OUKA
Osaka University Knowledge Archive

Title	The Addressees of the Responses of P. Alfenus Varus and the Accessibility of 'Ordinary' People to his Legal supports in late Republican Rome
Author(s)	Hayashi, Tomoyoshi
Citation	
Version Type	AM
URL	https://hdl.handle.net/11094/73635
rights	
Note	

Osaka University Knowledge Archive : OUKA

https://ir.library.osaka-u.ac.jp/

Osaka University

	A	B	C	D	E	F
1						
2	Lenel's no.	Source	Form of question	Form of answer	Notes	
3	1	D. 28,1,15(Iav. 5 post. Lab.)	N.A.	N.A.	"Seruium respondisse scripsit"	
4	2	Gellius, N. A. 7,5,1	"quaesitum est"	"respondi"	The question and answer were cited from his Digesta	
5	3	D. 3,5,20,pr.(Paul.9 ad ed.)	N.A.	"Seruius respondit"	A response by Servius cited from the Digesta of Alf.	
6	4	D. 8,5,17	"consulebatur"	"respondi"	"Annio consilium omnes iuris periti dederunt"(1.)	
7	5	D. 39,2,43pr.	"quaesitum est"	"respondit"		
8		D. 39,2,43,1	"quaesitum est"	"respondit"		
9		D. 39,2,43,2	"Idem consulebat"	"respondit"		
10	6	D. 9,1,5	"consulebatur"	"respondi"		
11	7	D. 9,2,52,1	"consulebat"	"respondi"	A consultation by the shopkeeper.	
12		D. 9,2,52,2	"dominus pueri consulebat"	"respondi"	A consultation by the owner of the injured slave boy.	
13		D. 9,2,52,2	"quaerebatur"	"respondi"		
14		D. 9,2,52,2	"quaerebatur"	"respondi"		
15	8	D. 10,3,26	"quaerebatur"	"respondi"		
16	9	D. 44,7,20	N.A.	N.A.		
17	10	D. 11,3,16	"quaerebatur"	"respondi"		
18	11	D. 15,3,16	N.A.	"respondit"		
19	12	D. 18,6,12	N.A.	"respondit"		
20	13	D. 19,1,26	N.A.	N.A.		
21	14	D. 44,1,14	N.A.	N.A.		
22	15	D. 19,2,27	"interrogatus est"	"respondit"		
23	16	D. 50,16,202	N.A.	N.A.		
24	17	D. 40,1,6	"conlulebat"	"respondit"		
25	18	D. 40,7,14,pr.	"consulebatur"	"respondit"		
26		D. 40,7,14,1	N.A.	"respondit"		
27	19	D. 28,5,45	"reliquus heres consulebat"	"respondit"	A consultation by the heir.	
28	20	D. 33,8,14	"consulebatur"	"respondit"		
29	21	D. 34,8,2	N.A.	N.A.		
30		D. 35,1,27	"quaerebant heredes"	"respondit"	A consultation by the heirs.	
31	22	D. 4,6,42	N.A.	N.A.		
32	23	D. 5,1,76	"quaerebatur"	"respondi"		
33	24	D. 6,1,57	"quaerebatur"	"respondi"		
34	25	D. 40,1,7	"quaerebatur"	"respondit"		
35	26	D. 38,1,26,pr.	"id ius est nec ne?"	"respondit"		
36		D. 38,1,26,1	"rogaui"	"respondit"	Is *ego* a pupil or Alfenus? Is the respondent Alf. or Ser.?	
37	27	D. 19,2,20	"quaerebatur"	"respondi"		
38	28	D. 39,4,15	"consulebatur"	"respondit"	The name Caesar and Ides of March suggests	
39					hyopothetical arguments or fictious name.	
40	29	D. 50,16,203	"quaerebatur"	"respondit"		
41		D. 34,2,28	"quaesitum est"	N.A.		

	A	B	C	D	E	F
42		D. 50,16,203	"quaeri"	N.A.		
43	30	D. 4,8,50	"consulebatur"	"respondi"		
44	31	D. 8,4,15	N.A.	N.A.		
45	32	D. 41,3,34	N.A.	N.A.		
46	33	D. 48,22,3	N.A.	N.A.		
47	34	D. 28,5,46	N.A.	"Seruius respondit"	An answer by Servius	
48	35	D. 33,1,22	"quaeritur"	"respondit"		
49	36	D. 35,1,28,pr.	"quaerebatur"	"respondit"		
50		D. 35,1,28,1	"quaesitum est"	"respondit"		
51	37	D. 30,106	N.A.	N.A.		
52	38	D. 50,16,204	N.A.	N.A.		
53	39	D. 32,60,pr.	"quaereretur"	N.A.		
54		D. 32,60,1	N.A.	"respondi"		
55		D. 32,60,2	"quaerebatur"	"respondit"	"sic mihi placet"	
56		D. 32,60,3	N.A.	"(uideri) ait"		
57	40	D. 33,2,12	N.A.	N.A.		
58	41	D. 7,1,11	N.A.	N.A.		
59	42	D.8,2,16	"quaesitum est"	"respondi"		
60	43	D. 8,3,29	"quaesitum est"	"respondi"		
61	44	D.33,7,16,1	"qui eum consulebat"	"Seruius respondit"	An answer by Servius. A client asked a consultatiion.	
62			N.A.	"Cornelium respondisse aiebat"	Comparison with the answer of "Cornelius"	
63		D. 33,7,16,2	"consultus"	"respondit"		
64	45	D. 21,2,44	N.A.	"respondit"		
65	46	D.33,8,15	N.A.	"respondit"		
66	47	D. 46,3,35	N.A.	N.A.		
67	48	D. 5,4,9	"quaesitum est"	"responsum est"	An institution of a hypothetical case?	
68	49	D. 6,1,58	"Is ..quaerebat"	"respondit"	A consultation by an owner of a slave	
69	50	D. 10,3,27	N.A.	N.A.		
70	51	D. 17,2,71	"quaesitum est"	"respondit"	"respondit" twice.	
71	52	D. 18,6,13	N.A.	N.A.		
72	52	D. 18,6,15	N.A.	"respondit"		
73	53	D. 19,1,27	N.A.	N.A.		
74	54	D. 19,2,30,pr.	"quaesitum est"	"respondit"		
75		D. 19,2,30,1	N.A.	"respondit"		
76		D. 19,2,30,2	"Qui…consulebat"	"respondit"	A consultation by the lender of a mule.	
77		D. 19,2,30,3	"quaesitum est"	"respondit"		
78		D. 19,2,30,4	N.A.	"respondit"		
79	55	D. 14,2,7	N.A.	"respondit"		
80	56	D. 19,5,23	N.A.	"respondit"		
81	57	D. 23,4,19	N.A.	N.A.		
82	58	D. 23,5,8	N.A.	"respondit"		

	A	B	C	D	E	F
83	59	D. 24,1,38	N.A.	"respondit"		
84	60	D. 33,10,6	N.A.	"puto"		
85	61	D. 8,3,30	"quaesitum est"	"respondit"		
86	62	D. 18,1,40 pr.	"emptor quaerebat"	"respondit"	A concrete consultation by a purchaser of a land.	
87		D. 18,1,40,1	"quaerebatur"	"respondit"		
88		D. 18,1,40,2	N.A.	"respondit"		
89		D. 18,1,40,3	"quaesitum est"	"respondit"		
90		D. 18,1,40,4	N.A.	"respondit"		
91		D. 18,1,40,5	N.A.	"respondit"		
92		D. 18,1,40,6	N.A.	N.A.		
93		D. 50,16,205	N.A.	N.A.		
94	63	D .21,2,45	N.A.	"ait"		
95	64	D. 39,3,24,pr.	"quaesitum est"	"respondit"		
96		D. 39,3,24,1	N.A.	N.A.		
97		D. 39,3,24,2	N.A.	N.A.		
98	65	D. 41,1,38	N.A.	"respondit" "ait"		
99	66	D. 10,4,19	"quidam consuluit"	"respondit"	An academic question and answer? "Consulere" used.	
100	67	D. 47,2,58	N.A.	N.A.		
101	68	D. 8,2,33	N.A.	N.A.		
102	69	D. 12,6,36	"quaesitum est"	"respondit"		
103	70	D. 13,7,30	N.A.	"respondit"		
104	71	D. 19,2,31	"quaesitum est"	"respondit"		
105	72	D. 42,1,62	"quaerebatur"	"respondit"		
106	73	D. 32,61	"quaesitum est"	"respondit"		
107	74	D. 33,2,40	N.A.	N.A.		
108	75	D. 6,1,5,3(Ulp. ad ed. 6)	N.A.	N.A.	"uarus et Nerua utilem in rem actionem dabant"	
109	76	D. 8,5,8,5(Ulp. ad ed. 17)	N.A.	N.A.	"(Aristo) Alfenum denique scribere ait"	
110	77	D. 9,2,29,4(Ulp. ad ed. 18)	N.A.	N.A.	"Alfenus ait"	
111	78	D. 17,2,65,8(Paul. ad ed. 32)	N.A.	N.A.	"Seruius apud Alfenum ita notat"	
112	79	D. 18,1,18,1(Pomp. ad Sab.9)	N.A.	N.A.	"idem Alfenus scripsit"	
113	80	D. 31,74(Pap. Quaest. 27)	N.A.	N.A.	"quod Alfenus rettulit"	
114	81	D. 32,29,2(Labeo post….2)	N.A.	N.A.	"idem Alfenus uarus Seruio placuisse scribit"	
115	82	D. 33,4,6,pr.(Labeo post….2)	N.A.	N.A.	"Alfenus uarus Seruium respondisse scribit"	
116	83	D. 33,7,12,2(Ulp ad Sab. 20)	N.A.	N.A.	"Alfenus…ait"	
117	84	D. 39,2,9,2(Ulp. ad ed. 53)	N.A.	N.A.	"Alfenus quoque scribit" "Alfenus idem ait"	
118	85	D. 39,3,2,5(Paul. ad ed. 49)	N.A.	N.A.	"Item uarus ait" "uarus ait"	
119	86	D. 40,12,10(Ulp. ad ed. 55)	N.A.	N.A.	"Uarus autem scribit" "ait"	
120	87	D. 46,3,67(Marcell. Dig. 13)	N.A.	N.A.	"apud Alfenum Seruius…respondit"	
121	88	D. 50,16,77(Paul. ad ed. 49)	N.A.	N.A.	"quae Seruius apud Alfenum…putat"	
122	89	D. 50,16,87(Marcell. Dig. 12)	N.A.	N.A.	"Ut Alfenus ait"	
123	90	D. 50,16,239,6(Pomp.lib.ench.)	N.A.	N.A.	"et Uarus ait"	

	A	B	C	D	E	F
124						
125					Source:Lenel, PIC, I, S.37-54	
126						
127						
128					CONTENTS	
129				No. 1-3:	Citations of his Digesta in other sources	
130				No. 4-30	His Digesta presumably epitomized by an anonymous jurist	
131				No. 31-74	His Digesta epitomized by Paulus	
132				No. 75-90	Fragments ascribed to him by his name etc.	
133						
134						
135						
136						
137					※"N.A." = Not applicable	