

Book VII.
Title LXIX.

If appeal is taken from a decision giving instantaneous possession.
(Si de momentaria possessione fuerit appellatum.)

Bas. 9.1.158.

7.69.1. Emperors Valentinian, Theodosius and Arcadius to Eusignius, Praetorian Prefect.

When a case involving the right of possession and the disturbance thereof is tried, the decision will be executed although an appeal is taken. Possession, however, should be restored without affecting the question of ownership.¹

Given at Milan November 18 (386).

¹ [Blume] As to an action for instantaneous possession, see C. 8.4.8 note.