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IMPERATORIS IUSTINIANI
INSTITUTIONUM LIBRI QUATTUOR

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HENRY FROWDE



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IMPERATORIS IUSTINIANI
INSTITUTIONUM

LIBRI QUATTUOR

WITH INTRODUCTIONS, COMMENTARY, AND EXCURSUS

BY

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P R E F A C E.

THE text which I have followed is that published by Krueger in his and Mommsen's Edition of the *Corpus iuris civilis* (Berlin, 1877). In writing the Introductions, Commentary, and Excursus, I believe I have consulted the best and most recent authorities: perhaps my obligation throughout is heaviest to Puchta (on whose masterly *Institutionen*, Book II, the General Introduction is mainly based), Schrader, Baron, and Vangerow. My constant difficulty, in explaining the text, has been to know where to draw the line between notes, in the ordinary sense of the word, and a more systematic treatment of legal topics. If I seem to have been too prolix, my excuse must be the scarcity of accessible books upon the subject in our own language. A French or German edition of the *Institutes* might well have been far shorter, but there the reader can be referred to systematic institutional treatises upon points which hardly occur in our text. A book such as Puchta's or Kuntze's still remains to be written in English.

I have to express my thanks to Professor Bryce, M.P., the present holder of the Chair of Civil Law in this University, for constant encouragement and much actual assistance in my work. Some of it he has revised with great care, and he has benefited the whole by many valuable suggestions and criticisms.

J. B. M.

OXFORD, *January*, 1883.