

Book V.
Title X.

If a woman marries a second time, to whom her husband left a usufruct.
(*Si secundo nupserit mulier, sui maritus usum fructom reliquerit.*)

5.10.1. Emperors Valentinian, Theodosius and Arcadius.

If a husband dies and leaves the usufruct of things to his wife, and she enters a second marriage, she shall lose the usufruct which she received from her former husband and shall speedily restore it to the children from the day that she remarries.

1. But if the children of the former marriage are still infants and they have no guardian, and the mother uses the things left her by reason of these facts, she shall, when she is legally sued, restore all things, together with all increase, upon an accounting fully had.

2. These provisions concern the usufruct of his own property which the husband left to his wife by his will. But the provisions which former constitutions made shall remain in force as to the usufruct of the prenuptial gift.¹

Given March 15 (392).

¹ [Blume] See Nov. 22, c. 32.