui agit plaintiff, the claimant (2.20.4 ad f.) f do, perform, act furiosus *a lunatic does not understand what ... he is doing* (G.3.106 = 3.19.8); ita agi solitum *the usual procedure was such that ... (1.2.10); complura ... cum certis et sollemnibus verbis ... aguntur *various (formalities) ... are performed accompanied by specific formal words ... (G.1.112); eaque res *this action is performed as follows (G.1.119;2.105) g allege (in a claim) si agat ius sibi esse altius aedes suas tollendi ... if (the plaintiff) in his claim alleges that he is entitled (lit. has the right) to build above a given height ... (4.6.2) h intend, have in view senatus consulto *in a claim* si agat ius sibi esse altius aedes suas tollendi ... if (the plaintiff) in his claim alleges that he is entitled (lit. has the right) to build above a given height ... (4.6.2) h intend, have in view senatus consulto quidam id actum esse putant (ut + subj.) some maintain that the intention of the senatusconsult was that ... was to ... (G.3.64); id agebat praetor *he had in mind that no one should die without a successor* (G.3.33 = 3.9.2 sub f.) i pass.: occur, happen, be performed totum hoc negotium ... testamenti ordinandi gratia agitur the whole transaction ... is undertaken for the execution of a will ... (2.10.10)

**ago**

**md**

**arg**

**iur**

**post**

**praetor**

**temp**

**uit**

**ver**

**quid**

**mod**

**dum**

**fac**

**ad**

**sec**

**qua**

**sit**

**cursu**
ant, nisi sequentes iure ordinatae ... fuerint in a motion (lit. address) of the Emperor Pertinax (proposed in the senate) it was provided that a first testament which is duly executed should not be otherwise invalidated unless the second will were duly executed (2.17.7 ad f.)

alienatio onis / parting with property

nullius rei alienatio ei (pupillo) sine tutoris auctoritate concessa est without the guardian's approval the pupil is not allowed to part with any property (G.2.84); lex ... alienationes inhibebat quae invita muliere siebant (that) law forbade alienations which were transacted without the wife's consent (2.8 pr.)

alieno (1) -āvi -ātum a alienate corporeis res tradi potest, et a dominō tradita alienatur a corporeal thing can be handed over and if it has been handed over by the owner it is alienated (2.1.40); accidit aliquando, ut qui dominus sit, alienandae rei potestatem non habeat, et qui dominus non sit, alienare possit it sometimes happens that an owner has not the power to alienate or that a non-owner has (G.2.62 = 2.8 pr.) b sell dominus eum alienavit the owner sold him (2.14.1 sub f.)

alienus -a -um (property) of another, belonging to another servus alienus the slave of someone else (G.1.86); serviam nostri quam alieni heredes scribi possunt both our slaves and those of others can be appointed heirs (G.2.185); se alieno iuri (dat.) subicere subject themselves to another's power (G.3.84 ad f.; 1.124); in aliena potestate esse to be in the power of another (G.1.51); sive nostra gratia ... sive aliena (abl.) whether for our sake or for that of another (G.3.155; 3.26 pr.); aes alienum debt (lit. the bronze (coin) of another, that which I owe him); aes alienum suscipere incur debt (G.1.192 ad f.); post aditam hereditatem grande aes alienum ... emerserat after acceptance of the inheritance a large debt came to light (2.19.6); ante (adv.) deductur aes alienum debts are first deducted (2.22.3)

alimentum i n food, nourishment ut suspectus tutor removeri poterit qui non praestat alimenta the person who fails to provide maintenance can be removed as a suspect guardian (1.26.9 ad f.; 10; only in J.)

aliquando adv. a for the rest, in other respects, in general aliquo inutile est testamentum in quo nemo heres instituitur otherwise the will is ineffective in which no one has been instituted heir (G.2.248 = 2.23.2); aliquo mercede interveniente locatus tibi usus rei videtur besides, if agreement for rent is involved (lit. enters) the use of the thing is seen to have been let to you (3.14.2 ad f.) b otherwise, or else, in other circumstances aliquo inutile est testamentum in quo nemo heres instituitur otherwise the will is ineffective in which no one has been instituted heir (G.2.248 = 2.23.2); aliquo mercede interveniente locatus tibi usus rei videtur besides, if agreement for rent is involved (lit. enters) the use of the thing is seen to have been let to you (3.14.2 ad f.) b otherwise, or else, in other circumstances aliquo inutile est testamentum in quo nemo heres instituitur otherwise the will is ineffective in which no one has been instituted heir (G.2.248 = 2.23.2); aliquo mercede interveniente locatus tibi usus rei videtur besides, if agreement for rent is involved (lit. enters) the use of the thing is seen to have been let to you (3.14.2 ad f.) b otherwise, or else, in other circumstances aliquo inutile est testamentum in quo nemo heres instituitur otherwise the will is ineffective in which no one has been instituted heir (G.2.248 = 2.23.2); aliquo mercede interveniente locatus tibi usus rei videtur besides, if agreement for rent is involved (lit. enters) the use of the thing is seen to have been let to you (3.14.2 ad f.) b otherwise, or else, in other circumstances

aliquando adv. a sometimes, at times sed ... hoc aliquando aliter se habet still, sometimes the case is different (G.2.50 = 2.6.4); aliquando autem etiam suae rei quisque (= aliquis) furturn committit some-
times a person (may) even steal his own property (4.1.10); aliquando ... aliquanfo at times ... at other times (G.1.102; 2.23.3) b previously quia id quod aliquando habuimus, recipimus per usucapionem because by means of usucapio we recover what we previously owned (G.2.59 ad f.)

**aliquatenus** adv. up to a certain point, in some degree (G.1.168; 4.5.3; only here)

**aliqui aliquaque aliquod** pl. aliqui aliquae aliquae aliqua

**aliqua** indef. adj. (v. aliquis) some, some measure of, some ... or other lex aliqua some law (G.1.83); (omitted in translation) pars aliqua inde sumebatur part of it was taken (G.4.17); res aliqua deponitur a thing is deposited (3.14.3); videtur aliquam utilitatem habere it seems to have some use/serve some purpose (G.3.34); si aliqua ex causa dirutum sit aedificium if for some reason or other the building has been pulled down (2.1.29 sub f.); iam aliquem intellectum habent they have (attained to) some understanding (G.3.109 = 3.19.10)

**aliquiliber aliqualiber aliquodlibet**

indef. adj. any other (arbitrary) id quod ... ex aliquiliber causa adquirunt what ... they acquire by any (other) title (G.2.87; hapax)

**aliquis** (m f) aliquid (n) indef. pron. pl. aliqui aliqua someone, something opus est ut aliquis heres recto iure instituatur it is necessary that someone be directly/validly instituted heir (G.2.248 bis = 2.23.2); certum est aliquem intestatum decessisse it has been established that someone has died intestate (G.3.11); quod aliquius est, id ei dari non potest what belongs to a man cannot be conveyed to him (G.3.99); mancipat pater alci. filium the father mancipates his son to someone (a third party; G.1.132 med.); movet alci. de alqa. re controversiam he starts a dispute with someone over something (4.6.1 sub f.); id quod in solo nostro ab aliquo aedificatum est ... iure naturali nostrum fit what a man has built on our land ... becomes our property by natural law (G.2.73); si quis ab aliquo vulneratus fuerit when someone has been wounded by another (4.4.9); plural rare: cum de possessione ... inter aliquos contenditur when a lawsuit is being engaged in between parties concerning possession (G.4.139); in summa praetor aut iubet aliquid fieri aut fieri prohibit to put it shortly, the praetor either orders or forbids something to be done (G.4.139 ad f.); plus est enim statim aliquid dare, minus est post tempus dare for it is "more" to give something at once, "less" to give after (a lapse of some) time (3.20.5 ad f.)

**aliquo** adv. to some place, somewhere furtum committitur si quis equum gestandi gratia commodatum longius aliquo duxerit theft is committed if one borrows a horse for a ride (and) takes it somewhere further (than contemplated; G.3.196 ad f. = 4.1.6 ad f.; only here)

**aliter** adv. a differently, otherwise non aliter quisque (= aliquis) ad patris conditionem accedit quam si inter patrem et matrem eius conubium sit a person cannot take (lit. does not approach) his father's status unless (litt. otherwise than if) there be conubium between the father and the mother (G.1.67 med.); hoc aliuanndo aliter se habet sometimes this is otherwise (G.2.50 = 2.6.4) b apart from this, in other cases aliter filia hoc ius non habet apart from this (law) the daughter does not have this
right (G.3.46) c aliter ... aliter differently, in one way ... in another aliter senatoris et parentis patro-
nique, aliter extranei injuria aestimatur the affront is assessed in one way for (lit. of) the senator, father or
patron, in another for a stranger (4.4.9 sub f.) d non aliter ... nisi/quam si not ... unless .../only
if (v. a above); Papinianus ait non aliter vires habere codicillos quam si postea testamento confirmetur Papinian says that codicils have force only if they are subsequently confirmed by will (2.25.1); actio furti nec domino aliter competit quam si eius inter sit rem non perire the action of theft lies/is available for the owner only if he is interested in the thing not perishing (4.1.13); non aliter quam tutore auctore only with the consent of the guardian (1.21 pr. and 1)

**alius alia aliud**

adj. a other, different, else nemo alius no one else (1.6.1); ne ullus alius ... habeat lest anybody else has ... (2.6.3 med.); neque quis alius and no one else (1.24.4); si alius tale quid admisit culpae reus est if another has committed any similar act he would be (lit. is) guilty of negligence (4.3.4); neque alius alium negotium ... nor any other act (2.12.1 ad f.); alio quilibet modo in any other way (2.20.8); nulli alii sunt homines qui talem in libeross habeant potentiam qualem nos habemus no other men exist who have such power over their children as we do (G.1.55 = 1.9.2); actio nihil alius est quam ius persequendi iudicio quod sibi debetur an action is nothing else but the right to seek by litigation what is due to one (4.6 pr.) b (yet) another recepta est et alia tutela yet another (type of) guardianship was accepted (1.18 pr.; 1.19 pr.

init.); et ipsam rem vel pecuniam ... dare compelluntur et alius tan-
tum pro poena they are constrained to hand over the thing itself or (its value in) money and as much again (lit. another as much) as penalty (4.6.19 ad f.); et morbus et aetas ... itemque aliae multae causae saepe impedimento (dat.) sunt ... both ill-health, old age ... and also many other causes frequently (occur to) prevent ... (4.10 pr. ad f.) c alius ... alius the one ... the other; alli ... alli some ... others interdicta alia ... alia some interdicts ... others (4.15.7); alia atque alia erit obligatio there will be two distinct obligations (lit. one obligation ... and another; 3.16 pr.); alii (dat.) usum fructum, alii deducto eo fundum legare potest he may give the usufruct as a legacy to one person and the land without this usufruct to another (2.4.1 med.); si de alia re A senserit, de alia B if A has one thing in mind and B another (3.19.23). d with a shift of cases alius pro alio solvere to pay one thing instead of another (3.29 pr.); alio alius corpus eligere cupi ente (abl. abs.) each wanting to choose a different thing (2.20.23 sub f.); si quis alius pro alio intenderit if someone has claimed one thing instead of another (4.6.35); donatio-
nem vel legatum alii ad aliu genus retrahebant some placed a gift or a legacy under the other category (2.7.1 med.)

**allegatio onis** f assertion, allegation, contention talibus utitur improbis allegationibus he has recourse to such shameless allegations (3.19.12 sub f.); quod cum accidit, alia al-
egatione opus est adiuvandi ac-
toris gratia when this happens, another allegation is needed to assist the plaintiff (to counter the excep-
alluvio ōnis f alluvion, gradual accretion (id) quod per alluvionem agro tuo (dat.) flumen adiecit, iure gentium tibi acquiritur what a river has by alluvion added to your land is by the law of nations acquired for you as your property (2.1.20; G.2.70); est autem alluvio incrementum latens now, alluvion is imperceptible accretion (2.1.20)
alimus -a -um nourishing, bountiful (from alo) antecessor huius aliae urbis the professor of law in (lit. of) this mother city (Constantinople; Front. inst.; hapax)
alter altera alterum adj. the other (of two) altera dimidia pars the other half (3.1.6 ad f.); duorum alterum one of two things (will happen. 1.1.2 sub f.); altero (testamento) in pace utebantur people availed themselves of the one kind of will in times of peace (2.10.1; G.2.101) b another (not the same), a third party alterius fiunt they become (the property) of another (G.2.19); alterius civitatis cives citizens of another state (G.1.131); alterius generis successiones inheritances of another kind (G.3.82); proximior alteri parti (est insula) the island is situated nearer to one bank (2.1.22 sub f.); in una causa ... in altera in one case ... in the other (3.25.3); nom. pl.: alteri tres aut quattuor the remaining three or four (3.1.16 ad f.) contrasted: the one ... the other societas ita coiri potest ut alter pecuniam conferat, alter non conferat a partnership can be entered into on the basis that one party contributes money the other not (3.25.2 med.); altero casu ... altero vero casu in the former case ... but in the other (2.23.9); ... sive ex altero libertino, altero ingenuo ... or from one free born and one freed parent (1.4 pr. init.); alterius generis tutores guardians of yet another category (1.26.2; 3.10 pr.); alter quam another than ratio non permittit ut alterius arbor esse intellelagatur quan cuius in fundum radices egisset reason does not allow the tree to be regarded as the property of anyone but the person into whose land the tree has taken root (2.1.31 ad f.); item post mortem alterius recte stipulamur we can validly stipulate for after the death of a third party (3.19.16) c mutual action: alter alterum provocat sponsione the one party challenges the other by a spon­sio (a solemn undertaking; G.4.166); hos liberos ... alterum in alterius mutuam successionem vocavimus these children we have called to (= granted) mutual succession rights among themselves (3.6.10 sub f.); alter eorum alteri ... tenetur the one is liable to the other (3.27.3); si alteri (dat.) ex dominis (= dominorum) adquiri non potest, solidum alteri adquiritur if one of the (slave's) masters cannot acquire (lit. pass.), everything is acquired for the other one (3.17.3); a plur. subj. is split: invicem alteri (dat.) tenebimur we shall be mutually liable to each other (G.3.155)
altercatio ōnis f controversy, disputed point antiqui iuris altercationes placavimus We (the Emperor) have put an end to the disputes of the ancient law (1.5.3 sub f.; 4.1.8 med.; only here)
alterco (1) -āvi -ātum wrangle, quarrel dum de his (exceptionibus) altercatur while there are disputes over these exceptions (4.13.11 ad f.; hapax)
alteruter -utra -utrum adj. either(one) si adhuc integro mandato mors al-
terutrius (gen.) interveniat ... solvitur mandatum a contract of mandate is dissolved ... if, before it has been acted on, the death of either party occurs (G.3.160 = 3.26.10); si ab alterutro vestrum (part. gen.) id tum frumentum retinetur, ... if all that wheat is kept by either one of you (2.1.28 sub f.); alterutra earum actionem electa when once his choice of actions is made ... (4.1.16 med.); ex duabus itaque superioribus opinionibus alterutra adprobatur either of the two opinions above is therefore tenable (G.3.184 ad f.)

altior v. altus
altius adv. compar. higher, to a greater height ius altius tollendi aedes the right to raise buildings beyond a certain height (G.2.31; 4.6.2); servitus ne altius tollat quis aedes suas servitude to prohibit raising one's house to a greater height (2.3.1; 2.3.4)

altus -a -um high aliam bonorum possessionem ... altiore loco posuitus another form of possession ... we have promoted to a higher position (3.9.7; hapax)
alumna ae f foster-daughter (1.6.5; hapax)
alumnus i n foster-son (G.1.19; 1.6.5; only here)

alveus i m a river-bed (after the bed of the river has been shifted) prior ... alveus eorum est qui prope ripam eius praedia possident ... the old bed is the property of those who possess land near the river bank (2.1.23) b beehive examen quod ex alveo tuo evolaverit, eo usque tuoce intellegetur, donec in conspectu tuo est a swarm which has flown away from your hive is deemed to remain yours as long as it is still in your sight (2.1.14 ad f.)

ambages is f complication, prolixity per multas ambages with many complications (3.12 pr.; hapax)

ambiguitas tatis f disagreement, dispute post multas ambiguitates Sabiniorum et Proculianorum after many disagreements of the Sabinians and the Proculians (2.1.25; hapax)

ambiguus -a -um ambiguous, doubtful prudentibus (dat.) ambiguum fuerat utrum ... an ... it had been a matter of dispute among the learned whether ... or ..., (2.7.1 med.; hapax)
ambitus us m bribery (at elections) lex Iulia ambitus the lex Julia on bribery (4.18.11; hapax)

ambo ambae ambo adj. both (parties) fiunt ambo aequis partibus heredes both become heirs in equal shares (G.2.177); praetor dicebat "mittite ambo hominem" the praetor would (then) say "let go of the man both of you" (G.4.16 FORM); ubi ope Maevii Titius furtum fecerit, ambo furti tenentur where Titius has committed theft with the assistance of Maevius, both are guilty of theft (4.1.11 med.)
ambulō (1) -āvi -ātum walk, go about ei qui hominis occidendi causa cum telo ambulant ... those who prowl/go about armed with a weapon for the purpose of killing someone (4.18.5 init.; only in J.)
amica ae f companion lex XII Tabularum simplicitatem legibus amicam amplexa est the law of the XII Tables embraced simplicity as the companion of law (lit. for the laws; 3.2.3a init.; hapax)
amicus i m friend inter amicos manumittere manumit (a slave) before (lit. among) friends (i.e. informally; G.1.41 and 44; 1.5.1); qui neglegenti amico rem custodire tradit suae facilitati id impugnare debet a person who hands his
property for safekeeping to a negligent friend should blame it on his own unconcern/impute it to his own unconcernance (3.14.3 ad f.)

amissio ōnis f loss animae (= vitae) amissionem non ignorant they (certain laws) do not impose the death-penalty (lit. forfeiture of life; 4.18.11); (lex Julia maestatis) cuius poena animae (= vitae) amissionem sustinet (the lex Julia on treason) which involves capital punishment (lit. loss of life; 4.18.3; only here)

amita ae f aunt (on the paternal side) amita est patris soror, matertera vero matris soror amita is the father's sister, matertera again the sister of the mother (3.6.3); amitae tuae filius non est tibi adgnatus, sed cognatus a son of your father's sister is not your agnate, but your cognate (G. 1.156 ad f.. = 1.15.1); amitam et materteram uxorem ducere non licet it is forbidden to marry one's paternal or maternal aunt (G.1.63)

amitina ae f child of one's sister, paternal niece (3.6.5 ad f.; hapax)

amitus i m child of one's sister, paternal nephew (3.6.4 bis; 3.6.6 ad f.)

amitto (3) amisi amissum a lose civitatem Romanam amittere lose Roman citizenship (G.1.128); ipso ultimo spiritu simul animam atque libertatem amitabant they lost both their lives and their liberty with their last breath (3.7.4); filii ... parentum successionem propter adoptionem amitabant through adoption the sons lost ... the succession to their father (3.1.14 init.) b pass.: be lost hereditatis quoque amissae rationem esse habendam constat it is beyond dispute that account must also be taken of the lost inheritance (4.3.10); ex indulgentia principis ad solacium liberorum amissorum feminae adoptare possunt by the grace of the emperor women can adopt as a consolation for children lost (by death; 1.11.10; 3.3.1) c pass.: fall, die in battle si filii in bello amissi sunt, quaesitum est an prosint; et constat eos solos prosedisse qui in acie amittuntur (regarding exemption from guardianship) the question has been raised whether sons lost in war should count (lit. avail the father); and it is settled that only those may count who fall in battle (1.25 pr. ad f.)

amnis is m river vicinum ... in amnem prociatur he (the parricide) should be cast into a nearby river (4.18.6 ad f.; hapax)

amor amōris m love entanglement, liaison, affair cum libera mulier servili amore bacchata ipsam libertatem ... amitabat where a free born woman ... forfeited even her freedom by indulging in an extravagant/wanton love affair with a slave (3.12.1; hapax)

amoveo (2) amovi amōtum a take away, remove, appropriate sciemendum est an impubes rem alienam amovendo furtum faciat we should determine ... whether a person below puberty commits theft by removing another's property (G.3.208 = 4.1.18); furtum fit ... cum auis intercipendii causa rem alienam amovet theft is committed ... when someone removes the thing of another in order to appropriate it (G.3.195 = 4.1.6) b exclude, leave out of account amotis quoque suis hereditibus if the direct heirs, too, are left out of account (3.6.12)

amplector (3) amplexus sum (lit. embrace), metaph. uses: a acquire successionem amplecti acquire, take an inheritance (3.2 pr.) b regard as haec lex ... simplicitatem legibus (dat.) amicam amplexa est this law regard-
ed (litt. embraced, welcomed) simplicity as the friend of the laws (3.2.3a init.) c include, refer to eos quos nostrae amplexae sunt constitutiones those to whom our constitutions have referred (3.1.2a init.) d adopt, accept satisfactionum modus alius antiquitati placuit, alium novitas per usum amplexa est one kind of security found favour with antiquity (but) modern times have adopted another in practice (4.11 pr. init.)

amplio (1) -āvi -ātum raise, increase nostra constitutio ... quantitatem usque ad quingentos solidos ampliavit our constitution raised the limit (lit. the amount) to 500 solidi (2.7.2 med.; hapax)

amplius comp. adv. more amplius quam semel optare non potest (she) cannot have the option more than once (G.1.153); nec res quae nostra iam est, nostra amplius fieri potest a thing which is already ours cannot be made more so (G.4.4; 2.20.10)

amplus -a -um great, large ut aliquid amplius sit eis so that they may have somewhat more (3.1.15 med.); pater ampliore summa fruetur the father will enjoy a greater benefit (lit. sum; 2.9.2 ad fin.); in ampliorem pecuniam fideiubere be surety for a greater amount (3.26.8); amplissimum ius est in edictis duorum praetorum very extensive law is contained in the edicts of the two praetors (G.1.6)

an particle or introduces the second part of an alternative question, either direct or indirect; such an indirect question is often dependent upon the vb. interest, sometimes positive (e.g. 2.20.6 sub f.); but usually negative (nihil/nec interest; e.g. at 3.1.2 ad f.); or dependent upon parvi refert: parvi refert utrum ... an it matters little whether ... or (4.4.9 ad f.), or upon a vb. of election, as in 1.24.1 med.; otherwise than in classical Latin the mood used after an in indirect questions is often in the indicative; quaesitum est ... an rata conventio the question has been raised whether the agreement should be regarded as valid (3.25.2 init.); combinations: a preceded by (i) utrum: nihil interest utrum per vindicationem an per damnationem legatum sit it makes no difference whether the legacy has been made per vindicationem or per damnationem (G.2.208) (ii) utrum ... an: illud quaesitum est ... utrum furti an servi corrupti judicium teneatur Titius mihi an neutro the question has been raised ... whether Titius would be liable to me in the action for theft or in that for corrupting a slave or in neither (G.3.198 sub f. = 4.1.8) (iii) utrum ... aut ... aut an ... aut ... aut: either ... or (G.2.259) where aut. ... aut indicate alternative possibilities, first under utrum, then under an (iv) an (= utrum): nec interest an in viri sui manu sint an in extranei and it makes no difference whether she (the woman) be in her husband’s or in a stranger’s manus (G.1.136) b followed by (i) non: nec interest an extiterit aliquis ex eo testamento heres an non extiterit and it makes no difference whether an heir has qualified under that will or not (G.2.144; 3.6.11 ad f.) (ii) -ve: ac ne illud quidem requirimus an patronum creditorumve manumissor habeat and we do not even inquire whether the manumitter has a patron or creditor (G.1.139) (iii) -ve vel: ... testamentum in tabulis an in chartis membranisve vel in alia materia fiat (it does not matter) whether the
will be on tablets, paper, parchment or any other material (2.10.12) (iv) aut ... aut: (2.23.8; v. supra a (iii) and (iv)) (v) aut ... vel: (4.6.13) (vi) an ... vel: an (G.4.141) c variations: (i) strengthened form anne: postulo anne dicas qua ex causa vindicaveris I am eager to know whether you (will) say on what legal ground you have based your claim (G.4.16 med.; FORM) (ii) in a principal clause: in a direct question where -ne would be expected an appears: an ... potest admirari constitutum? can the constitution (the law) take effect? (3.11.5) (iii) in an alternative indirect question (with the omission of utrum); nec interest scierit an ignoraverit and it does not matter whether he was aware of it or not (2.20.16 sub f.; 2.10.12)

ancilla ae f slave girl, female slave servant ... nascentur ex ancillis nostris slaves ... are the issue of are born from our female slaves (1.3.4; 2.20.17)

angustia ae f defile, narrow passage inter eius cullei ferales angustias comprehensus enclosed in the dismal prison of that sack (the parricide will be cast into the water to be drowned; 4.18.6 sub f.); sed hae iuris angustiae postea emendatae sunt but this narrowness of the law was subsequently amended (3.3.1; only here)

angustus -a -um narrow, restricted angustissimis finibus constitutum ... ius ... praetor ... dilatavit the praetor ... extended ... the law which had been restricted to very narrow limits (3.9.2 ad f.; G. 1.151-2)

anima ae f life in omnibus rebus quae anima (abl.) carent in the case of all inanimate things (G.3.217 = 4.3.13); animae amissio capital punishment (4.18.3 & 11; v. amitto)

animadversio onis f punishment capitali animadversione puniuntur they suffer capital punishment (lit. are punished with ...; 4.18.9; hapax)

animadvertere (animum + advertero) (3) -verti -versum a observe, remark, notice animadvertere possumus dominis in servos vitae necisque potestatem esse we can observe that masters have power of life and death over their slaves (G.1.52 = 1.8.1) b consider animadvertere erit an custodiam hominis ... venditor susceperit it must be considered whether the vendor undertook ... liability for the custody of the slave (3.23.3a; animadvertere ne: G.1.83) c inflict the death penalty (in + acc.) in servum aeque verberatum animadvertebatur after a slave had been similarly scourged (for theft) the death penalty was inflicted on him (G.3.189)

animal animalis n a animal animalia quae mancipi sunt such animals as are res mancipi (G.1.120-1); non potest animal iuriam fecisse dici, quod sensu (abl.) caret it cannot be said that an animal, lacking reason, has done a wrong (4.9 pr. ad f.) b living being ius naturale est quod natura omnia animalia docuit the law of nature is that which nature has taught all living beings (1.2 pr.)

animus i m a mind, understanding, judgment veteres voluerunt feminas ... propter animi levitatem in tutela esse the early lawyers held that women ... should be in tutela on account of their instability of judgment (G.1.144; 1.190); nullum impubernum animi iudicium est the minds of persons below the age of puberty lack judgment (2.12.1) b will, desire si (ea animalia) revertendi animum habere desierunt ... if (such animals) have ceased to have the will to return (G.2.68 = 2.1.15 sub f.) c intention
relinquendae possessionis animo with the intention of abandoning possession (G.4.153 sub f.); lucrandi animo from motives of gain; with a view to gain (2.1.16 ad f. & 48); adimendi animo with a view to revoking (the legacy; 2.20.12 bis); novandi animo with a view to novation (3.29.3a); solvendi animo dare with intent to pay; with a view to settlement (G.3.91 ad f.; 3.14.1 ad f.) d assumption imprudens iuris eo animo rapuit quasi domino liceat rem suam etiam per vim auferre possessoribus (dat.) ignorant of the law he seized the thing with the assumption as though it were permissible for an owner to take away his thing even by force from those in possession (of it; 4.2.1)

**anniculus** -a -um aged one year
anniculus -a -um a baby son one year old (G.1.29 bis); filia annicula a baby daughter one year old (G.1.32a); si minor anniculo sit filius filiave, causa (erroris) probani non potest the cause (of error) cannot be shown if the little boy or girl be younger than one year (G.1.73)

**annona ae** f price of corn lex Iulia de annona the lex Iulia on the price of corn (4.18.11; hapax)

**annumero (ad + numero)** (1) -āvi -ātum regard as (acc. + dat.) imperitia culpae annumeratur lack of skill is regarded as negligence (lit. counted with (4.3.7; hapax)

**annuo (ad + nuo)** (3) annui — nod assent annuente Deo by the will (i.e. with the assent) of God (Const. imp. 1 init.; hapax)

**annus i** m year maior est annorum triginta (gen. of comparison) he is over 30 years of age (G.1.17); minor xxx annorum servus manumissus potest civis Romanus fieri a slave under 30 can be manumitted and be-

come a Roman citizen (G.1.21); intra annum ... post annum within a year ... after a year (G.3.209; 3.3.6); quanti (gen. of value) ea res in eo anno plurimi fuerit its highest value in that year (G.3.210); anno possidere possess it for a year (G.4.36; FORM); in singulos annos ... certam pecuniam stipulari stipulate for the annual payment of a certain sum (G.4.131); ea actio anno terminatur that action is limited to (lit. by) a year (4.12 pr. ad f.); septimum decimum annum implere/explere complete his 17th year (1.6.7 ad f.); pubertas ex annis aestimatur puberty is determined by age (lit. years; 1.22 pr.)

**annuus -a -um** annual, lasting one year
annua possessio possession for one year (G.1.111); annua usucapio usucapion in one year (G.2.54); si ita stipuleris "decem aureos annuos quod vivam dare spondes?" ... if you stipulate as follows "do you promise to give ten gold pieces a year for as long as I live?" (3.15.3 FORM)

**anser anseris** m goose (2.1.16; hapax)

**ante** adv. before, formerly, previously, first ante lege agitur sacramentum apud praetorem a legis actio by sacramentum is previously enacted before the praetor (lit. a legal action is instituted by means of an oath; G.4.31; 4.15.4 bis) The conjunction antequam was originally the adv. ante followed by quam (lit. "earlier... than"); in our two works ("Institutions") the two components are often written separately with other words in between; to restore the conjunction ante is transferred to quam: "in auctione praedictum est ne ante emptori res traderetur quam pretium solverit" is translated as if the text had read "ne emptori res traderetur antequam preti-
um solverit” at the auction it was previously specified that the thing should not be delivered to the buyer until (= before) he should have paid the price ... (G.4.126a)

ante prep. + acc. before ante aditam hereditatem (G.3.68; 2.22.2) = ante additionem hereditatis before acceptance of the inheritance (G.2.35 & 36); ante Augusti tempora before the time of Augustus (2.25 pr.); ante condicionem before the fulfilment of the condition (3.19.25); ante heredis institutionem before the institution of an heir (G.2.229 & 230; 2.20.34); ante litem constestatam before litis contestatio (G.3.180); ante mortem heredis/patris before the death of the heir (G.2.234); ante omnia before everything, especially (G.2.116); ante publicum die before (attaining) puberty (G.2.180 & 182; 2.16 pr. & 4); ante rem iudicatam before the final verdict/before the judgment (G.4.114 = 4.12.2) ante sententiam before the decision of the hearing (2.14 pr. sub f.)

antea adv. (syn. of ante adv.) previously, formerly, used to be ... quia ea antea nullius (gen.) essent because previously those things were no one’s property (G.2.66; in G. only here); breviter expositum est quod antea obtinebat (the law) that formerly obtained was briefly set out (Constit. imp. 5); ante heredis institutionem inutiliter antea legabatur before the institution of an heir legacies formerly used to be bad (in law; 2.20.34)

antecedens gen. antecedentis adj. preceding ex antecedenti numero under the preceding scale (G.1.45; hapax)

ante-cedo (3) -cessi -cessum a precede (+ acc.) constituimus ... ut ... istae donatio ... antecedent matrimonium we ruled (in a constitution) ... that ... those gifts (may) precede the marriage (2.7.3 sub f.) b be preferred to (+ acc.) personae quae ex nostra constitutione patrem ... antecedunt persons who under our constitution (= law) ... are preferred to the father (3.10.2 ad f.)

antecessor sōris m (lit. leader) professor in law (Constit. imp. 3; hapax)

antepōno (3) -posui -positum place one above the other, give priority/precedence to (acc. + dat.) eos constituitio anteponit, et procul dubio cognatis (dat.) the constitution gives priority to them, and certainly above the cognates (3.5.1 ad f.); iurī agnatorum eos anteponebat (the ancient law) placed them (issue through males) above the claims of the agnates (3.1.15)

antequam conj. before (v. ante adv.) cum ad iudicem venerant, antequam apud eum causam perorarent, solembat breviter ei ... rem ... exponere when they had come before the judge (and) before they argued their case they would briefly expound it to him (G.4.15 ad f.); antequam planta radices egerit, eius permanet cuius et fuerat before the plant has taken root, it remains (the property) of him to whom it had belonged even before (2.1.31)

anterior gen. anterioris adj. earlier, older/elder (only in J.) ex anteriorebus constitutionibus by earlier constitutions (2.9.2); anteriores liberi elder children (born before others; 3.1.2a sub f.); sed bene anteriores principes et huic causae provide-runt but earlier emperors wisely made provision for this (kind of) case too (3.9.12; 3.23.2 ad f.)

antiquitas tātis f a olden times, the distant past satisfactionum modus alius antiquitati placuit, alium nov-
itas per usum amplexa est one style of taking security was approved by (lit. was to the taste of) the distant past (but) more recent times adopted another in practice (4.11 pr.; only in J.) a ancient law antiquitatis norma the wise rule of ancient law (1.22 pr. ad f.); ut nihil antiquitatis penitus ignorantur so that nothing of antiquity/ancient law should be wholly unknown (2.10.1; 2.20.3 c the lawyers/jurisconsults of old (1.11.12; 3.1.16 med.); antiquitati vituperandum ... fuerat visum the jurisconsults of old had regarded it as reprehensible (2.20.34 med.) antiquitus adv. long ago, in ancient times antiquitus institutum erat, ut essent qui iura publice interpretarentur it had long since become customary that there were those who publicly interpreted the law (1.2.8; 4.12 pr. init.) antiquus -a -um ancient, of ancient times antiquo iure under the ancient law (G.3.43 & 63; only here in G.); apud antiquos non alter hoc obtinebat nisi ... among the ancients this rule held good only if ... (3.2.8 sub f.); antiqui prudentes ancient jurors (4.1.8 med.); per antiquam legis observationem by the old prescription/observance of the law (1.12.6; 2.9.1 med.) antistes antistitis m priest (1.20.5; hapax) anulus i m a ring (G.3.147 = 3.24.4; only here in this sense) b ring for sealing a will (2.10.5) aper apri m wild boar (4.9.1; hapax) aperio (4) aperui apertum open ne inferiores tabulae (testamenti) aperiantur (it is provided) that the later tablets (of the will) shall not be opened (G.2.181 sub f. = 2.16.3 sub f.; only here) aperte adv. a obviously, blatantly, clearly aperte iniquum erat it was obviously/blatantly unjust (G.3.40 ad f. = 3.7 pr. ad f.; 4.4.3) b unambiguously, explicitly, clearly nostra constitutio aperte eam (actionem) esse bonae fidei dispositum our constitution openly/explicitly declared this to be a good faith (bonae fidei) action (4.6.28 ad f.); compar. deg.: ex qua (constitutione) haec apertius possibile est scire (our law) from which this may be apprehended more clearly (4.18.8 ad f.; 3.29.3a ad f.); superl. deg.: quae (constitutioni) apertissime definitae sunt solum fieri novationem ... (a law) which provided very clearly that there is novation only when ... (3.29.3a med.) apis apis f bee (G.2.68; only here in G.); apium quoque natura fera est bees too are wild by nature (lit. the nature of ... (2.1.14; 2.1.15) apiscor v. adipiscor appareo (2) apparui — appear, be clear/evident/obvious a impers.: ex his (neut.) apparat quot sint species tutelarum from (all) this it is evident how many varieties of tutela (guardianship) there are (G.1.188); unde apparat non de eo nos loqui qui tardius exaudit from which it is clear that we are speaking not of one who is hard of hearing ... (3.19.7) b pers.: quae omnia apertius ... a cottidiano usu ... apparent all this is/becomes more apparent ... from the daily practice (of the courts ...; 4.11.6); post aditam hereditatem grande aes alienum ... apparuit after acceptance of the inheritance a large debt ... came to light (G.2.163 = 2.19.6); copulative use: prove to be postea vero servus apparuit (the witness) later proved to be a slave (2.10.7) appellatio önis f term (name) populi appellatione universi cives sig-
significantur by the term "people" all citizens are designated (G.1.3 = 1.2.4)

appello (1) -āvi -ātum a call, name, designate

ius quo populus Romanus utitur ius civile Romanorum appellamus the law which the Roman people observes we call the civil law of the Romans (1.2.2); qui tabernae (dat.) praeponitur institor appellatur a person put in charge of a shop is called the institor (G.4.74 ad f.) b appeal qui excusare se volunt, non appellant those who wish to excurse themselves do not appeal (1.25.16)

appello (ad + pello) (3) appuli appulsum a moor up/steer to land, tie up (ship) (accad + acc.) navem ad eam ripas appellere ... cuilibet liberum est anybody is free to steer his ship to those banks (2.1.4) b wash up, wash ashore (acc. + dat.) si vis fluminis partem aliquam ex tuo praedio detraxerit et vicini praedio (dat.) appulerit, palam est eam tuam permanere if the river violently tears away a piece from your land and carries it to the land of a neighbour, it obviously remains yours 2.1.21; only here in this sense)

appendo (ad + pendo) (3) appendi appensum weigh (trans.; lit. hang on the scale) qui dabat alicui pecuniam, non numerabat eam sed appendebat (in early times) a man paying money to someone did not count it but weighed it out (G.1.122 ad f.; hapax)

appeto (ad + peto) (3) appetivi (appetitum acquire, obtain (the purpose in compiling the Institutes has been) ut liceat vobis prima legum cunabula ... ab imperiali splendore appetere ... that you might have occasion to acquire the rudiments of law ... from the splendid magnificence of the emperor (Const. imp. 3 med.)

applico (1) -āvi -ātum deal with, dispose of, use (fathers had the power to dispose at will over property acquired for them by their children) ut esset eis licentia ... quocumque modo voluerant applicare so that they were free to deal with it in whatever way they wished (2.9.1; hapax)

apprehendo (3) -hendi -hensum grasp, seize, lay hold of apprehendere id ipsum quod ei mancipio (dat.) datur, necesse est he is required to grasp the thing which is being mancipated to him (G.1.121; 4.16 init.; only here)

approbo (1) -āvi -ātum a prove that (acc. + inf.) per testes idoneos approbare ... prove by suitable/reliable witnesses that ... (3.19.12 ad f.) b approve semel autem causa approbata, sive vera sive falsa sit, non retractatur however, once a ground has been approved, whether it be true or false, there can be no revocation (of approval; 1.6.6; 1.6.4)

apte adv. suitably hapax in G.3.222 sub f., but the emendation aperte is generally accepted)

aptus -a -um suitable unde melius et aptius est vulgari cretione uti hence it is better and more suitable to employ the ordinary form of cretio (G.2.172 ad f.; hapax)

apud prep. + acc. a with (i) among apud omnes populos among all nations (G.1.1 = 1.2.1 sub f.); apud Graecos ... apud nos (Romans) with the Greeks ... with us Romans (1.2.2 med.); propter ... longas peregrinationes quae apud veters fuissent by reason of the distant travels which were (undertaken) among the ancients (2.25 pr. ad f.) (iii) in (an author) apud Catonem in Cato
(1.11.12), Homerum in Homer (2.7.1 ad f.), apud vteres legum commentatores invenimus ... among the ancient commentators of the law we find/read that ... (4.8.7 ad f.; G.4.60) (iii) at the home of apud te algd. deponere leave something in custody with you (G.2.50; 2.1.44); is qui apud se deponi passus est he who has allowed a thing to be deposit­ed with him (3.25.9) (iv) remain/be with dominium apud eum remanet the right of property remains with him (2.9.1 ad f.); ita res intactae apud filium remanebunt thus the property (lit. pi.) will remain unimpaired with the son (2.9.2 ad f.); eo fit ut apud alium usufructus, apud alium proprietas sit thus it comes about that the usufruct is vested in one person and the property in another (G.2.33 ad f.) b before (a judicial body or person) apud praetorem before the praetor (G.1.101 = 1.11.8); apud competentes iudices before the competent judges (1.12.6 med.; G.4.15); apud centumviro agitur the action is before a council (G.1.18–20 = 1.6.4); apud praetorem before the praetor (G.1.101 = 1.11.8); apud competentes iudices before the competent judges (1.12.6 med.; G.4.15); apud centumviro agitur the action is before the centumviri (G.4.95); apud iudicum actum est the case was heard by the judge (4.6.32) e in relation to eodem iure apud liberos domini esse to stand in the same legal relation (i.e. as slave) to the children of his master (1.19 pr. sub f.) d in the power (of a captor) testamentum eius qui apud hostes est ... non valet the will of a person who is in the hands/power of the enemy ... is not valid (2.12.5; 4.10 pr. med.; G.1.129) e to/for nullo nec damno nec commodum apud heredem manente (abl. abs.) while neither loss nor gain accrues to the heir (2.23.7 ad f.) f in his mind ... cum liberum cuique sit apud se explo-

rare an expediat consilium ... since it is open to anyone to consider in his mind whether the advice is sound/useful (3.26.6 med.) g in the law system of apud cives Romanos duplex (est) dominium in Roman law (lit. among Roman citizens) double ownership exists (G.1.54 & 1.86)
aqua ae f water inundatio aquae flooding (3.23.3 med.); communia sunt omnium haec; aer et aqua profluentes the following things are common to all: the air and running water (2.1.1); ius aquae ducendae (right to draw water (G.4.3; 4.6.2); aquae ductus (right of) conducting water over the land of another (2.3 pr.); aquae haustus right to draw water (2.3.2); aquae et igni (abl.) interdicere alci refuse fire and water to someone/to interdict him from fire and water (= to banish him; G.1.90; 1.16.2); aquae et ignis interdictio banishment (4.18.2)
arbiter arbitri m arbiter, judge, umpire apud iudices arbitrosve ... quaeritur the issue is aired before judges or arbiters (4.6.1; G.4.164)
arbitrarius -a -um pertaining to an arbiter modo per formulam agitur quae arbitaria vocatur sometimes the proceedings are by the formula known as arbitaria (G.1.141 ad f.; 4.163); praeterea quasdam ac­tiones arbitrariae (id est ex arbitrio iudicis pendentes) appellamus fur­thermore, we call some actions arbitrary, i.e. dependent on the decision of the judge (4.6.31)
arbitratus us m assessment, standard licet non fuerit adiectum boni viri arbitratu debere legitimam partem reperi even though there was no proviso that the legitimate portion should be made up by the assessment of an upright man (2.18.3 ad f.; hapax)
arbitrium ii  n  a one's own free will, own decision, discretion suo arbitrio hereditatem adire potest he can enter on the estate by his own decision (G.2.188 = 2.14.1 ad f.); libereum arbitrium habet vel ... reum facere eum, vel ... damnum persequi he has the option between prosecuting him (the killer of the slave) and suing for damages (G.3.213; 1.12.7) b judgment, opinion si merces alieno arbitrio (dat.) permissa sit ... if the amount of the rent is left to the judgment of another (G.3.143 = 3.24.1)
c disposal, availability totus ille dies arbitrio (dat.) solventis tribui debet the whole of that day should be available to the person bound to pay (3.15.2 ad f.)
arbitror (1) arbitratus sum be of opinion, regard as in eo vero quem patrem familias esse arbitratur but in the case of the person he regards as head of the family ... (2.15.4 sub f.; hapax)
arbor arbóris f tree in arborem ascendere climb a tree (G.3.219); volucres in tua arbore nidum faciunt the birds nest in your tree (2.1.14); ex arbore deectus ramus a branch thrown down from a tree (4.3.5); arbores finales cecidit he cut down boundary trees (4.17.6 sub f.); ratio non permittit ut alterius arbor esse intellegatur quam cu cuius in fundum radices egisset reason does not allow the tree to be regarded as the property of anyone but the person into whose land it has driven its roots (2.1.31 sub f.)
arçarius -a -um regarding a cash loan nomina arcaria cash entries concerning loans (G.3.131 & 132; only here)
arcus us m bow (and arrow; 4.18.5; hapax)
area ae f a (building) site constat ... ex-tingui usum fructum et ne areae quidem usum fructum deberi it is established ... that (after the destruction of the house) a usufruct (over it) is destroyed and there is usufruct not even over the site (2.4.3 ad f.)
b inner court(yard) ut stillicidium vel flumen recipiat quis in aedes suas vel in aream, vel non recipiat (concerning servitudes: the obligation for someone) to receive water dripping or (flowing in) a stream (from another's property) onto his own house or courtyard, or not to receive it (2.3.1 ad f.)
argentarius ii  m banker alia causa est illius actionis, qua argentarius expetitur it is different in the case of the action used by a banker (G.4.64; only n G)
argenteus -a -um (made of) silver nummus argenteus silver coin/money (G.1.22; only in G)
argentum i n a silver si quis ... ex alieno auro vel argento vel aere vas aliquod fecerit if someone ... has fashioned some vase from the gold, silver or bronze of another ... (2.1.25; G.2.79) b silver plate si quis argentum utendum accepit quasi amicos ad cenam invitaturus if a person has received a loan of silver plate on the pretext that he intends inviting friends to dinner ... (4.1.6 med.)
arumentor (1) argumentatus sum be of opinion, regard as in eo vero quem patrem familias esse arbitratur but in the case of the person he regards as head of the family ... (2.15.4 sub f.; hapax & passive)
arumentum i n evidence, proof quod arrae nomine datur, argumentum est emptionis et venditionis contractae what has been given as earnest money serves as evidence that the contract of sale has been concluded (G.3.139 = 3.23.pr.); argumento
arguo (3) argui argütm a establish
proof, show datur mihi exceptio per quam, si metus causa te fecisse vel dolo mabo arguero, repellérís I am granted an exception under which you will be defeated if I prove that you used duress and fraud (G.4.117) b accuse, challenge puberes possunt curatores suos ... suspectos arguere minores can ... charge their curators as suspect (1.26.4); ... ita ut non possint argui inofficiosa eorum testimanta in such a way that the charge cannot be brought that their wills are unduteous (3.7.3 med.)

arma armorum n pl. arms, weapons arma suspicere take up arms (G.1.14) = arma sumere (G.2.101; DEF 4.15.6 ad f.)

armarium ii n chest, cupboard (G.2.79 = 2.1.25 med.; only here)

ertainmentum i n herd of cattle/oxen (G.3.202 = 4.1.11; only here)

armo (1) -ávi -átum arm vis armata armed violence (4.18.8 bis); imperatoriam maestatem non solum armis decoratam, sed etiam legibus oportet esse armatam the imperial majesty should not only be glorified with arms but should also be armed with laws (Const. imp. pr.; hapax)

arra arrae f earnest-money, earnest emp-tio et venditio contrahitur, simulatique de pretio convenerit, quamvis nondum pretium pretium numeratum sit ac ne arra quidem data fuerit a contract of sale is concluded as soon as the price has been agreed even though it has not been paid yet and no earnest has even been given (G.3.139 = 3.23.pr.; v. argumentum)

arrogatio ónis f adoption of a person who is sui iuris (G.1.99 = 1.11.1; v. arrogo)
arrogátor tóris m adrogator, one who adopts (G.1.107; 1.11.3 med.; v. arrogo)
arrogo (ad + rogo) (1) -ávi -átum adopt a person wo is sui iuris populi auctoritate adoptamus eos qui sui iuris sunt; quae species adoptionis dicitur arrogatio by authority of the people we adopt those who are sui iuris; this kind of adoption is called adrogaton (G.1.99; 3.11.14 sub f.)

ars artís f (only pl.) malpractices venefici capite damnantur, qui aribus odio-sis tam venenis vel susurris magi-cis homines occiderunt poisoners incur the death penalty, persons who kill men by their hateful practices with poison or magical incantations (4.18.5 ad f.; hapax)

articulus i m subdivision, class, branch (of the law; G.22.2; 3.19.13 sub f.; only here)
as assis m a an as (monetary unit) hae partes propria nomina habent ab uncia usque ad assem these parts have their own designations from the ounce (a twelfth part) to the as (2.14.5) b the whole (of the inheritance) ex asse heres institutus instituted as sole heir (G.2.259 = 2.23.9 ad f.)
asceso (3) ascendi ascensum (intr.) a climb, ascend in arborem ascen-dere climb a tree (G.3.219 = 4.3.16); in Capitolium ascendere go up the Capitol hill (3.15.4 FORM) b metaph.: ascendentes ascendants (in law of succession; 2.13.7; hapax in this sense)
ascribo (3) ascripti ascriptum a grant, give Virginius Valens testamento suo libertatem servis quibusdam ascriptis V. V. in his will granted their freedom to certain slaves (3.11.1) b impose a condition on (acc. + dat.) condicio heredi ascripta post annum extitit the condition im-
posed on his heir was satisfied after a year (2.11.3 ad f.)
c directed (in a will)
a testatore ascriptum est it was (so)
directed by the testator (1.24.1 sub f.)
asinus i m ass (G.1.120 = 4.3.1; only here)
asper aspera asperum lit. rough, uneven; metaphor: foul, atrocious, heinous alia deinde lex asperrimum
crime nova poena persequitur another statute inflicts a novel punishment for the foulest/most atrocious crime (parricide; lit. pursues with the punishment: 4.18.6; hapax)
asperitas tâtis f severity, strictness nova hominum conversatio huiusmodi
histories have rightly judged that such severity is to be rejected (4.8.7); asperitas iuris civilis the strictness of the civil law (3.2.3a sub f.); postea improbata est asperitas poenae in later times the severity of the punishment was condemned/rejected (G.3.189)
aspiro (1) -āvi -ātum aspire to, canvass for (ad + acc.) a nostra constitutione prohibentur ad tutelam ...
aspirare they are by our constitution forbidden to canvass for guardianship (1.25.13; hapax)
assectare sum run after, interfere with (a girl) injuria committitur ...
assectatus fuerit outrage is committed by following about/running after a matron (G.3.220 = 4.4.1; only here)
asserter tōris m restorer/assertor of the liberty (of another), champion of liberty (G.4.14; 4.175; only here)
assiduus -a -um frequent, continuous asisdia permutatione as a result of frequent exchange (2.4.2); assidua iurisdictio regular/constant jurisdiction (2.23.1 sub f.; only here)
assignatio ōnis f assignment (of a freedman, man or woman, by a father to one of his children; 3.8.2; only in J.)
assigno (1) -āvi -ātum a assign (3.8.pr. & 1; v. assignatio) b enjoin, prescribe for (acc. + dat.) certa quaedam verb- cuive generi legatorum assignata erant particular forms of words were assigned to/prescribed for each kind of legacy (2.20.2)
assimilare (1) -āvī -ātum treat in the same way as, assimilate to (acc. + dat.) in plurimis causis assimilatur is qui adoptatus ... est, ei qui ex legimimo matrimonio natus est in most cases/matters one who is adopted is treated like a son born of lawful wedlock (1.11.8; hapax)
assimulo (1) alternative form of assimilare (G.1.22; hapax)
astipulātor tōris m astipulator possuit
mus ad id quod stipulamur alium adhibere, qui idem stipuletur, quem vulgo astipulatorem vocamus it is possible for us to bring in another person to stipulate for the very same thing we are stipulating for; he is commonly called an astipulator (G.3.110; hapax; v. astipulator)
astipulor (1) astipulatus sum astipulate, act as astipulator (G.3.112-114; v. astipulator)
astringo (3) astringi astrictum bind by a legal tie (acc. + dat.) nihil interest utrum aliquis ... iuris necessitate hereditati (dat.) astringatur it makes no difference whether one ... is bound to the inheritance by legal necessity (G.3.87; 3.13 pr.)
assēmo (ad + sumo) (3) -sumpsi -sumptum take (acc. + dat.) fideius-sores in omnibus obligationibus assumi possunt sureties may be taken in connection with all obligations (3.20.1); qui parum diligentem socium sibi assumit, de se queri debet he who takes as a partner a care-
less person should lay the blame on himself (3.25.9 ad f.)

at adverb. conj. but, yet, moreover, on the contrary, however ipse quidem qui cum pupillis contrahunt obligan-
tur, at invicem pupilli non obligan-
tur persons who contract with wards
are indeed bound by an obligation but
the wards for their part are not (1.21
pr. ad f.); sureties cannot incur a
greater obligation than the prin-
cipal debtor at ex diverso, ut mi-
nus debeant obligari possunt
but on the other hand they can be bound
so as to be less indebted (than the principal; G.3.126 = 3.20.5); at ex
contrario but on the contrary (2.8.2);
(the receiver of a loan for con-
sumption is bound to return the
loan even if it has been lost
without his fault) at is qui uten-
dum (by way of commodatum) ac-
cepit, ... propter maiorem vim
maioresve casus non tenetur
on the other hand he who has received some-
thing for use (commodatum), ... is
not liable for irresistible force or un-
avoidable misfortunes (3.14.2 med.)

atavia ae / the mother of a grandfather's
grandfather (or of a grandmother's
grandmother 3.6.5; hapax)

atavus i /m the father of a grandfather's
grandfather (or of grandmother's
grandmother; 3.6.5; hapax)

atque v. ac copulative particle a and
iusprudentia est ... iusti atque
iniusti scientia jurisprudence is the
knowledge of what is just and what
unjust (1.1.1); atque ob id extin-
guebantur fideicommissa and
thereby trusts were being brought to
nought (G.2.254); alia atque alia erit
obligatio there will be two separate ob-
ligations (lit. one obligation and
another; 3.16 pr. med.); culpae no-
mine, id est desidiaet atque,
negligentiae liable for non-
intentional fault i.e. for inattention
and negligence (3.14.3 = 3.25.9) b
atque si just as if (+ subj) often fol-
ows upon (i) proinde (exactly/just)
hereditas nobis acquiritur proinde
atque si nos ipsi heredes instituti
essemus the inheritance is acquired
for us exactly as if we had been in-
stituted heirs ourselves (G.2.87 ad f.;
3.56 med.) (ii) perinde (just so)
quae verba proinde singula firma
sunt atque si omnia in unum con-
gesta essent these synonyms (lit.
which words) are just as binding when
used separately as if all had been piled
together (G.2.249 = 2.24.3) (iii) sic
ita (in such a way) principes rescrip-
serunt subvenire se ... testamen-
to (dat.). ut sic habeatur atque si
ut oportet factum esset the emper-
ors declared by way of rescript that they
would uphold (lit. come to the aid of)
the will so that it would be considered
as duly made (2.10.7); definivimus
... integra omnia iura ita servari,
atque si in patris naturalis
potestate permansisset we (the em-
peror) have directed ... that all the
rights (of the son) are preserved in
full just as if he had remained in the
power of his natural father ...
(3.1.14 med.) c simul atque/
simulatque/ simulac as soon as
(2.1.45) d perinde / proinde ... at-
que in the same way that (+ indic.
or verb omitted) senatus censuit ut
ei ... perinde liceret quartam pari-
tem retinere atque lege Falcidia ...
conceditur the senate provided that
he was allowed ... to retain a quarter
in the same way as it is allowed by the
lex Falcidia (2.23.5; G.4.11); et in
eam partem perinde atque in to-
am rem praesentiem tiebat vindica-
tio and the claim was made on that
part as if the whole were present (lit.
as if on the whole thing being present (G.4.17 ad f.)

atqui advers. conj. however, but atque si meum aurum aurifici dedero, mercede pro opera constituta, convenit locationem conductionem contrahit it is agreed however that if I supply my gold to the goldsmith, a remuneration for the work being settled, the contract is one for hire (G.3.147 ad f.; hapax in G.); atqui patrono legitimo tutore mortuo liberi quoque eius legitimi sunt tutores but on the death of a patron who is legal guardian, his sons too become legal guardians (1.19 pr.; hapax in J.)

atrocitas tātis f heinousness, severity atrocities delicti heinousness of the crime (G.4.115); atrocitas sententiae severity of the sentence (1.16.1; only here)
atrox atriōcis adj. shocking, horrible, aggravated cum quid atrocius commissum fuerit when a specially (lit. more) shocking/horrible crime has been committed (G.3.222 = 4.4.3); atrocix iniuria an aggravated outrage (4.4.9 bis)
attemen advers. conj. yet, none the less attamen partim et hoc in usu esse desit yet this too in part fell out of use (2.10.1 ad f.); “licit enim” inquiunt principes “legibus soluti sumus, attamen legibus vivimus” “although we are not bound by the laws” the emperors say “we none the less live by the laws” (2.17.8 ad f.)

attempto (1) -āvi -ātum lit. attack, attempt si cuius pudicitia attemptata esse dicetur ... if somebody’s chastity is (lit. will be) alleged to have been attempted (4.4.1 ad f.; hapax)
at-tendo (3) -tendi -tentum see to it (+ dat.; ut + subj.) debet autem iudex attendere ut ... the judge must however see to it that ... (G.4.52; hapax in G.); ... hi qui rebus nostris (dat.) attendunt those who see to/look after our interests (3.11.1 sub f.; hapax in J.)

attineo (ad + teneo) (2) -tinui -tentum concern (ad + acc.) quantum ad erroris causam probandum attinet as far as proving a case of mistake is concerned ... (G.1.73); quod ad edictum praetoris attinet ... so far as the praetor’s edict is concerned, ... (2.13.4 med.); with the vb. omitted: quod ad feminas as regards/as for women (3.2.3 init.)
attingo (ad + tango) -tigi -tactum touch si caelum attigero if I touch the sky (3.19.11; FORM; hapax)
auctio ōnis f auction si argentarius pretium rei quae in auctionem venerit (from venio) persequatur obicitur ei exceptio ... if a banker sues for the price of a thing sold by auction he is met by an exception (G.4.126a bis; only here)
auctor tōris m a (by whose consent the transaction of a minor is rendered valid; v. auctoritas) tutore auctore (abl. abs.) with the consent/assistance of the guardian (1.21 pr. med.; 2.8.2 ad f.) b counsellor, proposer of a law auctore divo Hadriano on the proposal/at the instance of the late emperor Hadrian (the decree was passed; G.1.30) c author, writer diversae scholae auctores the authors/authorities of the other school (the Proculiani; G.1.196 ad f.; 3.23.2 med.)
auctorātus i m hired gladiator (G.3.199; hapax)
auctoritas tātis f a authorization patricii dicebant plebiscitis se non teneri, quae sine auctoritate eorum facta essent the patricians maintained that they were not bound by plebiscites as these had not been made with their authorization (G.1.3 ad f.) b authori-
ty, esteem adoptio duobus modis fit, aut populi auctoritate, aut imperio adoption is brought about in two ways, either by authority of the people or by the imperium (of a magistrate; G.1.93; G.3.224 ad f.); Augustus ... iussit consulibus (dat.; sic) auctoratem suam interponere Augustus directed the consuls to interpose their authority (2.23.1 sub f.); Trebatius cuius tunc auctoritas maxima erat T. whose authority at that time was at its height (2.25 pr. med.) c consent, assistance (of guardian) sine tutoris auctoritate agere to perform an act without the assistance of the guardian (G.1.179; 2.80-81); pupillus ... alium sibi obligare etiam sine tutoris auctoritate potest a ward can bind/render liable to himself another even without the assistance of his guardian (G.3.107 = 3.19.9) d iuris auctoritas validity, authority praetorum edicta non modicam iuris optintent auctoritatem the edicts of the praetors have no slight authority as law (1.2.7) e authorization voluntati tuae ... auctoritatem nostram accommodamus we grant our authorization ... to (e.g. comply with) your desire (3.11.1 sub f.) f decision imperatoris auctoritate adoptamus eos ... by an imperial decision we adopt them ... (1.11.1)

aucupor (av- + cap-) (1) aucupatus sum engage in fowling qui in alium fundum ingreditur venandi aut aucupandi gratia, potest a domino ... prohiberi he who trespasses on the property of another to hunt or for fowling can be stopped ... by the owner (2.1.12 med.; hapax)

audeo (2) auxus sum semi-dep. dare, venture (+ inf.) iudex ... plerumque propter ... prae­toris auctorita­tem non audet minuere condemnationem the judge generally ... out of the deference to the praetor does not venture to reduce the damages (for outrage; G.3.224; hapax in G.); lex Julia ... gladio punit etiam eos qui cum masculis infandam libidinem exercere audent the lex Julia ... punishes with death (lit. the sword) also those who dare to indulge their abominable (= homosexual) lust with males (4.18.4)

audio (4) audivi/audii audittum a hear necesse habet iusiurandum subire quod nihil tale a testatore audivit he (the heir) is constrained to swear that he did not hear such a request from the testator (2.23.12 sub f.); is qui promittit verba stipulantis audire debet the promissor must (be able to) hear the words of the stipulator (3.19.7) b give heed to (the request of); pass.: be given a hearing magis est ut audiri debant (we are inclined to say that) their request (lit. they) should rather be heeded; 3.11.6 bis)

aufero (ab + fero) auferre abstuli ablatum a seize, take from, deprive of quasi domino liceat rem suam etiam per vim auferre possessibus (dat.) as though it is permissible for an owner to take his thing even by force from people in possession of it 64.2.1) b take away, filch, steal (res quas) fugiendo servus abstulit things which the slave has taken away in his flight (4.6.23); fundus vi fluminis ablatus land washed away by the force of a river (3.23.3 med.) c recover, claim rem aut vindicando aut condicendo potest au­ferre he can recover the thing either by the action for its return or that for its value (4.1.19)

augeo (2) auxi auctum a enlarge, extend lege Papia aucta sunt iura
patronorum by the lex Papia the rights of patrons were enlarged (G.3.42) b improve omnia augere ... desiderans desiring to improve everything (1.5.3) c increase auctus est populus Romanus in eum modum ut difficile sit in unum (scil. locum) eum convocare the Roman people had been so increased (in numbers) that it was difficult to convene it (lit. summon it to one place; 1.2.5)

**augmentum** in increase, augmentation (3.27.7; hapax)

**aureus** -a -um golden, of gold nec ullus aureus nummus and no gold coin (G.1.122); patera aurea golden cup (G.4.37; FORM); aureis litteris in gold lettering, in letters of gold (G.2.77; 2.1.33)

**aureus aurei** (= nummus aureus) gold piece quo casu poena X aureorum constituta est in this case a penalty of ten gold pieces has been fixed (4.5.1 med. bis); toto decem aureos Titius consequi (potest) Titius can recover all ten gold pieces (4.7.4b ter); "P. Maevium L. Titio (dat.) decem aureis (abl.) condemn no aut noxam dedere" "I condemn Publius Maevius to pay ten gold pieces to Lucius Titius or to surrender the slave (lit. the culprit. 4.17.1 ad f. FORM; v. sestertius)

**aurifex aurificis** m goldsmith cum aurifice mihi convenit ut ... I agree with a goldsmith for him to ... (G.3.147 = 3.24.4; only here)

**auris auris** ear auribus/per aures by hearing (3.6.9; bis)

**aurum** in gold corporales hae res sunt quae sui natura tangi possunt, veluti fundus, homo, vestis, aurum ... corporeal things are those which by their nature can be touched e.g. land, a slave, a garment, gold ... (G.2.13 = 2.2.1; v. aurifex)

**aut** conj. or, or ... or solo (dat.) cedere solent ea quae inaedificantur aut inseruntur buildings that are erected on it or what is sown usually follow the land (2.1.33); intestatus decedit qui aut omnino testamentum non fecit aut non iure fecit aut id quod fecerat ... irritum factum est a man dies intestate who did not make a will at all or did not make it in accordance with law or, again, if the will he made be ... invalidated (3.1 pr.)

**autem** conj. a weakly advers. (never the first word in a sentence; sometimes untranslated) but, nevertheless, yet, however semel autem causa approbata ... non retractatur however, once a ground (for manumission) has been approved ... there (can) be no revocation (of approval; 1.6.6); interdum autem et pupilli curatores accipiunt sometimes, however, even persons under the age of puberty receive curators (1.23.5); caecus autem non potest facere testamentum nisi ... a blind man cannot make a will, save ... (2.12.4) b continuation: now, furthermore, moreover adoptio autem duobus modis fit now adoption can be effected in (one of) two ways (1.11.1); excusantur autem tutores ... varis ex causis furthermore tutors (may) be excused on a variety of grounds (1.25 pr.); est autem alluvio incrementum latens now alluvion is an imperceptible accretion (2.1.20); untranslated: in potestate nostra sunt liberi nostri ...; ius autem potestatis, quod in liberos habemus, proprium est civium Romanorum our children are in our power ...; the power which we have over our children is peculiar to Roman citizens (1.9 pr. & 2)

**auxilium** ii in help, assistance, aid, relief auxilio praetoris by the kind offices/with the aid of the praetor (G.3.56; hapax in G.; 4.8.3); excep
tionis auxilio tutus esse potest he can avail himself of the relief offered by the exception (2.1.32); hanc possessionem praetor quasi ultimum et extraordinarium auxilium ... accommodavit this form of possession the praetor gave as an ultimate and extraordinary relief (3.9.8 sub f.)

avaritiae ae f greed ne ... inventiatur via per quam raptore impune suam exerceant avaritiam lest a way be opened by which robbers could with impunity give rein to their avarice (4.2.1; med.; hapax)

averto (ab + verto) (3) averti aversum frighten off, turn away (1.1.2; hapax)

avia aviae f grandmother (3.1.15); quarundam nuptiis abstinendum est ... veluti inter ... aviam et nepotem we are to abstain from marriage with certain women ... e.g. between grandmother and grandson (1.10.1)

avoco (1) -āvi -ātum take away from (ab + abl.) ab his hereditas avocari potest the inheritance can be taken away from them (G.2.148; 2.149; only here)

avolo (1) -āvi -ātum fly away peacocks and doves are wild by nature) ... avolare et revolare solent they are in the habit of flying away and returning (2.1.15; hapax)

avunculus i m (maternal) uncle, mother's brother ad iura avunculi sui perveniunt they succeed to (litt. reach) their uncle's rights (3.2.4 med.)

avus avi m grandfather avus maternus maternal grandfather (3.7.3 med.); avus paternus paternal grandfather (3.1.15 sub f.); post obitum avi in patris sui potestatem fiunt after the death of their grandfather they will be (lit. become) in their father's power (1.12 pr. sub f.)