

Book V.  
Title XXII.

That goods of the husband shall not be delivered in satisfaction of a dowry of a woman.  
(Ne pro dote mulieri bona mariti addicantur.)

Bas. 28.11.34.

5.22.1. Emperor Diocletian and Maximian and the Caesars to Apollinaria.

It is forbidden by law that goods of a former husband should be awarded to take the place of a dowry. But if he died insolvent leaving no heir, you are not forbidden to seek satisfaction according to the form of law, to the extent that his property will reach. Given December 4 (293).

Note.

Mitteis, R.R.u.V.R. 434 believes that in this case the former wife, a Greek, had an agreement that in case of default in the payment of her dowry, she should have the right to seize the former husband's property as if on execution, and that she asked herein to enforce that right. That was contrary to Roman law. See C. 8.13.3 note.