

Book V.
Title XLIX.

Where minors under the age of puberty shall be brought up.
(Ubi pupilli educuntur.)

Bas. 38.2; D. 27.2.

5.49.1. Emperor Alexander to Dionysodorus.

The rearing of your minor wards under the age of puberty can be committed to no one better than their mother, if she has not given them a stepfather. 1. But whenever a dispute arises over it between her and the cognate relative and the guardian, the president of the province, when called upon, shall examine into the standing and relationship of the persons to determine where the boy should be raised. And if he decides by whom he shall be raised, the person so designated must comply with the president's order.¹
Promulgated February 7 (223).

5.49.2. Emperors Diocletian and Maximian and the Caesars to Grata.

Whether your grandson by your daughter should live with you or his paternal uncle will be decided by considering the love of each respectively and as to which one of you is more subject to suspicion by reason of the hope of inheriting from him.
Subscribed October 15 (294).

¹ [Blume] Novel 22, c. 38.