

Book III.
Title XVI.

Where trial for possession should be had.
(Ubi de possessione agi oportet.)

Bas. 7.5.78.

3.16.1. Emperors Valentinian and Valens to Festus, Procounsul of Africa.

It is proper that the judge of the place where force has been used or immediate possession is to be demanded, should try the case against the person who has disturbed the possession.

Given May 25 (366).

Note.

The foregoing law is in accord with C. 3.1.15, in that it provides that the question of the use of force in taking possession of property should be tried where the force was used. The use of such force was a crime. C. 9.12. The civil remedy in such case was to bring an action for recovery, because force was used. An interdict had formerly been used in such cases. That subject is considered at C. 8.4. The place where the force was used was the same as that where the action to regain possession was to be brought.