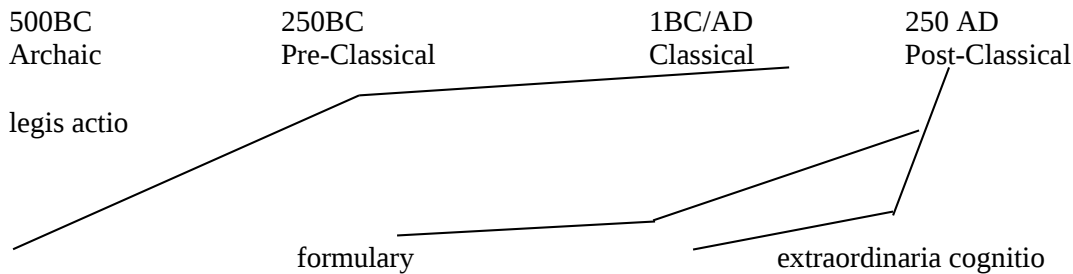


| Period     | Description    | Politics     | Sources of Law         |
|------------|----------------|--------------|------------------------|
| 500–250 BC | Archaic        | City-State   | XII Tables             |
| 250–1 BC   | Pre-Classical  | Urban Empire | Statutes/Cases         |
| 1–250 AD   | Classical      | Principate   | Cases                  |
| 250–500 AD | Post-Classical | Dominate     | Imperial Constitutions |
| 527–565 AD | Justinian      | Byzantine    | Code                   |



### 1. Sample Formulae

#### a) formula certae creditae pecuniae

nominatio Octavius iudex esto—Let Octavius be judge

intentio Si paret Numerium Negidium [N<sup>m</sup>N<sup>m</sup>] Aulo Agerio [A<sup>o</sup>A<sup>o</sup>] HS X milia dare oportere—  
If it appears that N.N. ought to give 10,000 sesterces to A.A.,

exceptio pacti Si inter A<sup>m</sup>A<sup>m</sup> et N<sup>m</sup>N<sup>m</sup> non convenit ne ea pecunia intra annum peteretur—  
If A.A. and N.N. did not agree that the money would not be sought within a year.

replicatio doli Aut si quid dolo malo N<sup>i</sup>N<sup>i</sup> factum est—Or if anything was done by N.N.'s fraud

condemnatio Iudex N<sup>m</sup>N<sup>m</sup> A<sup>o</sup>A<sup>o</sup> HS X milia condemnato; si non paret absolvito.—

Let the judge condemn N.N. [to pay] A.A. 10,000 sesterces; if it does not appear let him absolve.

#### b) formula ficticia

Si A<sup>s</sup>A<sup>s</sup> L. Titio heres esset, tum si paret N<sup>m</sup>N<sup>m</sup> A<sup>o</sup>A<sup>o</sup> HS X milia dare oportere, iudex [etc.]—  
If A.A. were heir to L. Titius, then if it appears that N.N. ought to pay A.A. 10,000 sesterces, the judge, etc.

#### c) rei vindicatio

Si paret mensam de qua agitur A<sup>i</sup>A<sup>i</sup> ex iure Quiritium esse neque ea mensa A<sup>o</sup>A<sup>o</sup> restituetur—  
If it appears that the table which is the subject of the litigation belongs to A.A. by Quiritine right and that table is not restored to A.A.

Quanti ea mensa erit, tantam pecuniam iudex N<sup>m</sup>N<sup>m</sup> A<sup>o</sup>A<sup>o</sup> condemnato, si non paret absolvito—  
Whatever the table shall be worth, let the judge condemn NN [to pay] to AA so much money; if it does not appear let him absolve.

#### d) formula depositi in factum concepta

Si paret A<sup>m</sup>A<sup>m</sup> apud N<sup>m</sup>N<sup>m</sup> mensam argenteam deposuisse eamque dolo malo N<sup>i</sup>N<sup>i</sup> A<sup>o</sup>A<sup>o</sup> redditam non esse, quanti ea res erit, [etc.]—

If it appears that A.A. deposited a silver table with N.N. and it was not returned to A.A. by the fraud of N.N., whatever the thing shall be worth, etc.

e) formula venditi

Quod A<sup>s</sup>A<sup>s</sup> N<sup>o</sup>N<sup>o</sup> fundum Cornelianum, quo de agitur, vendidit—

Whereas A.A. sold N.N. the Cornelian land which is the subject of the litigation

Quidquid paret ob eam rem N<sup>m</sup>N<sup>m</sup> dare facere oportere ex fide bona—

Whatever it appears N.N. ought to give [or] do in good faith

Eius iudex N<sup>m</sup>N<sup>m</sup> A<sup>o</sup>A<sup>o</sup> condemnato; si non paret absolvito.—

With respect to that let the judge condemn N.N. [to pay] A.A.; if it does not appear, let him absolve.