

Book IX.
Title L.

Concerning the goods of one who commits suicide.
(De bonis mortem sibi consciscentium.)

Bas. 60.53.5.6; Dig. 48.21.

9.50.1. Emperor Antoninus to Aquila.

Only the goods of those are claimed for the fisc, who, conscious that they have committed a crime which has been reported, and in fear of future punishment, have laid hands on themselves. If it therefore appears that your brother took his life by hanging himself, while no accusation was pending against him, but by reason of bodily pain, weariness of life, madness, insanity, or other reason, his goods, whether he died testate or intestate, belong to his heirs.

Promulgated December 21 (212).

9.50.2. Emperor Alexander to Rusticus.

The property of those who take their own life while under accusation, if they were not involved in treason, and they did not commit suicide in fear of the accusation, is transmitted to their heirs.

Given May 15 (226).

Note.

These laws contemplate, as also Dig. 48.21, that where a man killed himself, conscious of his guilt and in order to escape punishment, his property would be confiscated for the benefit of the fisc. It would, however, seem, that this law was modified by the spirit of Nov. 134, c. 13, 2, namely that, except in case of treason, the property would go to the persons and parties as therein mentioned, even though a person killed himself, within the meaning of these laws. See also C. 10.1.10.