

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW
RE-SEAT EXAMINATION, JULY 2017

TITLE OF PAPER: ROMAN LAW

COURSE CODE: LAW 108

TIME ALLOWED: THREE (3) HOURS

INSTRUCTIONS: 1. ANSWER FOUR (4) QUESTIONS
2. ALL QUESTIONS CARRY EQUAL MARKS

**DO NOT OPEN THIS PAPER UNTIL PERMISSION HAS BEEN
GRANTED BY THE INVIGILATOR.**

QUESTION ONE

Compare and contrast the legal consequences of the *manus* marriage with that of the free marriage. Which marriage was preferable and why?

[25 MARKS]

QUESTION TWO

Discuss the various ways property was classified in Roman law. Which classification of property was of fundamental significance in the conveyance of property? Give reasons for your answer.

[25 MARKS]

QUESTION THREE

Outline the functions of the different types of heirs in early Roman law. How were the different categories of heirs different from each other?

[25 MARKS]

QUESTION FOUR

Critically analyse the general features of the Roman law contracts. Were all the contracts in terms of Roman law actionable at law? Give reasons for your answer.

[25 MARKS]

QUESTION FIVE

Write short notes on the following:-

a) Corporeal and incorporeal things

[10 MARKS]

b) *Manumissio vindicta*

[5 MARKS]

c) *Stipulatio*

[10 MARKS]

[25 MARKS]