

Book II.
Title XVI (XVII).

That no one shall be permitted, without authority of the judge, to place signs (seals) on any property held by another.

2.16.1. Emperor Probus to Octavianus.

It has often been ordained by rescript that previous to a judicial decision, seals (signa) are [not]¹ to be placed on things held by another. And you, yourself, may, therefore, when such seals have been unlawfully put on things or crops in your possession, lawfully remove them, so that, after the removal thereof, the cause, officially² brought against you may be terminated.³

Given June 29 (278).

2.16.2. Emperors Diocletian and Maximian to Craugasius.

No one is permitted to put seals on things in the possession of another, although he alleges that they are his or that they are pledged to him.

¹ Blume lined out the typed “should not” and wrote above it “are to.” It seems from the context, however, that he did not intend to reverse the entire meaning of the law and meant to remove any implication that it was only recommendatory. Scott’s translation is: “...seals cannot be attached..” 6 [12] Scott 212 (as C. 2.17.1).

² [Blume] ex officio. See Greek text to Bas. 7.11.2. [Blume’s typed translation reads “properly brought,” but he penciled in “officially” and placed a question mark in the margin next to it.] Scott merely has “...that action which has been brought against you...” 6 [12] Scott 212 (C. 2.17.1).

³ [Blume] As to seals and signs generally, see Paulty-Wissowa, R.II 2375-2378; 42 Z.S.S. 611 ff. Self-help by putting signs and seals on another’s property was contrary to Roman law, which required a judicial decision before seizure of property. Self-help, however, was not unknown to the Greeks. See C. 8.13.3.