CAMBRIDGE LIBRARY COLLECTION

Books of enduring scholarly value

Classics

From the Renaissance to the nineteenth century, Latin and Greek were compulsory subjects in almost all European universities, and most early modern scholars published their research and conducted international correspondence in Latin. Latin had continued in use in Western Europe long after the fall of the Roman empire as the lingua franca of the educated classes and of law, diplomacy, religion and university teaching. The flight of Greek scholars to the West after the fall of Constantinople in 1453 gave impetus to the study of ancient Greek literature and the Greek New Testament. Eventually, just as nineteenth-century reforms of university curricula were beginning to erode this ascendancy, developments in textual criticism and linguistic analysis, and new ways of studying ancient societies, especially archaeology, led to renewed enthusiasm for the Classics. This collection offers works of criticism, interpretation and synthesis by the outstanding scholars of the nineteenth century.

Corpus iuris civilis

The most famous legal work of the ancient world was compiled at the order of the emperor Justinian (*c*.482–565) and issued in the period 529–34. It was intended to be a complete codification of all law, to be used as the only source of law in all the courts of the empire. The work was divided into three parts: the *Codex Justinianus* contained all of the extant imperial enactments from the time of Hadrian; the *Digesta* compiled the writings of great Roman jurists; and the *Institutiones* was intended as a textbook for law schools. However, Justinian later found himself obliged to create more laws, and these were published as the *Novellae*. This three-volume Latin edition of 1872–95, prepared by the great classical historian Theodor Mommsen (1817–1903) and his colleagues, is the culmination of centuries of palaeographical and legal studies. Volume 2 contains the *Codex Justinianus*.

CAMBRIDGE

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

Cambridge University Press has long been a pioneer in the reissuing of out-of-print titles from its own backlist, producing digital reprints of books that are still sought after by scholars and students but could not be reprinted economically using traditional technology. The Cambridge Library Collection extends this activity to a wider range of books which are still of importance to researchers and professionals, either for the source material they contain, or as landmarks in the history of their academic discipline.

Drawing from the world-renowned collections in the Cambridge University Library and other partner libraries, and guided by the advice of experts in each subject area, Cambridge University Press is using state-of-the-art scanning machines in its own Printing House to capture the content of each book selected for inclusion. The files are processed to give a consistently clear, crisp image, and the books finished to the high quality standard for which the Press is recognised around the world. The latest print-on-demand technology ensures that the books will remain available indefinitely, and that orders for single or multiple copies can quickly be supplied.

The Cambridge Library Collection brings back to life books of enduring scholarly value (including out-of-copyright works originally issued by other publishers) across a wide range of disciplines in the humanities and social sciences and in science and technology.

© in this web service Cambridge University Press www.cambridge.org

Corpus iuris civilis

Volume 2: Codex Iustinianus

Edited by Paul Krueger

CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge, CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.
It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781108071260

© in this compilation Cambridge University Press 2014

This edition first published 1877
This digitally printed version 2014

ISBN 978-1-108-07126-0 Paperback

This book reproduces the text of the original edition. The content and language reflect the beliefs, practices and terminology of their time, and have not been updated.

Cambridge University Press wishes to make clear that the book, unless originally published by Cambridge, is not being republished by, in association or collaboration with, or with the endorsement or approval of, the original publisher or its successors in title.

CAMBRIDGE

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

CORPUS

IURIS CIVILIS

EDITIO STEREOTYPA

VOLUMEN SECUNDUM

CODEX IUSTINIANUS

RECOGNOVIT

PAULUS KRUEGER

BEROLINI

APUD WEIDMANNOS

MDCCCLXXVII

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

CODEX IUSTINIANUS

RECOGNOVIT

PAULUS KRUEGER

© in this web service Cambridge University Press www.cambridge.org

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

© in this web service Cambridge University Press

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

Codicis Iustiniani editio quae iam prodit minor ex maiore mea repetita est additis variis lectionibus eis, quibus careri non posse videbatur. quibus ut cum fructu lectores uti possint, librorum manu scriptorum, quibus recensio mea nititur, ceteraeque suppellectilis criticae condicionem breviter exponam.

Praestantissimi omniumque antiquissimique libri saeculo VI vel VII scripti fragmenta extant in libro Veronensi (*V*). is liber olim Codicem integrum complexus est: reliqui libri Codicem in duas partes divisum exhibent, ut in aliis libri I—VIIII, in aliis libri X—XII scripti sint.

Prioris partis libri derivati sunt ex Codicis Epitoma, quae vix quartam Codicis partem continet. genuina huius Epitomae forma non extat, sed auctam nonnullis supplementis ex integro Codice additis repraesentant libri Pistoriensis (*P*) saec. X vel XI, Parisiensis 4516 (*L*) saec. XI, Darmstadiensis (*D*) saec. XII: ex eiusdem propaginis libro auctor legis Romanae canonice comptae (*A*) saeculo VIIII constitutionum syllogen mutuatus est. libri a saeculo XI exeunte exarati ex libris Epitomae auctae ita promanarunt, ut suppletis ex integri Codicis exemplis constitutionibus Latinis quae adhuc deerant (desiderabatur autem plus quam dimidia pars) reliqua ad eadem exempla castigarentur. huius classis antiquissimis libris Casinate (*C*) et Berolinensi 273 (*R*) usus sum: quorum librorum ubi utriusque lectio mendosa est aut alteruter deficit, alios eiusdem classis libros (*MNQUW*) adcivi. in lectionibus Epitomae auctae adscribendis libros Parisiensem et Darmstadiensem qui cum Pistoriensi conspirare solent praetermisi.

Librorum X, XI, XII codices ultra saeculum XII extremum retrahi non possunt. fundamentum editionis esse volui libros antiquissimos Parisiensem 4537 (*K*) saec. XII extr. et Oxoniensem (*O*) saec. XIII: horum ubi alteruter deficit vel utriusque contextus pessumdatus est, lectiones libri Vindobonensis 2130 (*I*) saec. XIII aliorumque librorum scriptorum (*dett.*) vel etiam editorum subieci.

Tradita per libros manu scriptos lectio neque mendis neque hiatibus ex librariorum neglegentia ortis caret: nonnulla etiam data opera omissa sunt. cui damno reparando alia subsidia praesto mihi fuere. atque in eis quidem constitutionibus, quarum pristina forma Codicibus Gregoriano Hermogeniano Theodosiano vel Novellis ante Iustinianum latis traditur, veram lectionem plerumque certa coniectura reperire licuit. neque minore ad eam restituendam adiumento fuerunt versiones indices adnotationes commentatorum Graecorum Iustiniani aequalium aut paulo recentiorum, quae in Basilicis aliisque iuris Graeci collectionibus extant.

In eis quae data opera omissa sunt restituendis partim eadem illa partim alia subsidia suppetunt: truncae autem sunt constitutionum inscriptiones subscriptionesque. inscriptiones enim in omnibus libris ne Veronensi quidem excepto communem breviatoris licentiam subisse, quae e nominibus eorum hominum, ad quos constitutiones datae sunt, uno electo ceteros recideret, epitoma Codicis quae Summa Perusina vocatur (*S*) abunde nos docuit. atque hoc quidem damnum in libri quarti parte posteriore ex Summa Perusina reparari potuit: in reliquis Codicis partibus pauci tantum eiusmodi hiatus ex aliis constitutionum collectionibus vel ex legibus iungendis vel etiam ex Iustinianis Institutionibus explentur.

Subscriptiones veterum codicum librarii omissis quibusdam quae inutilia visa sunt in breve contraxerunt, recentiorum librarii fere omnino abiecerunt. quarum subscriptionum quae ita perierunt in libris novem prioribus plerasque Haloander ex libro manu scripto Egnatiano nunc deperdito restituit, in posterioribus libris nonnulla Cuiacius e libris iam item amissis, plurima supplementa Theodosianus Codex suppeditavit.

Graecas constitutiones libri scripti omittunt excepto Veronensi, qui quattuor constitutionum Graecarum fragmenta servavit. plerumque tamen ipsa constitutionum verba vel indices earum e iuris Graeci libris restituere licuit: qui indices in hac editione ita ab ipsis constitutionibus distincti sunt, ut versuum initia paululum intra solitum spatium retraherentur. inscriptiones Graecarum constitutionum ex temporis ordine passim supplevimus, ac tacite quidem: supplementa ista uncinis quadratis includi. punctis indicavi, quam sedem olim habuerunt eae constitutiones, quarum ne indices quidem aetatem tulerunt.

Latinarum quoque constitutionum earum, quae Iustiniani sub diversis titulis iteraverunt, paucae in libris nostris exciderunt: has e geminis legibus ita restitui ut stellulas singulis versibus praeponerem.

Graece scriptorum interpretatio Latina in notis aut infra notas addita est.

Scripsi Berolini die xv m. Martii 1877.

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

SIGNORUM EXPLICATIO.

A = lex Romana canonice compta, cui insunt haec: 2, 3, 6. 12. 17. 20. 2, 4, 27. 38. 39. 41. 2, 11, 1. 8. 10. 20. 22. 2, 12, 6. 2, 19, 4. 7. 9. 12. 2, 27, 1. 2, 35, 1. 3, 12. 3, 15, 1. 3, 16. 3, 22, 1. 4. 3, 28, 17. 19. 21. 23. 27. 28. 35 pr. 3, 29, 2. 3. 3, 32, 2. 7. 15. 22. 27. 3, 34, 1. 2. 4. 10—13. 3, 35, 1—5. 3, 39, 5. 6. 3, 44, 12. 4, 1, 2. 4, 19, 2. 4, 20, 5. 6. 8. 9. 11. 12. 14. 17. 19. 4, 22, 1. 4. 4, 24, 2. 3. 12. 4, 32, 17. 4, 34, 1. 10. 4, 38, 14. 4, 42. 4, 43. 4, 44, 2. 4, 65, 3. 15. 34. 5, 4, 26. 5, 5, 2. 8. 5, 9, 2. 6, 1, 1. 4. 6, 2, 2. 6, 22, 4. 6, 35, 12. 6, 42, 3 pr. 7, 6, 1 § 3. 7, 11, 4. 7, 13, 2. 3. 7, 33, 1. 2. 10. 12. 7, 35, 1—6. 7, 40, 1. 2. 7, 49. 8, 4, 7. 8, 52. 9, 16, 3

B = Basilica

BΣ = scholia Basilicorum

B (*κ.π.*) et *BΣ*(*κ.π.*) indicant *τὸ κατὰ πόδας*

C = Casinas 49 saec. XI vel XII ad libros I—VIIII

D = Darmstadiensis 2000 saec. XII ad libros I—VIIII

F = Digesta Florentina ad 1, 17

I = Vindobonensis 2130 saec. XIII ad libros X—XII

K = Parisiensis 4537 saec. XII extremi ad libros X—XII

L = Parisiensis 4516 saec. XI ad libros I—VIIII

M = Montispessulanus H 82 saec. XII ad libros I—VIIII

N = Parisiensis 16910 saec. XII ad 5, 1—12. 14—17.

O = Oxoniensis Bodleianus 3361 (Seld. Arch. B. 31) saec. XIII ad libros X—XII

P = Pistoriensis 66 saec. X vel XI ad libros I—VIII

p = supplementa manus secundae in libro *P*

Q = Berolinensis 275 saec XII ad libros I—VIIII

R = Berolinensis 273 saec. XII ad libros I—VIIII

S = Summa Perusina edita in Heimbachii Anecdotis Graecis vol II

U = Vercellensis 127 saec. XII ad praefationes (pag. 1—4)

V = Veronensis LXII saec. VI vel VII, in quo extant haec: 4, 48, 2—4, 49, 17. 4, 54, 9 fin.—4, 60, 1. 4, 64, 7—4, 65, 21. 5, 17, 10—5, 18, 5. 5, 24, 1—5, 24, 8 in. 5, 24, 11—5, 28, 8. 5, 31, 8—5, 32, 11. 5, 37, 3—5, 37, 22, 2^a. 5, 40, 1—5, 43, 9 in. 5, 50, 2—5, 59, 5, 1. 5, 71, 2—5, 75, 1. 6, 2, 21, 5—6, 3, 1. 6, 4, 4, 23—6, 7, 3. 6, 13, 1—6, 20, 4. 6, 21, 4—6, 23, 15. 7, 4, 7—17. 7, 40, 2—7, 43, 2. 7, 54, 2—7, 58, 3. 7, 62, 39, 1^a fin.—7, 63, 5, 1. 7, 66—7, 71, 4. 8, 1—8, 4, 7. 8, 13, 4—27. 8, 16, 4—8, 17, 11. 8, 30, 3—8, 33, 3, 5. 8, 38, 3—8, 40, 7. 8, 41, 4—8, 42, 16. 8, 44, 27—8, 47, 10, 3. 8, 53, 23—8, 53, 35, 3^a. 11, 62, 6—11. 11, 62, 12—14. 12, 33, 5, 3—12, 33, 8, 2. 12, 35, 18, 1^b—12, 36, 4 pr. — Cf. librum meum qui inscriptus est Codicis Iustiniani fragmenta Veronensia. Berolini 1874.

W = Vaticanus 1427 saec. XII ad praefationes (pag. 1—4.

Ambr. = excerpta codicis Ambrosiani G. 58 sup. saec. X vel XI, cf. Fr. Maassen, Bobienser Excerpte des Röm. Rechts, Wien 1864. insunt haec: 1, 3, 5. 7—10. 13. 14. 20 pr. 33. 53. 1, 4, 2. 4. 24. 1, 12, 2. 5. 1, 13, 1. 3, 12, 2. 9

Coll. = Collectio XXV capitulorum (cf. Heimbachii Anecdota II)

Coll. = Collatio legum Mosaicarum et Romanarum

Const. = Constitutionum ecclesiasticarum collectio, quae indices constitutionum 1, 1—13 cum paratitlis complectitur: cf. Voëlli et Iustelli bibliotheca iuris canonici veteris, Parisiis 1661 p. 1217 seqq.

Cui. = Cuiacii lectiones e libris manu scriptis enotatae in editione librorum X—XII

Dig. = Digesta Iustiniani

Epit. = Epitome iuris (Zachariae, Ius Graeco-Romanum II)

Greg. = Gregorianus Codex

Hal. = Haloandri editio Norembergae 1530

Hermog. = Hermogenianus Codex

Inst. = Institutiones Iustiniani

Nomoc. = Nomocanon XIV titulorum: cf. Pitra iuris ecclesiastici Graecorum historia et monumenta II p. 433 seqq.

Nov. = Novellae.

῾Ροπ. = *Αἱ ῾Ροπαί* ed. Zachariae, Lipsiae 1836

Sirmond. = constitutiones a Jac. Sirmondo editae

Th. = Theodosianus Codex

Vat. = Vaticana fragmenta

Utinensis = excerpta libri Utinensis (cf. Haenel in praefatione Novellarum a Iuliano epitomatarum p. X), cui insunt 7, 2, 9—11. 14. 7, 4, 8. 12. 7, 7, 1. 7, 10, 1. 4—7

a b litterulae ad codicum notas adscriptae distinguunt scripturam primitivam (e. g. R^a) et emendatam (R^b)

t v litterulis ad codicum notas adpositis distinguitur codicis scriptura (e. g. R^t) a diversa lectione, quae in eodem codice praemisso vocabulo *vel* sive *alias* adnotata est (R^v)

? interrogationis signum codicum notis postpositum ad proxime praecedentem notam solam referendum est

dett. = *libri deteriores*

edd. = editiones

inc(*ertus*) *ins*(*erit*) *pr*(*incipium*) *suppl*(*et*)

Haec in adnotatione leguntur. in contextu editionis solita inscriptionum subscriptionumque compendia retenta sunt, quorum haec explicare sufficiet:

in inscriptionibus *pp.* est praefectus praetorio, *pu.* praefectus urbi,

in subscriptionibus *d.* data, *dn. Iustiniano pp. A.* domino nostro Iustiniano perpetuo Augusto (ad annos 528. 533. 534), *pp.* proposita (initio subscriptionum), *pp. d.* proposita die, *s. d.* sub die, *vc.* vir clarissimus, *vv. cc.* viri clarissimi

© in this web service Cambridge University Press www.cambridge.org

Cambridge University Press
978-1-108-07126-0 - Corpus Iuris Civilis: Volume 2: Codex Iustinianus
Edited by Paul Krueger
Frontmatter
More information

ADDENDA ET CORRIGENDA.

1, 2, 25, 4 *post* εὑρίσκοιτο *insere* τῷ

1, 3, 5 *in inscriptione olim fuerit* imp. Iulianus A., *in subscriptione* Iuliano A. IIII et Sallustio conss. (= *a.* 363)

1, 3, 27 *iunge* 1, 12, 6. 9, 30, 2

1, 3, 28, 5 in urbis episcopi] in viri reverentissimi (*vel* religiosissimi) episcopi *vertit Nomoc. recte*

1, 3, 31 *not.* 13 *Iustiniani secundum constitutionum ordinem legerunt* d. k. Ian.: *olim autem fuisse puto* d. * k. Ian.: *Dioscorus enim exeunte anno* 472 *Erythrio videtur successisse*

1, 3, 32. 33 *iungendae sunt*

1, 3, 42, 2 (*not.* 1) *pro* ὑπό (*Coll.*) *praestat scribere* παρά (*Nomoc.*)

1, 3, 52, 15 *med. post* τοῦτο αὐτό *insere* τόν
fin. ὁ ἀνὴρ μείνοιεν, τοῖς

1, 4, 1 *not.* 6 *pro* Iuliano nepote suo *scribi debuit* Iuliano sororis suae filio

1, 4, 2 ad Claudium pu.] *libri cum Th.; fuerit* ad Claudium proconsulem Africae

1, 4, 14 *not.* 22 προσταθέν *cum l. gem. scr.*

1, 4, 17 *iam ex lege gemina* 10, 27, 3 *constat inscriptionem* Αὐτοκράτωρ Ἀναστάσιος *A. supplendam esse.*
ad finem corrige ἐκ μακρῶν χρόνων

1, 4, 18 *supple inscriptionem* [Ὁ αὐτὸς βασιλεύς]

1, 4, 21 *iunge etiam* 4, 2, 17. 4, 20, 18. 4, 21, 17

1, 4, 26 *not.* 6 *iunge* 3, 10, 2? 10, 40, 2 (*ad* § 16)

1, 4, 31 *in subscriptione* d. xv k. Nov. *restituendum esse ad* 7, 40, 2 *probavi*

1, 5, 4 *supplementa Basilicorum auctoritate ex Th. recepta* (*not.* 10. 13) *reprobat Zachariae* (*Kritische Vierteljahrsschrift* 16 *p.* 231), *quia fieri possit, ut Thalelaei index* (= *B*) *spectet lectionem Codicis Iustiniani prioris, libri autem Latini cum Nomoc. et Const. repetitam Codicis praelectionem sequantur: cf. praefatio editionis criticae*

1, 5, 8, 4 *de supplemento ex Th. et B* (*not.* 8) *Zachariae idem monuit quod supra ad* 1, 5, 4

1, 7, 5 *corrige* traduxerit

1, 8, 1 *corrige* quodcumque reperitur

1, 9, 4 *aut anni* 368 *aut a.* 370 *aut a.* 373 *est*

1, 9, 18 *not.* 13 *supplementum* neminem Samaritam *agnoscunt etiam Paratitla ad Const.* 2. 7; *cf. supra ad* 1, 5, 4

1, 12, 6 *iunge* 1, 3, 27. 9, 30, 2

1, 18, 3 *fortasse iungenda est* 3, 44, 8

1, 19, 3 *subscr.* Constantio C. IIII *cum fastis scr.*

1, 19, 5 *inscr.* pp.] pu. *scr.*

1, 23, 6 *fortasse iungendae sunt* 12, 19, 10. 12, 59, 9

1, 27, 2, 22. 25. 28. 31 *pro* semissaliis *restituendum esse* semissalibus *probat inscriptio C. I. L.* V *n.* 8739, *cf. Lydus de mag.* 1, 46 ἀρματούρα σεμισσαλία

1, 28, 1 *subscr.* II *post* AA. *delendo a.* 365 *recte restituit Clossius*

1, 34, 2 *breviorem indicem exhibent B Fabroti* (6, 1, 45): Φροντίζειν ὀφείλουσιν οἱ ἄρχοντες τῶν ἐπαρχιῶν ἵνα μὴ βλαβῶσι τὰ πατριμονιάλια χωρία (*id est* providere debent praesides provinciarum, ne detrimentum capiant fundi patrimoniales)

1, 34, 3 *not.* 3 *dele verba* nisi forte . . . ἰδικῶν: *confirmatur enim index supra exscriptus alio indice a Fabroto* (*B* 6, 1, 46) *exhibito:* Ἐπὶ τοῖς προαγγελθεῖσιν ὡς φισκαλίοις πράγμασι σφραγὶς οὐκ ἐπιτίθεται παρὰ τῷ κόμητι τῶν θησαυρῶν ἡμῶν πρὸ τελείας τῶν ζητουμένων διακρίσεως (*id est* rebus tamquam fiscalibus delatis signum a comite thesaurorum nostrorum non ante imponatur, quam causae cognitio ad finem perducta est)

1, 40, 2 *subscr. post* Ian. *excidit dies quo constitutio accepta est*

1, 40, 5 *in inscriptione olim fuerit* imp. Iulianus A., *in subscriptione* Mamertino et Nevitta conss. (= *a.* 362)

1, 40, 9 *subscr. post* Mediolani *excidit dies quo constitutio accepta est, ut data sit anno* 389

1, 40, 13 πρὸ μιᾶς

1, 45, 2 *iunge* 10, 74, 1. 11, 2, 5: *in subscriptione pro* XIII *scr.* XIIII

1, 48, 3 *subscr. post* Nov. *excidit dies, quo constitutio accepta est*

1, 55, 2 *vel ad a.* 368 *vel ad a.* 370 *vel ad a.* 373 *pertinet*

2, 4, 9 *olim fortasse fuerit* Si super possessione, quae tibi per filium tuum ex matris eius hereditate quaesita est *rel., cf. B et BΣ: traditam lectionem tuetur versio B*

2, 4, 36 *fortasse iungendae sunt* 6, 23, 14. 6, 42, 29

2, 4, 42 *iunge* 8, 17, 11

2, 6, 6 *iunge* 7, 65, 4

2, 11, 21 *in inscriptione* et CC. *cum libris omittendum et in subscriptione a.* 290 *ponendus est*

2, 12, 21 *subscr. pro* d. *scr.* pp.

2, 14, 1 *iunge etiam Th.* 10, 3, 5 (d. vi k.)

2, 15, 1 *not.* 9 *pro Th.* 11, 1, 36 *substitue huius Codicis* 11, 75, 5

2, 15, 2 § 1 *post* censemus *B* addunt κἂν τινες ὦσι τῆς ἰδικῆς οὐσίας τοῦ εὐσεβεστάτου βασιλέως φροντίζοντες (*id est* licet inter eos sint, qui rei privatae piissimi imperatoris curam gerunt): *quae dubito utrum verum supplementum praestent an ex Thalelaei adnotatione originem ducant*

2, 17, 2 *extr. post* cura *B addunt* καὶ ὡς βούλει φύλαξον αὐτά (*id est* et prout vis id tuere)

2, 18, 4 *not.* 10 utili *non agnoscit BΣ* 38, 6, 6 (*Theod.*)

2, 18, 18 *extr. ad* uteris *B addunt* apud praesidem provinciae

2, 19, 5 *ante* iurisdictionis tenore *secundum B et S suppl.* oblato emptori pretio

2, 29, 2 *pr. ante* fecit *B* (κ.π.) *inserunt* perfectam

2, 50, 3 *not.* 9: *additamentum non agnoscit index Theodori in Prochiro aucto* 31, 31

2, 50, 6 *est anni* 254

2, 51, 2 *aut anni* 290 *aut anni* 293 *est*

2, 55, 3 *aut anni* 290 *aut anni* 293 *est*

2, 58, 2 *subscr. pro* pp. *ex legibus iungendis restitue* d.

© in this web service Cambridge University Press

3, 1, 11 *pro* διοικηταί *Zachariae proponit* διαιτηταί
3, 12, 2 *inscr.* Helpidio
3, 24, 3 *iunge* 12, 1, 7
3, 28, 10 iure successionis *om. BΣ* (κ.π.)
3, 31, 2 § 2 *verba* fructus ... peti potest *videntur ad finem* § 1 *collocanda esse*
subscr. (*not.* 10) Severo A. II *Hal. recte*
3, 32, 1 *pr.* qui eum possidet
3, 34, 2 *not.* 10 *restitue* mobilium: *eam enim lectionem praeter SAPR*[b] *tuentur Graeci, qui triennii spatium indicatum esse intellegunt*
3, 34, 5 *corrige* pars diversa
3, 40, 2 *inscr.* Sallustio pp. *recte om. Th. et Consult.* 3, 10: *nam Flavio Sallustio pp. Galliarum a.* 362 *successit Mamertinus, Sallustius autem Secundus hoc tempore pp. Orientis in legibus appellatur Secundus. Sallustii nomen fortasse aberravit ex subscriptione Th.* 2, 12, 1
4, 2, 16 *dele virgulam post* versatus (*cf. Gothofredus ad Th.* 9, 22, 1 *contra BΣ*)
4, 2, 17 *not.* 8 *iunge* 4, 20, 18. 4, 21, 17. 4, 30, 14. 15? 5, 15, 3
post 4, 20, 20 *iteratam fuisse* 1, 5, 21 *probare videntur B* 20, 1, 45
4, 20, 18 *not.* 1 *iunge* 4, 2, 17. 4, 21, 17. 4, 30, 14. 15? 5, 15, 3
4, 23, 21 *aut a.* 290 *aut a.* 293 *est*
4, 24, 5 rationibus] probationibus *BΣ* (κ.π.)
4, 28, 5 *pr.* vel legationis *om. Greg., addiderunt Iustiniani teste Thalelaeo* (*BΣ*)
4, 30, 14 *not.* 6 *iunge* 4, 2, 17. 4, 20, 18. 4, 21, 17. 4, 30, 15? 5, 15, 3
4, 31, 14 *subscr. ita restitue* d. k. Nov. Constantinopoli post cons. Lampadii et Orestis vv. cc.
4, 32, 26, 2 *med. secundum B excidit venerabilium domorum privilegium, ne supra quartam centesimae partem usuras debeant, quod confirmat BΣ* 25, 1, 11 *sch.* 7, *non agnoscit Theodorus in BΣ h. l.*
4, 43, 2 *ad Th. et B sic emendanda esse videtur:* si quis vendiderit, emptor obtinendi e. s. h. f., venditione in hoc tantummodo valente, ut liceat ipsi qui *rel.*
4, 46, 3 *fortasse* 11, 59, 2 *iungenda est*
4, 56, 1 *fin.* ad Primum qui
5, 1, 5 *not.* 15 *iunge* 1, 4, 16. 1, 18, 13. 5, 6, 8. 5, 30, 3
5, 1, 6 *data est aut eodem die quo* 1, 4, 33 (*k. Nov. a.* 534) *aut paulo antea*
5, 3, 5 potes (*sic PM cum l. gem.*) *in* potest (*sic recte C cum B et BΣ*) *mutasse compilatores testatur Thalelaeus* (*BΣ*)
5, 4, 25, 5 *fin. pro* detrimento (*sic CM cum l. gem.*) *restituendum est* incrementum (*sic N cum BΣ* κ.π.)
5, 15 *not.* 8 *iunge* 4, 2, 17. 4, 20, 18. 4, 21, 17. 4, 30, 14. 15?
5, 17, 11 *not.* 3 *iunge* 1, 3, 53. 7, 24, 1? 9, 13, 1. 11, 48, 24?
5, 21, 2 [*a.* 290 *vel* 293]
5, 21, 3 [*a.* 290 *vel* 293]
5, 51, 2 *iunge* 5, 56, 1
5, 56, 1 *iunge* 5, 51, 2
5, 73, 4 *subscr.* [*a.* 303]
6, 1, 7 *not.* 5 *Gothofredi emendationem confirmat* 10, 3, 6
6, 8, 1 *subscr.* [*a.* 290 *vel* 293]
6, 20, 13 a patre *propter* 6, 61 6 *addidisse videntur Iustiniani, cf.* 3, 36, 18
6, 20, 14 *verba* quam habuit p. s. m. tempore, dotem non conferenti *ne muta, sed verba* quam habuit *refere ad* dotem: *cf. Fein Collation p.* 341
6, 21, 4, 1 *corrige* si minor annis ex lege constitutis
6, 23, 14 *not.* 11 *iunge* 2, 4, 36? 6, 42, 29
not. 12 VI *ins.* 2, 4, 36, VIII *ins.* 6, 42, 29

6, 30, 17 *not.* 16: 12, 57, 10 *iungenda non est*
6, 41, 1 *pr. med.* poenam inferri (*pro* inferre) *Huschke*
6, 42, 29 *iunge* 2, 4, 36? 6, 23, 14
6, 48, 1, 10 στρατιώταις *in* συστρατιώταις *emendat Zachariae*
6, 58, 9 *subscr. pro* Iul. *cum Mommseno* Ian. *scr.*
7, 9, 3 *aut a.* 290 *aut a.* 293 *est*
7, 12, 1 *Cuiacius hanc subscriptionem restituit:* data XVI k. Iulias ipsis Antonino et Vero AA. conss. (= *a.* 161?) *consulibus ad coniecturam a se de inscriptione prolatam* (*cf. not.* 5) *emendatis*
7, 24, 1 *iungendae videntur* 1, 3, 53. 5, 17, 11. 9, 13, 1 (d. XV k. Dec. Constantinopoli dn. Iustiniano pp. A. III cons.)
7, 31, 1, 3 *med. deletis notis* 1 *et* 2 *et numero paragraphi* 3 *a sic restitue* vel triennium, quod (*sic C,* quod et *R*) in rebus mobilibus obs. ... iusto titulo possessionis antecessoris (antece[dente posse]ssoris *scr.*) iusta detentio
7, 33, 1 *pr.* et omissam *Iustinianos propter* 8, 36, 5 *addidisse vidit Francke* (*Hereditatis petitio p.* 39), *cf. Paul.* 5, 2, 5: *idem male quod sequitur* bona fide *addiderunt, nam et in h. l. et apud Paulum de servitutibus longo tempore possessis agitur*
7, 50, 2, 1 permittitur *ex* perimitur *corruptum est*
7, 65, 3 *est anni* 373
8, 11, 5 *subscr.* Philippis *in* Philippopoli *emendat Gothofredus*
8, 13, 1 *subscr. pro* Severo ... conss. (*sic Hal.*) *in P legitur* sev. III et XIII: *numerus* XIII *ex rubrica tituli aberrasse videtur, reliqua ad a.* 200 *ducunt*
8, 36, 4 *indicem h. c. extare in B* 27, 1, 3 *quae huc usque ad c.* 3 *trahebantur, vidit Zachariae. verba indicis haec sunt:* Ἐάν τις νεμόμενος ἀκίνητον πρᾶγμα ὑπομνησθῇ παρά τινος καὶ ἡττηθῇ, τέως ἀποκαθιστάτω αὐτό. εἰ δὲ ἐξεποίησεν αὐτό, πεμπέσθω ὁ ἐνάγων ἐπὶ νομῆς αὐτοῦ. εἰ δέ τι ἀντειπεῖν βούλεται ὁ νῦν ἔχων αὐτό, παρὰ τῷ αὐτῷ δικαστῇ λεγέτω μὴ ἔχων φόρου ἢ ἀξίας παραγραφὴν ἢ ζωνῆς (*id est* si quis rem immobilem possidens conventus ab aliquo et victus fuerit, tunc eam restituat. quod si eam alienaverit, in possessionem eius actor mittatur. sin autem aliquid obicere vult is qui nunc eam habet, apud eundem iudicem dicat nec habeat fori vel dignitatis cingulive praescriptionem)
9, 12, 6 *inscr.* ad Catullinum
9, 46, 6 *subscr.* [*a.* 290 *vel* 293]
9, 47, 16 *inscr.* ad Catullinum
10, 2, 8 *not.* 4 d. XV k. Dec. [acc. . . .] Hadrumeto *probabilior emendatio est, ut constitutio data sit a.* 364
10, 16, 13, 1 ἔλληψιν *in* ἔλλειψιν *emendat Zachariae*
10, 26, 2 *subscr. not.* 2 *emendatio Gothofredi non convenit itineri Valentiniani*
10, 32, 5 *Buchholtz iungit* 10, 62, 4
10, 32, 26 *subscr.* [*a.* 373]
10, 62, 4 *Buchholtz recte iungit* 10, 32, 5 (*a.* 286): *unde in inscriptione* et CC. *cum O omittendum est*
10, 65, 4 *subscr. ante* Triveris *excidisse videtur* acc....
11, 6, 6 *not.* 2 Honorio VIIII et
11, 8, 4 *inscr.* Auxonium
11, 13, 1 *inscr.* Auxonio