

EFFECT OF (PRAEPOSITIO) POST MORTEM AT ACTIO INSTITORIA

Summary: *Praepositio as a legal basis for exercising rights and obligations from certain actiones adiecticiae qualitatis usually established for an (in)determinate period of validity with inter vivos effect. The deadline, as an important element of the praepositio, is not mentioned in the sources. Looking at it from the other side, we don't even find an explicit prohibition of entering deadlines in the praepositio, so the deadlines were probably introduced in the form of accidentalia negotii. However, how death affected the course of legal contract undertaken on the basis of the praepositio, we will conclude by considering the passages from the Digest that refer to the application of the actio institoria. Did the effect of legal affairs undertaken on the basis of a preposition bind the dominus negotii or his successor after his death?*

Key words: *Actio institoria. Praepositio. Post mortem. Trans mortem. Mandate.*