

Book V.
Title XLV.

Concerning a person who acted as a guardian (without legally being such).
(De eo qui pro tutore negotia gessit.)

Bas. 38.5.6.7; D. 27.5.

5.45.1. Emperor Valerian and Gallien to Marcellus.

Even women who have managed the property of minors as though they were guardians will be compelled to render an accounting.¹
Promulgated (259).

5.45.2. Emperors Diocletian and Maximian and the Caesars to Marcus.

One not lawfully appointed as guardian, who sues in the name of minors, will, although he successfully finished the suit enjoined upon him on their behalf, be defeated (in his claim for reimbursement of expenses), by the defense that he was not the guardian. Given December 5 (294).

Note.

See C. 5.42.3.

¹ [Blume] See Nov. 155; also C. 5.51. The present title deals with persons who simply acted as guardians, but who were not legally such.