

Book VII.  
Title LXXIV.

Concerning the privilege of dower.  
(De privilegio dotis.)

Bas. 9.9.8.

7.74.1. Emperors Severus and Antoninus to Firmus.

You should know that the privileges connected with dowry which wives enjoy in an action for recovery of dowry, are not transmitted to heirs.

Promulgated May 1 (209).

Note.

The privilege of dower here mentioned consisted merely of the right of the wife to be preferred over unsecured creditors. C. 8.17.12. And even that right was not transmitted to her heirs. The only other way in which, during classical law, dowry could be protected against other claims was by contract for a lien or mortgage. See C. 5.12.9 n. Justinian, however, gave the wife an implied lien, transmissible to her heirs (C. 5.13.1) and made such lien later superior to most, if not all, other liens. C. 8.17.12; Nov. 97, c. 3.