

Book VIII.
Title XIX.

If a prior creditor sold a pledge.
(Si antiquior creditor pignus vendiderit.)

8.19.1. Emperor Alexander to Athenionis.

If a prior pledgee sold the pledge, you (a subsequent lien-holder) have no further right to a hypothecary action. 1. But if the debtor turned the pledged property over to the prior creditor in payment, or sold it to him, you are not barred from claiming it, any more than if the debtor had sold it to others.¹ But you can be heard to claim it only if you pay its possessor the amount due by reason of his prior contract.
Promulgated May 11 (230).

8.19.2. Emperors Diocletian and Maximian and the Caesars to Endimia.

When a creditor lawfully sells property which is pledged, the debtor cannot recover it subsequently by offering the purchase price to the purchaser or the debt due to the creditor.
Subscribed December 17 (293).

8.19.3. The same to Theophilus.

A subsequent creditor who does not pay the debt due to a creditor who received a prior pledge, cannot interpose to prevent the sale of the property pledged. 27 Z.S.S 106.
Given March 27 (294).

¹ [Blume] A purchaser bought the property subject to its burdens. C. 8.27.12.