

Book IV.
Title LIII.¹

That persons carrying on business for others are not forbidden to sell their own property.
(Rem alienam gerentibus non interdici rerum suarum alienatione.)

4.53.1. Emperors Severus and Antoninus to Publicia Capriola.

Guardians and curators are not forbidden, although they have been adjudicated debtors on that account, to alienate their own property, together with its belongings. Therefore, your curator could obligate his land, subject to its burdens, to our fisc. For he could obligate it to a private person.

Given June 5 (205).

Note.

It is generally recognized that at the time of this rescript, minors had no implied or statutory lien on the property of their guardians or curators. That was first given by Constantine in 314 A.D. C. 5.37.20. The phrase “subject to its burdens” were, perhaps, inserted in the instant rescript by the compilers, to make it conform to C. 5.37.20.

¹ [Blume] Rev. 2/22/32.