

THE CODE OF OUR LORD THE MOST HOLY EMPEROR JUSTINIAN.

SECOND EDITION.

BOOK X.

TITLE I.

CONCERNING THE RIGHTS OF THE TREASURY.

1. *The Emperor Alexander to Atticus and Severus.*

If your father is proved to have made a legal donation of the land in question, before he became indebted to the Treasury, the transaction will not be rescinded, as it was not entered into for the purpose of defrauding creditors.

2. *The Emperor Gordian to Serenius.*

A computation made by accountants does not obtain the force of a legal decision, unless it has been confirmed by the Attorney of the Treasury.

3. *The Same Emperor to Attica.*

If the property hypothecated to the Treasury was through manifest fraud or favor sold to the purchaser for less than its value, the Attorney of the Treasury, having been applied to, will order the land to be returned, after you have tendered the payment of the amount which is due.

4. *The Emperors Diocletian and Maximian to Nicetus.*

A positive rule has been formulated with reference to metropolitans who have been transferred to another city by order of the Emperor. For if the lands which they possessed before they were compelled to move have not been sold, it was long since decreed that they shall be forfeited to the Treasury, unless the Emperor, by a special decree, has provided otherwise. As this salutary regulation has been established by former emperors, with this exception, no law has been passed preventing them from becoming the heirs of their parents.

5. *Extract from the Imperial Epistles of the Same Emperors to Flaccus.*

It has been forbidden to seize without Imperial authority the property of anyone who is thought to be indebted to the Treasury. And that every precaution may be taken to prevent Caesarians from doing so, We order that all the parties in interest shall be permitted to resist by force those who attempt without Our permission, to seize the property of anyone who has become subject to penalty of the law, so that even if officers should venture to violate the terms of the present decree, they can be prevented from committing injustice by the resistance of private persons. For he whose interest it is that the property of anyone should not be interfered with, when officers appear to seize it, ought to acquiesce, provided they produce their authority, as he will ascertain from Our letters, and not from the arbitrary acts of the Caesarians (that is to say, the officers) whether they have the right to take the property, and that the law has empowered this to be done.

6. *The Emperor Constantine to the Inhabitants of the Provinces.*

We order that all documents through which the Treasury acquires legal rights of action shall be burned, if they have not been made use of during the time prescribed by law; so that no unjust suits may be brought by private persons, and the example which We have ordered to be given by disposing of legal causes of action belonging to the Treasury in this manner may be followed.

Given on the third of the *Kalends* of June, during the Consulate of Constantine, Consul for the fifth time, and the Caesar Licinius, 319.

7. *The Same Emperor to Volusianus, Prefect of the City.*

The right of defence is granted to those whose property can be interfered with in any way by the Treasury, as it is not right that it should be occupied or seized while an action is still

pending. Therefore, when a controversy arises through the Treasury claiming the property of anyone, the party in possession of the same shall have power to avail himself of all suitable defences; and if the result should establish the fact that the property should be confiscated, then it shall be lawful for it to be seized, and an inquiry made to ascertain the amount of it, which must be done by conditional slaves, so that if anything has been abstracted, it may be recovered, and as much more be exacted by the imposition of a fine as was fraudulently removed.

If, however, an official should be implicated in an offence of this kind, he should not enjoy the benefit of the right of seizure granted by this law; especially if the practice of fraud has caused any of the officials aforesaid, who are accustomed to rashly indulge in such practices, to be excluded.

8. *The Emperors Valentinian and Valens to Dracontius, Vicegerent of Africa.*

Those persons who, by means of fraudulent contracts, entered into for the purpose of injuring the Treasury, have implicated themselves in criminal acts, shall be required to refund fourfold the amount obtained.

Given on the fifteenth of the *Kalends* of December, during the Consulate of Valentinian and Valens, 365.

9. *The Emperors Honorius and Theodosius to Patricius, Count of Private Affairs.*

We order that the decision of Your Highness concerning the responsibility of the Stewards of the Imperial household for the appointment of collectors of Our revenues shall be confirmed, so that all intriguing for office shall cease, and that all the provisions enacted with a view to the maintenance or expenses of the Imperial household which have been established and confirmed by ancient custom, shall remain inviolate; and that the ancient practice relative to the *Irenarch* and the *Optio* shall continue to be observed.

Given at Constantinople, on the *Kalends* of January, during the Consulate of Theodosius, Consul for the ninth time, and Constantius, Consul for the second time, 420.

10. *The Same Emperors to Palladius, Praetorian Prefect of the East.*

We decree that the estates of deceased persons who, during their lifetime, are said to have been guilty of various crimes, shall, under no circumstances, be confiscated to the Treasury, unless it should be established that they were convicted of said crimes after having been publicly accused.

Given at Ravenna, on the eighth of the *Ides* of July, during the Consulate of Eustachius and Agricola, 421.

11. *This Law is not Authentic.*

## TITLE II.

### CONCERNING SUITS BROUGHT AGAINST DEBTORS OF THE TREASURY.

1. *The Emperor Gordian to Saturninus and Others.*

You are not unreasonable when you request that where the Treasury has a claim against yourself and others, those debtors should be sued first who are responsible for the balance due, and that recourse should afterwards be had to you, who purchased certain property from them.

2. *The Emperors Valerian and Gallienus, and the Cæsar Valerian, to Erophilus.*

The Treasury still has a right of action against you, even if it was stated in the accounts that you paid the money due, if the registrar did not note the receipt given to you for the same. It is, however, only just that power should be given to sue the collector in order that the amount may be obtained from his own property, if he is solvent, and the Treasury be indemnified, and afterwards recourse can be had to you, if he should be unable to make payment.

3. *The Emperors Diocletian and Maximian and the Cassars to Januarius and Others.*

As you allege that you are colleagues and associates of Augeriua and his son in the collection of unpaid balances of taxes, and that they alone are charged with the collection of other claims, and that the responsibility rests principally upon them, and not upon them jointly with the others who were also appointed collectors, and as you assert that since the persons being separate, the responsibility should be divided, it is not contrary to law for the Treasury to be indemnified out of the property of those who were first designated to collect the unpaid taxes, and that afterwards those who appointed them should be sued, if the entire indebtedness is not discharged.

Therefore, Our Receiver-General must observe the provisions of the law, that is to say, he must first exhaust the property of the collectors, as well as of those responsible for their appointment, and, if the Treasury should not obtain enough for the payment of the entire indebtedness, it can also compel you to pay whatever may still be due to it.

4. *The Emperors Valentinian, Valens, and Gratian to Archelaus, Count of the East.*

Persons who are indebted to the Treasury shall, by all means, be held liable, and be compelled to pay out of their individual property the debts which they have contracted in their own names; and when they have done so, they will have a right to collect from their debtors any valid claims which they may have against them, in order that they may know that they can legally proceed against those whom they assert are indebted to them.

Given on the third of the *Nones* of July, during the Consulate of Our Prince Valentinian, and Victor, 369.

5. *The Same Emperors to Fortunatianus, Count of Private Affairs.*

A memorandum which contained the names of debtors, or persons who have entered into contracts with him, is said to have been found among the papers of a person whose property was confiscated, but there was no proof either by witnesses, or by any written evidence of indebtedness that the money had been lent, as was stated in the memorandum; hence, We think that it would be unjust for anyone to render another his debtor merely by a statement written by his own hand. Therefore We desire by the present law to prevent the prosecution of fraudulent claims by such means, so that the memorandum having been rejected as without foundation, no one of those whose names were mentioned therein may be compelled to make payment.

We order that this rule shall be observed in all similar cases.

Given at Hierapolis, on the day before the *Nones* of July, during the Consulate of Gratian, Consul for the fourth time, and Nerobaudus, 327.

TITLE III.

CONCERNING THE AUTHORITY OF AND THE RIGHTS CONFERRED BY SALES  
MADE AT AUCTION BY THE TREASURY, AND CONCERNING BIDS.

1. *The Emperor Alexander to Curtia.*

State to My Attorney what you have set forth in your application, as your request comes under his jurisdiction; and if you can prove to him that the sale was not authorized by an agent, or by someone who had the right to do so, and that the property was not sold at auction, nor disposed of in accordance with the formalities required by law, if you pay what you owe under the judgment, the sale which was contracted in bad faith must be rescinded, and you will receive the property, together with the profits which fraudulently came into the hands of the purchaser, or which it may be established ought to have come into his hands.

2. *The Emperor Gordian to Heracleo.*

There are two reasons in favor of your claim: first, as you state your property has been sold by public authority without having been offered at auction; and second, because you allege that,

through the Tow price paid on account of the small amount of the debt, the sale was to the advantage of My Treasury and to your loss; therefore, take steps to have these unlawful proceedings annulled as much for the purpose of indemnifying the Treasury as to provide for your own security.

*3. The Same Emperors to Crispus.*

If there are no written proofs of the sale in existence, and your wife can show by any evidence that the house which you state she

bought from the Treasury in her own name is hers, and that she paid the price, the ownership of the property transferred to her, My attorney will not permit her to be annoyed by the Treasury, on the ground that the property belongs to her mother.

*4. The Emperors Diocletian and Maximian, and the Csssars, to Marcellina.*

If the time prescribed by law with reference to sales made at auction by the Treasury has not expired, as you state that you will pay more, apply to Our Receiver, in order that he may accept your legal offer of a higher price.

*5. The Emperors Valentinian, Valens, and Gratian to Viventius, Prsetorian Prefect of the Gauls.*

Property liable for unpaid taxes arising from the tribute of grain, or other claims due to the Treasury, which should be sold at auction by the authority of the latter, shall, no matter what the nature of the said property may be, forever belong by the right of ownership to those to whom anything of this kind has been regularly disposed of at public sale with the sanction of the Treasury. And if a rescript should ever be obtained by anyone, for the purpose of setting aside a sale of this kind made by the Treasury, it shall be null and void; as where any of their property has been adjudged to purchasers on account of fiscal indebtedness, even minors shall not have the power of recovering the same at any age, by pleading their minority when the transaction took place.

Given on the third of the *Nones* of .November, during the Consulate of Our Noble Prince Valentinian, and Victor, 369.

*6. The Same Emperors to Felix, Count of the Sacred Largesses.*

If anyone should buy property at a public sale made by the Treasury for the payment of debts, he shall only be liable for the price of said property, which it is apparent that he purchased at auction, after publication has been made, for We protect such persons to the extent that We do not permit them to suffer any loss, under the pretext that a balance due to the Treasury remains unpaid.

Given at Martianopolis, on the seventh of the *Ides* of March, during the Consulate of Valentinian and Valens.

*7. This Law is not Authentic.*

TITLE IV.

CONCERNING THE SALE OF PROPERTY OWNED IN COMMON BY THE  
TREASURY AND PRIVATE INDIVIDUALS.

*1. The Emperor Alexander to Eupleus.*

It is the rule that whenever property is held in common by the Treasury and private persons, all of it shall be sold by My Attorney, even though the smaller share belongs to the Treasury, but only the price of the portion to which it is entitled shall be paid to the Treasury, and the remainder shall be given to the joint-owner. Therefore, bring your action against the purchaser of the lands mentioned in your petition, before the proper judge, so that the former can set up the defences of which he has a right to avail himself.

## TITLE V.

### THE TREASURY CANNOT EVICT PROPERTY WHICH IS SOLD.

#### 1. *The Emperor Alexander to Hermia.*

I deeply regret that the Treasury should call in question the payment that it received, in consideration of which it transferred the property in good faith, for it is only just that the purchaser should not be molested by having the title disputed, or for any other reason; as in sales of this kind the officials can settle their controversies without interfering with the purchaser.

#### 2. *The Emperors Honorius and Theodosius to Palladius, Prse-torian Prefect.*

The dictates of justice and honesty do not suffer the Treasury to rescind a sale which it has once made.

## TITLE VI.

### CONCERNING THOSE WHO HAVE RECEIVED A LOAN OF MONEY FROM THE PUBLIC FUNDS.

#### 1. *The Emperors Valentinian, Valens, and Gratian to Probus, Prss-torian Prefect.*

If anyone should receive money as a loan bearing interest from collectors, notaries, treasurers, or other officials, and is convicted, he shall, by the authority of this law, be liable to the penalty of quadruple damages.

Given on the fourth of the *Ides* of March, during the Consulate of Valentinian and Valens, 365.

#### 2. *The Emperors Gratian, Valentinian, and Theodosius to Palladius, Pr&torian Prefect.*

All persons are hereby notified that no one is permitted to borrow money belonging to the Imperial Treasury. Therefore, if anyone should, without Our sanction, borrow money from Our Treasury for his private use, whether he does so secretly, or after having furnished a bond or other security, for the purpose of rendering himself a debtor, he shall be deprived of all his property, and sentenced to perpetual deportation. He, also, who lends or gives to anyone money out of the Treasury aforesaid, under the pretext of a public loan, shall be condemned to death.

Given at Heraclia, on the twelfth of the *Kalends* of August, during the Consulate of Eucherius and Syagrius, 381.

## TITLE VII.

### WHERE CREDITORS ARE REFERRED TO THE TREASURY WHEN PECUNIARY PENALTIES HAVE BEEN PREFERRED.

#### 1. *The Emperor Antoninus to Marcellus.*

The collection of a penalty is postponed until other creditors have obtained the settlement of their claims. Therefore, as, so far as the amount of the claim is concerned, the Treasury has the preference, so the same rule should be observed where triple damages are imposed by way of penalty, and added to the original amount.

## TITLE VIII.

### CONCERNING FISCAL INTEREST.

#### 1. *The Emperor Antoninus to Antigonus.*

Interest cannot be collected on the sum which you can prove has been imposed upon you by way of penalty, for My Attorney will not demand any more than the fine which has been imposed, but he will order you to pay the penalty.

2. *The Emperor Alexander to Victorinus.*

Where the claim was secured by a pledge, the Treasury, which took the place of the debtor, will be required to pay interest, if it was inserted in the original contract that this should be done.

3. *The Emperor Justinian to Menna, Prsstorian Prefect.*

We order that the Treasury shall also obey the law which We have promulgated, by which We permit creditors, with the exception of certain persons, to stipulate for the payment of six per cent interest, so that the Treasury itself cannot exact a higher rate than this from its debtors; whether they are indebted to it in the first place, or whether rights of action have been transferred to it by prior creditors in any way whatsoever.

TITLE IX.

CONCERNING THE REVOCATION OF DECISIONS RENDERED AGAINST THE TREASURY.

1. *The Emperor Alexander to Acutianus.*

It is a well-known rule of law that cases in which judgment is rendered against the Treasury can be revoked within the three years next ensuing, and, even after that time, if collusion should be established, or fraud clearly proved.

TITLE X.

CONCERNING PROPERTY WHICH HAS NO OWNER, AND INCORPORATION.

1. *The Emperors Diocletian and Maximian and the Caesars, to Euchiarus.*

Your Highness should know that the property of persons dying intestate and without leaving any lawful heirs is confiscated to Our Treasury, and that municipalities which attempt to claim such property for themselves, on the ground that they have permission to do so, ought not to be heard. Hence, if you should afterwards ascertain that the property of persons dying intestate has been seized by municipalities, under the pretext of certain privileges which they enjoy, you will not hesitate to claim the said property for the benefit of Our Treasury.

2. *The Emperor Constantine to the Receiver ZEmilms.*

If, when we make a donation of land or a house, in writing, and state that it is given in its original condition, this expression signifies that it is transferred with all its appurtenances; that is to say, with everything belonging to it, including slaves, flocks, crops, and all rights attaching to the property; so that whatever is necessary for the cultivation of the land, or belongs to the house, may be embraced in the donation.

Given at Milan, on the sixth of the *Ides* of March, during the Consulate of Constantine, Consul for the third time, and Licinius, 313.

3. *The Emperors Valentinian, Valens, and Gratian to Florentius, Count of Private Affairs.*

Whenever any money is paid into Our Treasury as the result of confiscation, or for any other lawful reason, it should be formally added to the funds of the Empire, by the Count of Private Affairs, and a record of it made by the receivers of the different provinces, and everything should be carefully set forth in detail.

The written evidences of title by which lands become the property of Our Treasury must be publicly attested, and those who, on their own authority, attempt to appropriate anything for themselves from property of this description, shall suffer the severest punishment.

Given on the fourth of the *Kalends* of April, during the Consulate of Our Prince Valentinian, and Victor.

4. *The Emperors Honorius, Theodosius, and Constantius to Pal-ladius, Prsetorian Prefect.*

We order that the property of persons who die intestate shall be transferred to the Treasury, if the deceased left no blood-relative in the line of descent, nor any lawful heir.

Given at Ravenna, on the eighth of the *Ides* of July, during the Consulate of Eustatius and Agricola, 421.

*5. The Emperors Theodosius and Valentinian to Hieritocrates, Count of Private Affairs.*

Where property has no owner, or where, for any other reason, the title to it vests in the Treasury, certain Palatines should be chosen and sworn, so that, at their instance, the Governor of the province, in the presence of the Attorney for the Crown, can make diligent inquiry whose property it was that has no owner, and has escheated to the State, and how much there is, as well as what is the nature of the same; and if, after proper notice has been given, it should appear that there is no one legally entitled either to hold said property, or to claim it, it shall be forfeited to the Treasury, and this shall be established by the report of the Governor, as well as by documents drawn up for this purpose; and the inventory of said property shall be forwarded to Us, so that by Our command, if there is no owner, or there is some other good cause, it shall be placed at the disposal of the Treasury.

This rule shall be observed with reference either to a portion of the property or all of it, and where there is one claim, or several. If any fraud has been committed at the expense of the Treasury, the persons who have been appointed and are responsible shall not escape punishment. The Governor shall be fined half the amount of his possessions, and the Attorney of the Treasury shall be compelled to make good any loss which the Treasury has sustained through his fault.

Given at Constantinople, on the seventh of the *Ides* of October, during the Consulate of Our Lord the Emperor Theodosius, Consul for the fifth time, and he who may be appointed his colleague, 435.

TITLE XI.

CONCERNING INFORMERS.

*1. The Emperor Alexander to Haterins.*

Where an implied trust has been left to someone who is entitled to receive it, there is no ground for information, for property cannot be left tacitly to those who have no right to receive it openly.

*2. The Emperor Gordian to Nicontius.*

The duties of your office require that you should, by all means, diligently prosecute the case of which information has been given by another by order of the Attorney of the Treasury, and the perusal of the documents which have been inserted into the petition clearly indicates that you did not voluntarily act as informer. Therefore, the illustrious Governor of the province will take special care that you shall not be personally molested, which would be an act contrary to the practice of My reign.

*3. The Same Emperor to Clcelius.*

Anyone who is alleged by officials to have in his possession land or buildings belonging to the Treasury cannot be branded with the disgrace or crime of an informer, who can show that not he, but another, is the possessor of the property.

*4. The Emperor Philip to Candidus.*

From the consideration of various laws, the conclusion is arrived at that persons who defend the interests of the government cannot be accused of being informers, as it is well known to all persons that only those who denounce others to the Treasury belong to that execrable class.

*5. The Emperor Constantine to the Inhabitants of the Provinces.*

We order all judges to exercise great diligence, in the punishment of informers who denounce

others without first making application to the Advocate of the Treasury, for it is a perfectly clear rule of law that where the Treasury is entitled to any property from an estate which has no owner, or by the law, that it can only legally be claimed by advocates representing the Treasury. But for the reason that some persons, acting hastily, do not hesitate to denounce others as having possession of property belonging to the Treasury, those who consider themselves injured can invoke the severity of the law which is provided against informers.

Given at Constantinople, on the eleventh of the *Kalends* of April, during the Consulate of Constantius and Albinus.

6. *The Emperors Gratian, Valentinian, and Theodosius to Pallius, Consular of Lydia.*

We order that a slave who informs against his master shall, as an example to all traitors, be subjected to the severest punishment, even if he should prove his accusation. The crime of high treason, however, is excepted in such cases.

Given at Constantinople, on the seventh of the *Kalends* of November, during the Consulate of Antony and Syagrius, 382.

7 and 8. *These Laws are not Authentic.*

TITLE XII.

CONCERNING THE ABOLITION OF THE DEMAND FOR PROPERTY.

1. *The Emperors Gratian, Valentinian, and Theodosius to Eutropius, Prætorian Prefect.*

When anyone has been convicted of the crime of treason and punished, his property shall be confiscated to the Treasury (as is customary in the expiation of this offence) and let no one venture to claim the said property as his own under the pretext that it has been given him by the Emperor. Anyone who plans anything in opposition to this law shall be considered to have violated it. As We, however, are in certain cases frequently constrained by the importunity of petitioners to grant what should not be conceded, We decree that if anything should be obtained by an Imperial Rescript contrary to the provisions of this law, as enacted, it shall be void.

Moreover, if We desire to grant anything out of property of this kind, We shall do so at Our own instance, and not in compliance with the request or demand of anyone whomsoever; and a concession of this kind shall, alone, possess validity.

Given at Thessalonica, on the sixteenth of the *Kalends* of December, during the Consulate of Gratian, Consul for the fifth time, and Theodosius, 380.

2. *The Emperors Theodosius and Valentinian to Florentius, Prætorian Prefect.*

As We desire to eradicate every pretext for seizing the fortunes of others, We decree that hereafter no one shall have a right to claim such property. If any person of either sex should die intestate, and leave no relatives, or a wife or a husband, no matter what his or her status may be, nor to what sect he or she may belong, nor under what title the estate may revert to the Treasury, let no one dare to demand the property of said deceased person, no matter to what rank or sect he or she may belong, if Our Treasury has a legal right to the same; as it is not proper even for those who have authority to act by reason of their official positions to violate Our laws with impunity. If the illustrious Quæstor should, at any time, grant a petition presented to him for this purpose, or should give a favorable answer to it, or if the illustrious Count of Private Affairs should permit a petition to be drawn up, or authorize what is included therein, he shall be punished and his rashness made an example to others.

Again, We decree that those who draw up such papers for the purpose of obtaining rescripts of this kind, or which have in view their enforcement shall, as well as the Palatines who granted the prayers of the petitions or were instrumental in their execution, be punished with confiscation. We decree that, in like manner, property belonging to the State shall not be made the subject of any petition, and that no pragmatic order, or Imperial note or any other

response proceeding from the throne, or any mandate obtained in violation of this Our law, shall hereafter have any force or effect.

### TITLE XIII.

#### CONCERNING THOSE WHO DENOUNCE THEMSELVES.

1. *The Emperor Constantine to Maximus.*

If he to whom an estate has been tacitly left by a trust should immediately communicate the fact to Your Highness, produce the documents establishing the fact, and at once renounce all claim to the trust, he shall receive the third part of the entire estate of the deceased as a reward for his good faith.

When a communication of this kind is made to you by the widow of the deceased, and documentary evidence shows that the latter intended that she should be his heir, she will be entitled to half of the estate by way of recompense, and it shall be equally divided between herself and the Treasury. She shall also have the privilege of the first choice of the property, and the person who was guilty of the fraud, and was the enemy of both the Treasury and the woman, shall be deprived of all his possessions, which shall be confiscated to the Treasury, and he shall be deported to an island.

Given during the *Ides* of March, during the Consulate of Gallicanus and Bassus, 317.

### TITLE XIV.

#### WHERE A JOINT OWNER OF PROPERTY DONATED BY THE EMPEROR DIES WITHOUT HEIRS.

1. *The Emperor Constantine to Mygdonius, Marshal of the Palace.*

We order that if anyone of those to whom any property has been given by Us should die without leaving an heir, his share of the same shall, by way of consolation, pass to his associate, rather than to any other person.

### TITLE XV.

#### CONCERNING TREASURE TROVE.

1. *The Emperor Leo to Erythrius, Praetorian Prefect.*

Let no one hereafter annoy Us with petitions having reference to treasure found either by himself or by someone else upon his own land or upon that of another, for We give full power to everyone to seek for treasure on his own premises, provided he does so without the practice of wicked arts and sacrifices punishable by law, or by any other prohibited means (that is to say, where the treasure has been hidden for a long time by the owners, who are unknown), and having found the same, to make use of it. This manifestation of Our liberality has been conceded in order that hereafter no malicious prosecution may be instituted against those who have experienced the kindness of the Deity, as it would be superfluous to request by a petition what has already been granted by law, and the generosity of the Emperor.

Moreover, let no one dare to seek for hidden treasure for himself on the land of others, without their consent, and especially where they are unwilling, and do not know that this is being done. Where anyone thinks that an application should be made to Us on this subject, or he has been found to have sought for treasure on the premises of others, contrary to the provisions of this law, he shall be compelled to surrender it to the owner of the land, and be punished as a violator of this most salutary decree. If, however, he should find any treasure on the land of another, while plowing or cultivating the same, or under any other circumstances, without having had the design of searching for it, he shall have the right to retain half of what he finds, and must restore the other half to the owner of the land, and in this way each one will enjoy what he is entitled to, and will not covet what belongs to others.

## TITLE XVI.

### CONCERNING TRIBUTES PAYABLE IN GRAIN AND MONEY.

1. *This Law is not Authentic.*

2. *The Emperors Valerian and Gallienus to Alienus.*

An heir will be liable for the debts of the estate in proportion to his share of the same, but the tribute of grain is absolutely payable by the person who is in possession of the land, and gathers the crops.

3. *The Emperors Diocletian and Maximian, and the Caesars, to Herennius.*

Taxes are ordinarily imposed not on persons, but on property; and therefore the Governor of the province will see that you are not compelled to pay more than the value of your possessions demands.

4. *The Emperor Constantine to Proculiamts.*

All persons should be familiar with the amount of taxes which We have imposed, and with the fact that no one has any power to collect more or less than that amount. For if any vicegerent or Governor of a province should think that someone ought to be released from the payment of any portion of his tax, that from which he released another, he shall be forced to pay out of his own property.

Given at Constantinople, on the fifteenth of the *Kalends* of July, during the fourth Consulate of Constantine and Licinius, 315.

5. *The Emperor Constantine to Uranius.*

All persons should be compelled to pay their share of the public obligations, for, by the law which We have promulgated, the taxes which We have imposed upon Our beloved inhabitants of provinces are not extraordinary, and should not be so designated.

Given on the third of the *Nones* of February, during the Consulate of Constantius, Consul for the second time, and Constans, 339.

6. *The Emperors Valentinian and Valens to Dracontius, Vicegerent of Africa.*

We order that tributes consisting of grain shall be transported to the frontiers, when the places where they are situated and the proximity of the land permit this to be done.

Given at Milan, on the fifteenth of the *Kalends* of July, during the Consulate of Valentinian and Valens, 365.

7. *The Emperors Gratian, Valentinian, and Theodosius to Princi~ pius, Prsetorian Prefect.*

It is clear that a rescript obtained for the purpose of defrauding the public by evading the tribute of grain can have no legal force. Therefore the imposition of this tax shall affect all persons in the same manner.

Given at Aquileia, on the eighth of the *Kalends* of October, during the Consulate of Arcadius and Bauto, 385.

8. *The Emperors Valentinian, Theodosius, and Arcadius to Cyne-giuSf Praetorian Prefect.*

No owner of land shall have an excessive tax for the construction of buildings or the transport of grain imposed upon him, but all shall bear the burden equally, the distance and requirements of transportation having been duly taken into account.

Given at Constantinople, on the tenth of the *Kalends* of January, during the Consulate of Arcadius and Bauto, 385.

9. *The Same Emperors to Cynegius, Prsetorian Prefect.*

The inland cities had formerly burdens imposed upon them by those situated on the sea, and

*vice versa*, so that they were subjected to more expense than the amount of the tax. By the present law We forbid this to occur both now and hereafter, and those who commit such acts are notified that they will be punished with death.

Given at Valentia, on the third of the *Nones* of September, during the Consulate of Our Prince Honorius, and Evodius, 386.

10. *The Emperors Arcadius and Honorius to Minervius, Count of Private Affairs.*

The privileges of rank cannot interfere with the public welfare, or the requirements imposed by law; therefore, where anyone is entitled to the use of land, and has not paid his taxes within the term of a year, nor during the following six months, the person to whom he is said to be bound will be compelled to pay whatever is due; and We desire this to apply to those who are the owners of the property.

Published during the Consulate of Honorius, Consul for the fourth time, and Eutychianus, 398.

11. *The Same Emperors to Eutychianus, Prsetorian Prefect.*

Judges who are negligent with reference to the claims of Our Treasury, and are proved to have been careless in this respect shall be compelled to surrender all the emoluments which they have acquired during their term of office.

12. *The Emperors Theododius to Isidore, Prsetorian Prefect of Illyria.*

We decree that only the amount shall be collected in every province which Your Highness stated has recently been promised by each. No appraiser shall, hereafter, be appointed for the valuation of land (which the inhabitants of the provinces especially dread).

The remainder of the provinces shall not follow the example of the Macedonians, and only half of the amount of the tribute, which they are known to have offered, be collected. Those, however, who can show that no more than the third part of what they owe can be raised by them, shall pay the same; after which they may be released, so far as the remainder is concerned.

This rule shall always be observed hereafter, but is not applicable to the Holy Church of the City of Thessalonica, which is notified that,

through Our indulgence, it is released from the payment of all taxes, and that the State should not be injured by the exemption of private individuals from the payment of tribute through the abuse of the name of the Church.

Given at Constantinople, on the sixth of the *Ides* of October, during the fifth Consulate of Victor, 424.

13. *This Law is not Authentic.*

TITLE XVII.

CONCERNING ADDITIONAL TAXES.

1. *The Emperors Honorius and Theodosius to Palladius, Prsetorian Prefect.*

All persons, who are in possession of land under any title whatsoever, upon which land a supplementary tax has been imposed, shall be compelled to pay the same, as in the case of ordinary taxes. And in order that no doubt may arise on this point, We hereby decree that a tax of this kind shall be considered an ordinary one. Therefore no house either owned by the Crown, held under the right of emphyteusis, or belonging to a private individual (even if it should be shown to enjoy such a privilege) shall be released from the necessity of payment of such a tax which shall not now, as heretofore, be considered extraordinary, but by the terms of this law shall be deemed an ordinary one.

Given at Ravenna, on the seventh of the *Ides* of January, during the Consulate of Theodosius,

Consul for the seventh time, and Palladius, 417.

2. *The Emperors Theodosius and Valentinian to Darius, Prsetorian Prefect.*

Your Highness should indicate, by a regular notice despatched to the different provinces, the amount of taxation to which each province is liable, before the payment of the same becomes due, so that the owners of land may know in advance what they will be required to pay, and not be taken unawares, no additional expense be imposed upon the people of the province, and the exertion of unlawful severity by officials charged with the collection of taxes be avoided.

Given on the fifth of the *Kalends* of September, during the Consulate of Isidore and Senator, 436.

TITLE XVIII.

CONCERNING SUPPLEMENTARY TAXES.

1. *The Emperors Gratian, Valentinian, and Theodosius to the Proconsuls, and all Governors of Provinces.*

No inhabitants of a province shall, in obedience to the written commands of the Prefect, be compelled to pay any supplementary tax, or any kind of tax whatsoever, unless the order has been confirmed by Us, and strengthened by the Imperial authority, after which it may be imposed and collected.

Given at Milan, on the seventh of the *Kalends* of July, during the Consulate of Antony and Syagrius, 382.

TITLE XIX.

CONCERNING THE COLLECTORS OF TRIBUTE.

1. *The Emperor Constantine.*

The *Ducenarii*, *Centenarii*, and *Sexagenarii* should not attempt to collect the tax due from debtors before having received complete lists of the said debtors, and the amounts they owe from the Registrar of the City. The collection should be made without any speculation.

Given during the *Kalends* of November, during the fourth Consulate of Constantine and Licinius, 315.

2. *The Same Emperor to the People.*

Let no one apprehend being placed in prison, whipped with leaded scourges, tortured with weights, or subjected to any other punishment by perverse or angry judges, for having been delinquent in the payment of taxes. Imprisonment should only be inflicted upon those who are guilty, and judges and their subordinate officials should be aware of this fact, and if they violate this law shall be branded with infamy. Persons liable to the payment of taxes can, with safety to themselves, appear before the Governor; or, if anyone should be so destitute of human feeling as to abuse Our indulgence by being guilty of obstinacy, he shall be confined in a military prison which is open, healthy, and fitted for the occupation of men. If he should continue in his perverse wickedness, the collector shall seize all his property, and make payment of the taxes out of the same.

We believe that by granting this power to collectors, all persons will be more inclined to the payment of those contributions which are demanded by the common welfare for the use of Our army.

Given on the *Kalends* of February, during the Consulship of Constantine, Consul for the sixth time, and the Csesar Constantius, 320.

3. *The Emperor Constantine to Nemesianus, Count of the Imperial Largesses.*

Anyone who is ascertained to be indebted both to a private person and to the Treasury, and

has been arrested by an officer, shall be required to discharge the entire debt; and anyone who rescues him shall be punished, and himself be compelled to pay all that is due, if he is proved to have seized and removed the said debtor.

Given at Nisibis, on the fourth of the *Ides* of May, during the Consulate of Amantius and Albinus, 345.

4. *The Same Emperor to Eustachius, Praetorian Prefect.* The stewards and other officers of Our private affairs can, when necessity demands it, be compelled by the authority of the law to pay

any legal indebtedness in order that immunity from contribution to Our private purse may not be imposed solely upon the people of the provinces.

Given at Rome, on the eighth of the *Ides* of March, during the Consulate of Liminius and Catulinus, 349.

5. *The Emperors Theodosius, Arcadius, and Honorius to Rufinus, Prsetorian Prefect.*

Those whose duty it is to collect taxes must state in writing the amount due, and make a memorandum of their receipts, so that by this means the officials may ascertain what has been collected and what has been omitted; and the receiver may not be compelled to undertake a long journey, and be absent from his *curia*, and his private business suffer in consequence.

Given at Constantinople, on the day before the *Ides* of April, during the Consulate of Theodosius, Consul for the third time, and Abundan-tius, 393.

6. *The Emperors Arcadius and Honorius.*

Where debts are due to the Treasury, that is to say, contributions of grain and other things which should be delivered at the Prefecture, as well as those which require the services of Registers, the Governors of the provinces shall be liable for the same, as they are required to provide for their collection, and their authority must be exerted for that purpose.

7. *The Same Emperors.*

The *opinators*, that is to say, the collectors of military contributions, together with the appointed judges and the subordinate officers of the latter, are obliged to collect what is due within the term of a year. There is nothing in common between them and the party in possession, for the latter must not proceed against the soldier, but against the collector, if he is responsible. Therefore, judges who permit the people of the province to be annoyed by *opinators* are liable to the penalty of double the amount involved; and the attendants of any official shall be liable to the sentence of deportation, if they delegate to soldiers collections which should be made by themselves, and members of the *curia* shall be condemned to temporary exile, if they think that collections which they are required by law to make can be entrusted to *opinators*.

The judge must decide who the debtors are, and see that their names are carefully inscribed upon the registers, and that the officials, or members of the *curia*, in compliance with the custom of the neighborhood, obtain from the debtors the amounts of their assessments, so that, the taxes having been collected, the *opinators* may, at the end of the year, be able to rejoin the divisions of the army to which they belong. When the collection is protracted beyond the term of a year, the judges and their subordinate officials shall be compelled to make up the deficiency to the soldiers without delay, and they themselves shall be entitled to recourse against the persons Liable to the payment of the taxes. In case complaint is made to Us that the military collectors did not make their returns within the prescribed time, double damages shall be immediately collected from them, half of which shall be paid to the soldiers, and the other half to the Treasury. For the purpose of aiding judges and their officials, We permit them to employ all the authority of their offices against obstinate debtors, without reward to their rank. If payment is delayed without any good reason, recourse can be had to the stewards and agents, and their land, and their names must also be communicated to Us.

Given on the third of the *Ides* of July, during the Consulate of Vicentius and Fravittus, 401.

8. *The Emperors Theodosius and Valentinian.*

If the household of the Emperor, or indeed that of any other person, no matter what his rank or fortune, actually possesses lands outside the principal town of the district, which were not acquired through patronage, but by sale or any other title whatsoever, and taxes imposed upon them by the State, and for which the former owner was liable are not paid, the said lands shall be confiscated, and assigned to the *curia* of the city to whose jurisdiction they are subject.

It has appeared to Us advisable to provide for the public welfare and the collection of the taxes to which the State is entitled by the enactment of this law.

9. *This Law is not Authentic.*

TITLE XX.

CONCERNING ILLEGAL COLLECTIONS.

1. *The Emperors Arcadius and Honorius to Apollodorus, Proconsul of Africa.*

Where any sum over and above what is due has been exacted by officials of the *curia*, their subordinates, or any other collectors, they shall be required to surrender double the amount received, which shall, at once, be refunded to the persons who paid it.

Where any collector is convicted of the crime of extortion, his avarice shall be punished with death, if he should commit the offence a second time, after having once been forbidden to do so.

Given on the day before the *Ides* of March, during the Consulate of Stilicho and Aurelian, 400.

TITLE XXI.

CONCERNING THE SEIZURE AND SALE OF PROPERTY FOR THE PAYMENT OF TAXES.

1. *The Emperor Constantine to the Africans.*

The property of those who, through obstinacy, refused to pay what is due from them to the Treasury, shall be sold, and the right of possession for the future shall be fully assured to the purchasers.

Given on the fifteenth of the *Kalends* of June, during the Consulate of the Cffisar Constantine, Consul for the fifth time, and Maximus, 327.

2. *The Same Emperor.*

It is sufficient for a debtor to be compelled to pay his tribute of grain, by means of the seizure of his property.

Given on the eighth of the *Ides* of December, during the Consulate of Constantius, Consul for the seventh time, and Constans, Consul for the third time, 354.

TITLE XXII.

CONCERNING PUBLIC RECEIPTS, CURIAL SURVEYS OF LANDS, AND CIVIL APPOINTMENTS OF TAXES.

1. *The Emperors Honorius and Theodosius to Anthemius.*

For the purpose of exalting the fortunes of decurions that are of inferior rank, and to repress the encroachments of others who are more powerful, as well as to keep both classes under control, it has been decided that the official valuations of property, which are required to be made under various circumstances among the different orders of the people, shall not be carried into execution before having been submitted to the Governors of provinces, and

approved in accordance with their decisions.

The money collected from contributions of this kind must be certified for by the Receiver of the Treasury, and the receipt must contain the date, the name of the consul, the month, the description of the land, and the amount, in which way the nature of the property, as well as the justice of the tax, may appear, and be established by documentary evidence.

The rule shall also be observed that, at the end of every four months, the reports formally submitted to Your Excellency must include a detailed statement of what has been collected, as well as of any balance due; so that all persons who stand in awe of your authority may not venture to attempt anything for the relief of the wealthy, or the oppression of the poor.

It is proper for this law to be obeyed, since the property of the opulent is derived from the resources of the *curia*, as well as for the reason that both the poor and the rich may reap the same benefit.

If any judge, accountant, or decurion should think that he can violate this law, he shall be punished as Our authority may decide.

Given at Constantinople, on the seventh of the *Kalends* of September, during the fifth Consulate of Varanus.

### *2. The Emperors Theodosius and Valentinian to Celer, Proconsul of Africa.*

Where a receipt has once been issued for the payment of taxes, the person to whom it was given shall not be annoyed by another official. Therefore, Your Excellency, having complied with the provisions of this most salutary and equitable law, will hereafter prohibit those who it is clear have obtained a receipt, and hence are not liable, from being again compelled to discuss a transaction which has already been concluded.

Given at Ravenna, on the fifth of the *Kalends* of May, after the fifth Consulate of Felix and Taurus, 429.

### *3. The Emperor Martian to Constantine, Pr&torian Prefect.*

Any inhabitant of the provinces and taxpayer who can prove payment of his tax, after the expiration of a certain number of years, that is to say, if he can produce receipts for three successive years, shall not be required to produce any for those which precede this time; nor can he be compelled to make payment of taxes for the time which has passed, unless either a decurion or some subordinate official, deputy, accountant, or collector of public debts holds a bond executed by the possessor of the property, or taxpayer; or if it should be evident from the facts in the case that what he claims, that is to say, the taxes for the time antedating the three years prescribed by law, are due to him.

### *4. The Emperor Justinian.*

We do not, under any circumstances, permit an exception on the ground that the money was not paid to be pleaded against receipts signed by public officials, evidencing the payment of either the entire amount, or a portion of the same.

## TITLE XXIII.

### CONCERNING THE LAW RELATING TO TAXES DUE TO THE FUND OF THE IMPERIAL LARGESSES.

#### *1. The Emperors Gratian, Valentinian, and Theodosius to Julianus.*

We order that the entire quantity of gold, silver, and other contributions which it is customary to pay into the Treasury of the Imperial Largesses shall, immediately after it has been collected, be turned over to the treasurer of each province, or to the one nearest at hand, under the seals of the Registrar and those whose duty it is to do so, as prescribed by former laws; and We order those having charge of the Treasury to deliver the amount intact to the Count of Private Affairs.

## *2. The Emperors Honorius and Theodosius to Anthemius, Prse-torian Prefect.*

The officers of the palace who have charge of the Imperial Largesses, as well as the private purse of the Emperor, when they are sent into a province, shall not, on their own authority, presume to institute legal proceedings against possessors of property, for any cause whatsoever, or under any pretext of a debt due to the Treasury, whether any balance of unpaid taxes remains, or whether those of the present time are payable; but the Governor of the province, having been applied to, may compel this to be done, and may charge his subordinates with the performance of this duty.

When, however, the Governor endeavors to avoid the trouble of complying with the notices served upon him for this purpose; or, for any other reason, by his own authority, transfers the charge of collecting the taxes to the said officials of the palace, he himself, as well as his subordinate officers, shall pay a fine of twenty pounds of gold to the Treasury.

Given at Constantinople, on the seventh of the *Ides* of December, during the Consulate of Bassus and Philip, 408.

## *3. The Emperor Leo.*

We decree that the secretaries attached to the subordinate officials of each province for the purpose of keeping an account of their transactions shall not be required to travel rapidly from one place to another, nor be subjected to any other charge contrary to long continued custom; and they are also forbidden to do this by the authority of the Prefect, so that, being freed from these requirements, they may with more fidelity discharge their duties with reference to largesses. If, at any time, this law should be rashly violated, then the Governor of the province, as well as his subordinate officers, shall be punished with a fine of thirty pounds of gold.

Moreover, the illustrious Count of the East and his subordinates shall have power to restrain the illegal acts not only of the Governors, but also of the other officials, when information concerning them has been communicated to him by the Palatines, and they will be liable to the same penalty if they do not, under all circumstances, see that Our decrees are carried into effect.

(1) We hereby order that, in all the provinces, the appointment of special collectors for the Treasury of the Largesses, as well as for the defence of the secretaries, shall not only be made by the illustrious Governors of the provinces, but also by the distinguished Proconsuls, or the Augustal Prefects, and Vicegerents, together with their officers, whenever required, and notified by the Palatines.

This having been done, after the appointment of the special collectors for the Treasury of the Largesses, neither the Governors of provinces nor their subordinates, nor the decurions, shall be permitted to remove any of the sums collected which belong to the Imperial Treasury, or which should be transferred to the provincial treasurers, or to any other fund than that to which it belongs. Every four months, reports must be made by the proper accountant of the amounts collected and appearing on the public registers, to be transmitted to the capital of the Empire, on the responsibility of the Governor of the province. The judges themselves, as well as their subordinates, are hereby notified that they will be subjected to the penalty above mentioned, if the present law, which We have promulgated, should not be observed in every respect.

## *4. The Same Emperor.*

We order that if the levy issued by the Prefecture to the different provinces every year, according to custom, should fail to provide for the taxes payable to the Treasury of the Largesses, or for some reason the collection of said taxes should not take place, the illustrious Proconsuls as well as the Vicegerents and the distinguished Count of the East, the Augustal Prefect, the Governors of provinces and their subordinates, together with the decurions, shall have authority to make the collection, and they must constantly bear in mind that they will be

liable to a fine of twenty pounds of gold if anything less than what ancient and long-continued custom has established as due to the fund of the Imperial Largesses should be collected or paid into the Imperial Treasury.

#### TITLE XXIV.

##### NO LABOR SHALL BE REQUIRED OF TAXPAYERS.

###### 1. *The Emperors Valens, Gratia/n, and Valentinian to Viventius, Praetorian Prefect.*

Your Highness must see that an end is put to the performance of labor which, up to this time, has been illegally exacted from the inhabitants of the provinces.

Given on the tenth of the *Kalends* of March, during the Consulate of Our Prince Valentinian, and Victor, 369.

#### TITLE XXV.

##### EXEMPTION FROM TAXATION SHALL BE GRANTED TO NO ONE.

###### 1. *The Emperors Gratian, Valentinian, and Theodosius to the People.*

Under the terms of the present Edict, the accountants of municipalities shall be subjected to punishment by fire, if they, induced either by fraud, bribery, or the exertion of power, afford anyone unlawful immunity from taxation.

All special exemptions not included in the preceding provisions are hereby absolutely abolished, and the necessity for the payment of taxes, when confirmed by the judges of the provinces and the officials having charge of the same, is hereby imposed upon all persons.

Given at Milan, on the third of the *Nones* of March, during the Consulate of Merobaudus, Consul for the second time, and Saturninus, 383.

###### 2. *The Emperors Honorius and Theodosius.*

Owners of property in Bithynia and other provinces shall be compelled to pay taxes for the repair of public highways, and other charges of this kind, in proportion to the number of acres of land or head of cattle which they are known to possess.

#### TITLE XXVI.

##### CONCERNING PROPERTY STORED IN PUBLIC WAREHOUSES.

###### 1. *The Emperors Valentinian and Valens to Volusianus, Prefect of the City.*

We desire all articles stored in public warehouses to be used in such a way that what is brought from your prefecture shall not be placed in the warehouses until the grain now there has been exhausted, and if a portion of the latter should be found to be spoiled, so that it cannot be used without complaint, some of what is new shall be mixed with it, in such a way that what has been damaged may be concealed by the addition, and the Treasury sustain no loss. You should, according to your discretion and judgment, select a man for this duty who is of high character, prudent, and faithful, and by all means conscious of his own integrity, by whom a guard must be appointed, as well as an inspector who shall either measure the grain, or make a correct estimate of the amount stored in the warehouse.

Given on the sixth of the *Ides* of April, during the Consulate of the Divine Jovian, and Varronianus, 364.

###### 2. *The Same Emperors and Gratian.*

We desire that whenever you go to a city or a military post, you at once inspect the public warehouses, in order that provisions of excellent quality may be furnished Our devoted soldiers; for if through your neglect of the duties of your office, and the bad condition of the roofs of the buildings, any of the provisions should be spoiled by rain, you will be responsible for the damage.

3. *The Emperors Arcadius and Honorius to Anatolius, Prsetorian Prefect of Illyria.*

No one, hereafter, shall have the right to touch government property stored in warehouses, for if any person should be so rash as to dare to appropriate for himself any of the property aforesaid, he is hereby notified that he will be liable to the penalty of deportation, which has been prescribed by Us, and will be compelled to suffer the loss of all his property.

Given at Constantinople, on the seventh of the *Ides* of July, during the Consulate of Csesarius and Atticus, 397.

TITLE XXVII.

NO ONE SHALL BE PERMITTED TO REFUSE TO SELL PROPERTY, AND CONCERNING THE DUTY OF MAKING PURCHASES FOR THE PUBLIC BENEFIT.

1. *The Emperor Anastasius.*

We decree that when, through urgent necessity, purchases of wheat, barley, or other grain take place in any province whatsoever,

no owner of said property shall, under the pretext of any privilege whatsoever, have the right to refuse to sell it, and that in accordance with the terms of this, Our most salutary law, permission shall never be given to the possessor of such articles in any way or at any time, to avail himself of any rescript, pragmatic sanction, or judicial decree, by which he may claim immunity. Therefore We desire that these burdens shall be imposed upon all persons in proportion to the allotment of each, and We do not allow even Our own household, or that of Our Most Serene Consort, to be exempt from this obligation.

2 and 3. *These Laws are not Authentic.*

TITLE XXVIII.

CONCERNING THE COLLECTION OF TAXES ON DONATIONS AND CONCERNING TRIBUTES AND PROPERTY CHARGED WITH PAYMENTS IN KIND.

1. *The Emperors Valentinian, Theodosius, and Arcadius to Her-mocrites, Praetorian Prefect.*

We decree that the regulation of Antiochus of distinguished memory, which levied a certain tax on tributary property in the name of the law, shall not be repealed. For as this became a part of the law, and was required to be paid every year, We do not permit anyone to be exempt from it, either in the past, or in the future.

We desire that the rule above mentioned shall be observed, not only with reference to past time, but also with reference to that which is to come, and with respect to tributary property, as well as such as has been donated by the Emperor, along with any charged with the payment of tribute in kind, or whose nature has been changed, or which passes under some new designation, and that no trouble need ever be anticipated on account of the imposition of additional charges.

We not only relax the rule with reference to the past, but decree that nothing new and no increase of the burden shall be ordered in the future, and that, hereafter, no one shall be permitted to have hiis property exempt in opposition to the Imperial Decrees. Your Highness is advised that if, at any time, a rescript contrary to the present law should be sent to you with Our sanction, or if you should'obey any Imperial Mandate (even if one should emanate from Us) which is contrary to the provisions of this law, or anyone should think that debtors ought to be exposed to a hardship of this kind, he is hereby notified that he will be liable to a fine of two hundred pounds of gold.

TITLE XXIX.

CONCERNING THE PAYMENT OF TAXATION IN COPPER.

1. *The Emperors Arcadius and Honorius to Hilarius.*

We consent that the payment of taxes in copper, which is collected from the inhabitants of certain provinces, may be made in gold, so that one *solidus* of gold may be paid by the owner of the property instead of twenty pounds of copper. .

Given at Milan, on the fifth of the *Kalends* of January, during the Consulate of Arcadius, Consul for the fourth time, and Honorius, Consul for the third time, 396.

TITLE XXX.

CONCERNING ASSESSORS.

1. *The Emperors Valentinian, Theodosius, and Arcadius to An-themius, Vicegerent of the Spains.*

Whenever it is established that property has been unjustly appraised, and the assessor cannot give a good and sufficient reason for the estimate which he made, he himself shall immediately be compelled to make good the loss, to which he wrongfully subjected the debtor.

Given on the day before the *Ides* of May, during the Consulate of Our Prince Valentinian, and Victor, 369.

2. *The Emperors Arcadius and Honorius to Messala, Prsstorian Prefect.*

In order to prevent extortion being practiced against persons liable to taxation, because of the loss of their receipts, We decree that when receipts have been mentioned in the public records as having been given either by assessors or other officials, the sums paid cannot again be unjustly demanded.

Given at Milan, on the fifth of the. *Kalends* of December, during the Consulate of Stilicho and Aurelian, 400.

3. *The Emperors Theodosius and Valentinian.*

We decree that in all provinces and cities, no persons, including members of Our Consistory, soldiers, and advocates, whether they are in practice or not, or belong to the provincial bar, shall be exempt from the performance of their official duties, so far as the appraisal of property is concerned.

4. *This Law is not Authentic.*

TITLE XXXI.

CONCERNING DECURIONS AND THEIR SONS WHO ARE CONSIDERED  
DECURIONS, AND IN WHAT WAYS THEY MAY BE RELEASED FROM THE DUTIES  
OF THE DECUIONATE.

1. *The Emperors Valerian and Gallienus.*

If, in accordance with the wishes of your father, the office of de-curion was conferred upon you during his lifetime, his heirs will be liable to the State, for, in this instance, your father is considered to act as surety for you, but recourse cannot be had to him until after your property has been exhausted.

2. *The Emperors Diocletian and Maximum.*

It is necessary for the magistrates, after having formally summoned the decurions to their place of meeting, to appoint them to their several employments, and, by means of a public officer to notify each one of them of the duty which he is to perform, and for which he was appointed; and he will have the right to appeal if he desires to do so, and present his case before the Governor of the province in the usual way. If the latter should decide that the appointment ought not to have been made, the expenses of litigation must be refunded to the plaintiff by the official responsible for it.

3. *The Same Emperors and Caesars.*

As you voluntarily accepted the office of the decurionate, you cannot be released, even though you state that you are advanced in years.

4. *The Same Emperors and Caesars.*

As there is no doubt that an adoptive son himself becomes a de-curion on account of the office of his adoptive father, it is not proper that you should be guilty of atrocious cruelty to one whom you have accepted in the place of natural offspring; nor can unlawful bodily torture be inflicted upon him by the Governor of the province, but he should be punished by the imposition of a suitable penalty.

5. *The Same Emperors and Caesars.*

You have been incorrectly informed that sons who are under paternal control can be called to the performance of official duties. Still, if you did not give your consent to the appointment of your son, you cannot be held liable for his administration.

6. *The Same Emperors and Csesars.*

The laws do not prohibit even illiterate persons from discharging the duties of decurions.

7. *The Same Emperors and Caesars.*

Although brothers have an undivided interest in their property, each one will, nevertheless, be individually responsible for the discharge of his official duties.

8. *The Same Emperors and Caesars.*

Infamy, which should be shunned by you, will deprive you of the office that you have obtained, which the loss of your eyesight will not do.

9. *The Same Emperors and Caesars.*

It is established that, among decurions, a father will take precedence over those who have no children.

10. *The Same Emperors and Csesars.*

If the Governor of the province should find that your father is more than seventy years of age, he will see that he enjoys exemption from personal service in office.

11. *The Same Emperors and Csesars.*

There is no doubt that a wife cannot be held responsible for the obligations of her husband, as decurion.

12. *The Same Emperors and Csesars.*

It is settled that anyone branded with infamy is not entitled to immunity, as this privilege only attaches to persons of unblemished character.

13. *The Same Emperors and Caesars.*

Neither the decurions of a Governor, the age of fifty years, nor the gout, affords a valid excuse for exemption from the duties of the decurionate.

14. *The Emperor Constantine to Evagrius.*

No judge shall, on his own responsibility, release a man from the office of decurion; for if anyone should be so unfortunate as to deserve relief, his case must be referred to Us, so that he may be relieved from his official duties for a certain time.

Published on the *Ides* of March, during the third Consulate of Constantine and Licinius, 313.

15. *The Same Emperor to Mechilius Hilarian.*

We wish all decurions to refrain from exercising the functions of notaries.

Given on the third of the *Kalends* of February, during the Consulate of Sabinus and Rufinus,

316.

16. *The Same Emperor to Hilarian, Proconsul of Africa.*

If any decurion should, either on account of his own affairs, or of those of the State, be compelled to appear before Our Council, he shall not leave before communicating to the presiding judge the reason for his journey, and obtaining his permission to depart. If anyone should be so audacious as to disregard this law, he shall undergo suitable punishment for his act.

Published at Carthage, on the sixth of the *Ides* of July, during the third Consulate of Crispus and Constantine, 324.

17. *The Same Emperor to Evagrius, Praetorian Prefect.*

Anyone who abandons the office of decurionate to enlist in the army shall be recalled to his *curia*.

Given on the sixteenth of the *Kalends* of June, during the Consulate of Constantine, Consul for the second time, and the Caesar Constantius, 326.

18. *The Same Emperor.*

Where anyone appointed to the magistracy takes to flight, and, while sought for, obstinately remains concealed, his property shall be given to those who at that time are called to perform in his place the functions of the duumvirate, so that if he should afterwards be found, he may be compelled to act as duumvir for two years. All persons who refuse to discharge their public duties shall be liable under the same rule.

Given on the third of the *Kalends* of October, during the Consulate of Constantine, Consul for the ninth time, and Constantius, Consul for the fourth time, 326.

19. *The Same Emperor to Lucretius Paternus.*

Having annulled the rescripts by which exemption from the duties of civil office is conceded to all, persons are hereby subjected to the discharge of these civil duties, so that no release will be valid, even if granted with the consent of the people or the *curia*, but all citizens are required to perform their civil obligations.

Given at Heraclia, on the eighth of the *Kalends* of November, during the Consulate of Constantine, Consul for the eighth time, and Constantius, Consul for the fourth time, 326.

20. *The Emperors Constantius and Constans to the Decurions of the City of Constantine.*

Your Highness must require the magistrates of the City of the Cyreneians who have abandoned their places to return, and they shall immediately be required to refund in full any expense incurred by the City on their account.

Given on the fourteenth of the *Kalends* of February, during the Consulate of Acyndinus and Proculus, 340.

21. *The Same Emperors to Count Nemesianus.*

The decurions of all cities should suffer no anxiety on account of property belonging to Our private domain, nor should they be subjected to any extraordinary burdens of this kind, as it will be sufficient if they properly discharge duties of their office.

Given on the day before the *Ides* of August, during the Consulate of Acyndinus and Proculus, 340.

22. *The Emperor Julian to Julian, Count of the East.*

Former Emperors permitted children born of mothers whose families are connected with the decurionate to belong to the *curia* of Antioch, when the status of their fathers did not entitle them to any such privilege.

Given at Antioch, on the fifth of the *Kalends* of September, during the Consulate of Mamertinus and Nevitta, 362.

23. *The Same Emperor to Julian, Count of the East.* Provision should be made to prevent those who have only recently been appointed to the Order of Decurionate from being burdened with

the debts of their predecessors, for those who have previously contracted such obligations should be compelled to pay them, and you must not suffer their successors to be molested on account of the indebtedness of others.

Published on the *Kalends* of November, during the Consulate of Mamertinus and Nevitta, 362.

24. *The Same Emperor to Leontius, Consular of Palestine.*

If a decurion is the father of twelve children, he shall be granted exemption from the duties of his office.

Given at Antioch, on the *Kalends* of March, during the Consulate of Julian, Consul for the fourth time, and Sallust, 363.

25. *The Emperors Valentinian and Valens to the Byzantines.*

Decurions cannot, by the order of a Governor, be compelled to go beyond the limits of their city, unless public necessity requires it.

Given at Aquileia, on the day before the *Ides* of September, during the Consulate of Jovian and Varronian, 364.

26. *The Same Emperors to Modestus, Prsetorian Prefect.*

Some decurions, induced by idleness, abandon their office in the city, seek solitude and secret places, and, under the pretence of religion, associate with hermits. Therefore, by the present law, We order that persons of this kind shall be arrested, torn from their hiding-places, and recalled for the purpose of performing their municipal functions; and, by the terms of this Our law, We decree that those who are obliged to discharge public duties cannot avoid them under the pretext of attending to their private affairs.

Published on the *Kalends* of January, during the Consulate of Valentinian and Valens, 365.

27. *The Same Emperors to the Sitisensian Moors.*

Anyone required to perform the duties of the decurionate cannot claim exemption on account of a privilege bestowed upon his father as a reward for service in the army. If he is descended from a grandfather who was a soldier, and a father who was a decurion, he will succeed to the duties of his father.

Given on the eighth of the *Kalends* of March, during the Consulate of Valentinian and Valens, 365.

28. *The Same Emperors to Volusianus, Prefect of the City.*

No one, no matter what privileges he may enjoy, is exempt from public duties.

Given at Milan, on the fourth of the *Kalends* of July, during the Consulate of Valentinian and Valens, 368.

29. *The Same Emperors.*

Children born in wedlock to those who are attached to Our household, and whose father is a decurion, do not follow the condition of their father, but that of their mother.

30. *The Same Emperors.*

There is no doubt that the Attorneys of the State can make use of public actions.

31. *The Emperors Valentinian, Valens, and Gratian to Modestus, Prsetorian Prefect.*

Persons, no matter what their lineage may be, who are descended from decurions, are obliged to perform the duties of public office. Moreover, those who conceal them, and continue to do so, thereby subordinating the public welfare to their own interest, shall be condemned to infamy, and their property shall be confiscated.

Given on the third of the *Ides* of July, during the Consulate of Gratian, Consul for the second time, and Probus, 371.

32. *The Emperors Gratian, Valentinian, and Theodosius to Neotherius, Praetorian Prefect.*

Artisans who have renounced their position as decurions, and the official duties required of them, shall be restored to their order. Other persons implicated shall be severely punished.

Given at Thessalonica, on the sixteenth of the *Kalends* of April, during the Consulate of Gratian, Consul for the fifth time, and Theodosius, 380.

33. *The Same Emperors to Eutropius, Praetorian Prefect.*

All judges and Governors of provinces must refrain from the rash usurpation of authority, and remember that they cannot subject persons of eminent rank, or decurions, to corporeal punishment for any negligence or error of which they may be guilty. Therefore, if a judge, in an outburst of anger, should dare to subject to torture any man of illustrious rank, or a decurion, or a senator of his *curia* (if it is necessary to say so), he shall be fined twenty pounds of gold, and be branded with perpetual infamy, which he cannot evade by means of a special Imperial Rescript; and his subordinates shall be compelled to pay a fine of fifty pounds of gold to the Treasury, for the reason that they did not resist the illegal act of the judge, which We have given them full power to do.

Given at Heraclia, on the twelfth of the *Kalends* of August, during the Consulate of Eucherius and Syagrius, 381.

34. *The Same Emperors to Florus, Praetorian Prefect.*

When anyone thinks that the management of his affairs should be entrusted to a decurion, he shall be severely punished, after having been deprived of his rank. The official, however, who, unmindful of his freedom and his position, degraded himself by accepting such a servile employment, shall be sent into exile.

35. *The Same Emperors to Posthumianus, Prsetorian Prefect.*

Your Highness must see that the decrees formerly promulgated are obeyed by the sons of decurions, and that those who, under the pretext of being advocates, refuse to obey the rules of their order, are compelled to discharge all their duties; for although necessity may not demand that this be done, still the country does not release them from their performance.

Moreover, Your Highness must provide that the sons of teachers, who are descended from the families of decurions, are, in like manner, forced to discharge the municipal employments to which they are liable.

Given at Constantinople, on the eighth of the *Ides* of April, during the Consulate of Merobaudus, Consul for the second time, and Saturninus, 383.

36. *The Same Emperors to Basilius, Count of the Sacred Largesses.*

Every decurion, as in the case of the Senatorial Order, shall follow the condition of his father, nor shall any rescript, obtained for special purposes, be valid in cases of this kind, where someone, relying upon the origin of his mother, has passed from a superior to an inferior *curia*, nor will any exception to this rule be permitted, no matter what the provincial custom may be.

Given at Rome, on the sixteenth of the *Kalends* of July, during the Consulate of Merobaudus, Consul for the second time, and Saturninus, 383.

37. *The Same Emperors to Posthumianus, Praetorian Prefect.*

Whenever persons who have obtained Imperial Rescripts avail themselves of the same to be released from duties to which their origin, or any decision rendered between the parties has made them liable, they will hereafter be able to entertain no hope of evading the responsibility of their office, under the pretext of an Imperial Rescript.

Given at Constantinople, on the fourteenth of the *Kalends* of August, during the Consulate of Merobaudus, Consul for the second time, and Saturninus, 383.

38. *The Same Emperors to Cynegius, Praetorian Prefect.*

Let no person be assigned to a *curia* by way of penalty, unless he should be a fugitive, and have enlisted in the army in order to avoid performing the duties of the station in which he was born. You will therefore notify all magistrates under your jurisdiction that they are forbidden to permit any violator of the law to be assigned to a *curia* as a penalty, as one who has been guilty of crime should not be honored, but subjected to punishment.

Given at Constantinople, on the eighth of the *Ides* of November, during the Consulate of Richomer and Clearchus, 384.

39. *The Same Emperors to Eusignius, Praetorian Prefect.*

Decurions who think that they can be rendered immune by the privilege of being attached to Our household shall be returned to their *curia*, and compelled to perform the duties imposed upon them, as well as to make good any losses which have been sustained by the public through the attempted evasion of their obligations.

Given on the eighth of the *Kalends* of January, during the Consulate of Our Prince Honorius, and Evodius, 386.

40. *The Emperors Valentinian, Theodosius, and Arcadius to Cynegius, Praetorian Prefect.*

Anyone of exalted rank, or any decurion who has been convicted of having misappropriated the public funds, or to have fraudulently made unlawful assessments, or to have collected more than was due, shall, in accordance with the custom of former times, be whipped with a scourge loaded with lead, by your order, if he obtained his place from you, or by that of the ordinary judges responsible for his appointment.

Given at Constantinople, on the *Kalends* of April, under the Consulate of Valentinian, Consul for the third time, and Eutropius, 387.

41. *The Same Emperors to Cynegius, Praetorian Prefect.*

A decurion shall not, either by the solicitation of votes, or by intrigue, change the condition in which he was born, and if he is entitled to relinquish it on account of old age, he cannot do so before the appointment of his successor, which usually takes place immediately.

Given at Constantinople, on the day before the *Nones* of July, during the Consulate of Valentinian, Consul for the third time, and Eutropius, 387.

42. *The Emperors Theodosius, Arcadius, and Honorius to Abundantius, Count, and General of Both Branches of the Service.*

There is nothing in common between military men and decurions, and they are hereby notified that they can do nothing which will not subject them to superior authority. And no commander or Count shall permit any decurion or person of high rank to suffer any injury, or be struck, or seriously beaten.

If anyone should hereafter, by a rash and inconsiderate act, inflict an illegal injury upon a chief of the decurions, he is notified that he will be fined ten pounds of gold.

Given at Constantinople, on the day before the *Kalends* of August, during the Consulate of Arcadius and Rufinus, 392.

43. *The Same Emperors to Rufinus, Praetorian Prefect.*

You must show no hesitation in causing all persons who are obliged by their descent to exercise the functions of a decurion to be returned to their duties, when they claim exemption by reason of various privileges and pretexts based upon official documents, for We do not permit even rescripts or memoranda to be of any avail in evading the duties of public office.

Given at Constantinople, on the day before the *Ides* of April, during the Consulate of Theodosius, Consul for the third time, and Abundantius, 393.

44. *The Same Emperors to Rufinus, Praetorian Prefect.*

No one shall be attached to a decurionate by reason of his claim that his mother was connected with the family of such an official, because the weakness of woman never renders persons liable to the performance of duties of this kind, from which she herself is exempt.

Given at Constantinople, on the fifth of the *Ides* of August, during the Consulate of Theodosius, Consul for the third time, and Abundantius, 393.

45. *The Emperors Arcadius and Honorius to Theodore, Praetorian Prefect.*

Let persons be chosen decurions who are best qualified by wealth and merit to discharge the municipal duties of their city, and let none be appointed who are incapable of performing their public functions.

Given on the thirteenth of the *Kalends* of February, during the Consulate of Olybrius and Probinus, 395.

46. *The Same Emperors to Ennoius, Proconsul of Africa.*

Appointments should not be postponed when all those who are inscribed upon the registers of the *curia* are unable to be present, for the absence of a few members, whether it be unavoidable or accidental, does not invalidate an act formally agreed to by a two-thirds majority, as two-thirds of the order is considered to represent the voice of the entire *curia* of the city.

Given at Milan, on the seventeenth of the *Kalends* of June, during the Consulate of Olybrius and Probinus, 395.

47. *The Same Emperors.*

Decurions who have obtained the rank of count should exercise carefully supervision over those subject to their authority, and not think that by the acquisition of their new dignity they are entitled to regard the orders of judges with contempt. If they continue to be guilty of the same fault, they should be subjected to a fine of five pounds of gold, and be deprived of the position of which they are unworthy.

Given at Constantinople, on the fourth of the *Kalends* of January, during the Consulate of Olybrius and Probinus, 395.

48. *The Same Emperors.*

With regard to the succession of decurions, We decree that even if their fathers are dead, the right of agnation shall prevail.

49. *The Same Emperors to Theodore, Praetorian Prefect.*

All those who are legally attached to any *curia* whatsoever shall be liable to perform the duties of the same, no matter what their religious belief may be.

Given at Milan, on the *Ides* of September, during the Consulate of Honorius, Consul for the fourth time, and Eutychianus, 398.

50. *The Same Emperors to Eutychianus, Praetorian Prefect.*

All decurions, without exemption, shall remain forever attached to their original and proper

*curia*; and all those who, either by fraud or intrigue, have obtained the government and administration of provinces, are hereby notified that they shall not only be recalled to their *curia*, but shall also be compelled to perform all the duties of their offices from the very beginning.

Given at Constantinople, on the eighth of the *Kalends* of November, during the Consulate of Honorius, Consul for the fourth time, and Eutychianus, 398.

51. *The Same Emperors and Theodosius to Messala, Praetorian Prefect.*

Although it has been provided by a suitable amendment that decurions who have abandoned their duties under a pretext of enlisting in the army shall be returned to their offices, still, for the reason that they committed this act with fraudulent intent, so that, having passed the boundaries of their provinces, and access to them being no longer available, they might obtain dismissal in foreign countries, in order that they may no longer entertain the hope of concealment to the disadvantage of the decurionate, and secure the benefit of immunity, it is hereby decided that if any of them should attempt to withdraw from the decurionate, or abandon it, their property shall be used to indemnify the *curia* which they have deserted, if, for the purpose of escaping prosecution, or evading their civil obligations, they should join the army, which is forbidden, or be guilty of any fraud whatsoever.

Therefore, if after having been summoned by proclamation (being such persons as clearly belong to the *curia*), they prefer to remain concealed, rather than to return within the period of a year, they are hereby notified that, after the year has elapsed, their property shall be seized by the authority of the Governor of the province for the benefit of the *curia* which they have deserted. No complaints which they may make concerning the shortness of the time shall be heard.

Given on the seventeenth of the *Kalends* of September, during the Consulate of Theodore, Consul for the fifth time, 399.

52. *The Same Emperors to Probinus, Proconsul of Africa.*

Can a magistrate be found who is so unjust as to compel a decurion, belonging to a city which abounds in them, to perform his official functions longer or more frequently than he should do, simply because some of them do not become familiar with the duties of their employment, and others are, in consequence, compelled to perform them constantly and repeatedly?

Given at Milan, on the sixteenth of the *Kalends* of April, during the Consulate of Csesarius and Atticus, 397.

53. *The Same Emperors to Eucherius, Proconsul of Africa.*

A duumvir cannot exert the authority of his office with immunity beyond the limits of the territory of his own city.

Given at Ravenna, on the sixth of the *Ides* of March, during the Consulate of Honorius, Consul for the ninth time, and Theodosius, 412.

54. *The Same Emperors to Palladius, Praetorian Prefect.*

We order by this general law, that if any official should desire to claim a decurion belonging to his *curia*, he shall be permitted to arrest him with his own hand, if he cannot obtain the aid of the Governor, but he is notified that the fugitive should be immediately brought before the Governor for examination (so that if any question should arise as to his having a good defense, it may be heard), and if the said official does not dispose of the case within three months from the time of its commencement, and restore the defendant, if convicted, to the performance of his duties, after having imposed the penalty; or decide that he is free from liability, he shall be compelled to pay a fine of ten pounds of gold, and his subordinate officers shall also be mulcted in an equal sum.

Given at Ravenna, on the fifth of the *Nones* of May, during the Consulate of Theodosius,

Consul for the seventh time, and Palladius, 415.

55. *The Emperors Theodosius and Valentinian to Isidore, Praetorian Prefect.*

If a decurion, or any other member of the *curia*, should be so bold as to enlist in the army, he shall not be permitted to avail himself of any prescription, but must be returned to his former condition; and neither he himself, nor any of his children born after an event of this kind has occurred, shall be permitted to renounce the duties which they owe to the State.

Given at Constantinople, on the third of the *Nones* of April, during the Consulate of Isidore and Senator, 436.

56. *The Same Emperors to Isidore, Praetorian Prefect.*

The Chief decurions of Alexandria, although they perform the functions of advocates, are, nevertheless, not charged with any duties outside of the city, nor are they compelled to perform any public duty except in their own municipality. The decurion highest in rank who, after having filled all the subordinate offices, has obtained this position, shall, after having enjoyed, for the term of two years, the dignity to which he has attained, be raised to the rank of count, but he will still continue to be a decurion.

Given at Constantinople, on the day before the *Nones* of June, during the Consulate of Isidore and Senator, 436.

57. *The Same Emperors to Isidore, Praetorian Prefect.*

We decree that the five Chief Decurions of the City of Alexandria shall be exempt from all corporeal punishment, and free to defend the advantages of their country with their voices. They can, however, if guilty of any criminal act, be subject to a pecuniary fine, which shall be imposed by the distinguished augustal prefect in the presence of the *curia*.

Given at Constantinople, on the day before the *Nones* of June, during the Consulate of Isidore and Senator, 436.

58. *The Same Emperors to Isidore, Praetorian Prefect.*

Anyone who has served as a public official for forty years, in the City of Alexandria, shall, in consideration of his merits, be exempt from corporeal, but not from pecuniary penalties, so that persons who are well and favorably known may be entitled to this privilege, and those who are unworthy may not indiscriminately enjoy it.

Given at Constantinople, on the day before the *Nones* of June, during the Consulate of Isidore and Senator, 436.

59. *The Same Emperors to Isidore, Praetorian Prefect.*

If the *hypomnematographi* should appoint persons to public office with their consent, We order that the confirmation of the illustrious augustal prefect, who is frequently corrupt, shall not be required, but that the consent of both parties will be sufficient in order that the appointee may begin to discharge the duties which he has not refused; still, the above-mentioned judge must be notified of the appointment which has been made without his sanction, and if he should delay to acquiesce in, or confirm the appointment, he is hereby notified that he will be liable to a fine of twenty pounds of gold.

Given at Constantinople, on the day before the *Nones* of August, during the Consulship of Isidore and Senator, 436.

60. *The Same Emperors.*

No one who became a member of a *curia* by birth can perform his official functions by means of a substitute, but he himself must discharge the duty which he owes to his city, even though he may be a man of high rank, unless this has been granted him as a special privilege. Those who have attained to the rank of illustrious are not prohibited from discharging their duties through substitutes, but they do so at the risk of their property.

61. *The Emperor Leo.*

We decree that neither the illustrious Dorotheus, the title to whose property must not be called in question, nor Ireuseus, the eminent tribune and notary, shall be subject to annoyance on account of their having inherited the condition of decurion, although their parents had not attained to the rank of illustrious before they were born. Their children, also, whether they are now in existence, or may subsequently come into the world, as well as their descendants to the end of time, shall be exempt from the civil obligations imposed by the condition of decurion; and the law of the Emperor Julian, of Divine Memory, which was promulgated with reference to the maternal line and its relations to the decurionate of the City of Antioch, shall not, in any respect apply to the illustrious Dorotheus, or the eminent Ironeus, or to any of their property, or to their children who are in existence at present, or may be born hereafter, nor will it have any effect so far as the property of the latter is concerned. We order, however, that this law shall continue to be applicable to all persons connected through the maternal line with the decurionate of the said City of Antioch.

62. *The Same Emperor.*

If a child born to the daughter of a decurion of the magnificent City of Antioch, and to a father who is not liable to the performance of civil duties in any other town, should, while being examined by a judge of the province, voluntarily acknowledge, or be proved to be the son of the daughter of a decurion, and his name should be recorded in the register of that order, he must not expect to have the power to deny or evade the duties imposed upon him by his condition; and let him not attempt to reject the position in the *curia* acquired through his maternal grandfather, or entertain any doubt that he is obliged to perform the functions of the decurionate.

If, however, any *curia* to which the present law refers should think that a child born of the daughter of a decurion ought to be excluded from membership, it can, under no circumstances, exclude his offspring, for We do not suffer a public charge to be imposed upon grandsons, great-grandsons, or the more remote descendants of a person who has been excluded from membership in the *curia*, and is the child of the daughter of a decurion.

63. *The Same Emperor.*

We decree that neither the persons nor the property of men of illustrious rank shall be molested on account of their status as members of a *curia*, and anyone who makes an attempt to do so shall pay the penalty prescribed for sacrilege.

(1) No one can doubt that all those born to a father who has held any high employment, or is still discharging the duties of the same, can, with his father, be subject to annoyance because of his connection with the decurionate, and both their persons and property shall be free from molestation on this account.

64. *The Emperor Zeno.*

We wish that none of those liable to perform the duties of the decurionate who, from the beginning of Our reign, have been, or may be appointed to the office of Count of Private Affairs, either of the Emperor, or of the Empress, or to that of Count of the Sacred Largesses, or Count of Domestic Affairs, or Quæstor, or Master of the Offices, shall, for this reason, be exempt from the obligations of the decurionate, but they shall be liable to them, together with their children, no matter when they may have been born; and a lien shall exist on their property to insure the performance of the functions of the decurionate, after they have relinquished the administration of their other employment, unless they have been exempted in this respect by the grant of well known legal privileges, for We desire all privileges conceded by the Imperial Constitutions to be preserved intact and inviolate.

In order, however, that persons appointed to such offices may not appear to have only an empty name, they can discharge the duties of the decurionate by means of substitutes selected by themselves, at the risk of their own property, and will retain the privileges of their rank

unimpaired. Moreover, We decree that those who have acquired any of the dignities aforesaid before the beginning of Our reign shall, along with their property, be released from the connections and burdens of the decurionate, and this also applies to any children which may have been born to them after they attained the dignity aforesaid.

Again, with reference to those who, at any time, have become, or may hereafter become patricians, consuls, or men of consular rank, or generals of the army, or Praetorian Prefects of the East, or of Illyria; or who have obtained the government of any city while they were administering the offices aforesaid, or may hereafter administer them, We decree that they shall, together with their property and all children born to them after being raised to the dignity aforesaid, be released from all the obligations and burdens of the decurionate.

*65. The Emperor Anastasius.*

We think that the Constitution of the Emperor Zeno, of Divine Memory, which was promulgated with reference to decurions, after their exemption from the obligations of their condition by the exercise of high employments, should only be corrected in that part which provides that those who, before the said constitution was published (and from the beginning of the reign of the Emperor Zeno, of Divine Memory) had been raised to the dignity of Count of Private Affairs of the Emperor, or Empress, or to that of Count of the Sacred Largesses, or to that of Count of Domestic Affairs, or to that of Quaestor, or Master of the Offices, although they may be engaged in the actual administration of one of the employments aforesaid, shall, by no means, be permitted to evade the duties imposed by the decurionate; but shall be bound, together with their children (no matter when the latter were born) and their property, to discharge the duties of the decurionate, after they have relinquished the administration of one of the offices aforesaid, unless they have been exempted by some well-known legal privilege. For We order that any privileges which may have previously been acquired by them through their administration of one of the high offices aforesaid shall be enjoyed by them intact and unimpaired, as well as by their children and their property, where they have administered the affairs of all the offices above mentioned, or of only one of the same, so that by the release of the duties and the civil functions attaching to their condition which was granted them by former Imperial Decrees, they themselves, as well as their children born after their fathers have relinquished the administration of a public employment of this kind, together with their own property, may enjoy the exemption; even if, in accordance with the terms of the Constitution of the Emperor Zeno, of Divine Memory, they should have discharged, either personally or by means of substitutes, the duties imposed upon them by the decurionate.

The above-mentioned Constitution of the Emperor Zeno, of Divine Memory, shall remain in force from the day on which it was promulgated, as it is proper to enact laws for future generations, and not to give rise to vexatious proceedings having reference to events which have already transpired.

*66. The Emperor Justinian.*

With a view to the interest of the members of decurionates, We decree that no one shall flatter himself that he can be released from the performance of his duties in any other way than that to be hereinafter specified, but he is notified that he can only obtain exemption from the duties attached to his condition, as decurion, in the manner which We prescribe, and that all other methods which are not included in the present law are, from this day, abolished. Therefore, if anyone should obtain the highest rank of the patriciate, or the insignia of the honorary consulate, or should be raised to that office in the ordinary course of affairs, so as to become either a consul or a man of consular rank, or should obtain the insignia of the Praetorian Prefecture, or the dignity of Urban Prefect, in the regular way, or should be invested with the command of the army, let him rejoice in the knowledge that he is freed from the condition of decurion, together with his property, and his children which have been born after he attained the dignity, or administered the office aforesaid, but any children born before that time shall remain in their former condition.

All persons raised to these dignities, as well as to that of Advocates of the Treasury, as well as those attached to the Prefectures of the Orient and Illyria, and to the Urban Prefectures, shall, whenever they are appointed Advocates of the Treasury, be released from the duties imposed by the decurionate, together with their property and their children, whether the latter were born before or after their father attained the rank aforesaid.

Those illustrious nobles who have been charged with the management of the affairs of the Empire were also released from their curial duties by the ancient law, and the illustrious men who discharge the functions of Imperial Secretaries, and draw up the Imperial Epistles and Memorials, and the records of decrees and decisions, shall be free from the obligations of the decurionate, together with their property, and any children whom they have had after having been promoted to the offices aforesaid. We retain this privilege for them intact and unimpaired, in consideration of the labors which they have performed in many ways for a long and extended period of time; hence, in accordance with what We have previously stated, all these persons, together with their property and their offspring, are released from the obligations of the decurionate.

We, however, do not permit children born previously to any future Advocate of the Treasury to be exempt from curial duties, in order to prevent others from demanding a privilege which is not accorded to the offspring of the highest rank, as above mentioned; but any who have been born before their fathers obtained the office of Advocate of the Treasury shall remain in their former condition.

With reference to other methods than those which We have specifically enumerated, whether they were included in the ancient laws or not (as, for instance, the case of one who was descended from three males, who was formerly permitted to occupy a high position in the Senate), We by no means allow any of them to be available for the purpose of securing exemption from curial duties; no matter if a pragmatic sanction was issued on this subject, or a decision of the Prefecture was rendered, or any other means whatever was devised; they shall all be absolutely void, and considered as never having been of any force; and the decurions who make use of them shall be restored to their cities, and their property shall still remain liable, and no excuse offered by them shall, under any circumstances, be accepted.

#### TITLE XXXII.

##### WHERE A SLAVE OR A FREEDMAN ASPIRES TO THE OFFICE OF DECURION.

###### 1. *The Emperors Diocletian and Maximian, and the Caesars.*

Where a freedman has not obtained the privilege of wearing a gold ring, or has not been restored to his rights of birth, the Governor of the province shall not permit him to take part in the affairs of the *curia*, but shall inflict upon him a penalty in accordance with the severity of the law.

###### 2. *The Emperor Constantine.*

If the Governor of the province should ascertain that the person who is discharging the duties of sedile is your slave, and finds that he aspired to that office without being ignorant of his status, he must inflict a suitable punishment upon him for having defiled the dignity of the decurionate with the stigma of slavery. If, however, he aspired to that office through mistake, for the reason that his mother was, by public report, considered to be free, and he himself was the son of a decurion, the Governor shall merely restore him to your possession.

#### TITLE XXXIII.

##### THE LANDS OF DECURIONS SHALL NOT BE ALIENATED UNLESS BY VIRTUE OF A DECREE.

###### 1. *The Emperors Valentinian, Theodosius, and Arcadius to Cynegius, Praetorian Prefect.*

When a decurion, compelled by necessity, desires to sell any land in the country or in town,

he should appear before a competent judge, and explain to him in detail all the causes which force him to take this step; and he shall only obtain authority to dispose of the property where he can prove the necessity for the alienation of the same. The sale will be void if this formality is neglected. This course is adopted to prevent the vendor from wasting his property, and the purchaser, whatever his condition may be, from being subjected to injustice. Hence the vendor cannot make any complaint that he has either been deceived by fraud, or oppressed by the power of the purchaser, as it will appear from the records that the necessity for the sale existed, and that the purchaser consented to it.

If, however, anyone should, in violation of what has been prohibited, by means of secret machinations, or through the agency of persons fraudulently introduced, buy land anywhere from a decurion, he is hereby notified that he will be deprived of the price that he paid, and that the land which he purchased, together with its crops, will be returned.

Given at Constantinople, on the eighth of the *Kalends* of December, during the Consulate of Our Prince Honorius, and Evodius, 386.

*2. The Emperors Theodosius and Valentinian to Florentius, Praetorian Prefect.*

No sale of hereditary property acquired by a *curia*, nor any release of a debtor to the estate who made the payment, shall be permitted, unless the reason for making the contract or for releasing the obligation shall have been examined and approved in writing by all, or a majority of the decurions.

We order that whatever may be obtained from such a transaction shall be expended for the purchase of land, the entire income of which (as has already been stated) shall be carefully preserved for the public necessities of the *curia*. The farmers of this revenue should be selected with the consent of all the decurions, and especially of the more wealthy ones, and be required to furnish proper security for the performance of their duties.

*3. The Emperor Zeno.*

We forbid decurions to sell any real property of any description, or any slaves attached thereto, without first applying for a decree. They are, however, permitted to make donations, or exchanges, or enter into any other contracts whatsoever, as the Imperial Constitutions, which have been promulgated by former Emperors, have stated in many places that the purchase-money is not to be refunded, and for this reason it is clearly to be understood that a contract of sale cannot be entered into by decurions without a decree. We further order that when a sale takes place, a decree must be secured by the vendors (as has already been stated) and those who buy from them will not incur any loss either personally, or on account of the transaction, or by reason of theatrical generosity (which is said to frequently occur). The decree issued in confirmation of the sale should not be committed to writing, but should be rendered by a competent judge in the presence of the decurions, or a majority of them, without any view to the return of the property or any injury to the contracting parties.

TITLE XXXIV.

WHEN AND TO WHOM THE FOURTH PART OF THE PROPERTY OR DECURIONS IS DUE, AND CONCERNING THE METHOD OF DISTRIBUTING THE SAME.

*1. The Emperors Theodosius and Valentinian.*

We decree that when he who succeeds to a decurion as heir does not himself belong to the order, whether he is an heir to the whole estate or only to a portion of the same, or by virtue of being the possessor of the property, the fourth part of the estate can legally be demanded from the *curia*.

*2. The Same Emperors to Apollonius, Praetorian Prefect.*

We remember that an Imperial law was recently promulgated, by whose provisions the fourth part of the estate of deceased decurions, whether they died testate or intestate, passes to

anyone whomsoever (with the exception of sons who are decurions), and was referred to the body of the decurionate; but many persons seized this opportunity to destroy the property of the entire estate by claiming an interest in everything for themselves, so that they mutilated and defaced all of it, and in endeavoring to secure their own rights, manifested an inclination to injure others equally interested.

In order to take proper measures for the correction of this abuse, We do hereby forbid decurions to seize the property of a deceased person by their own authority. The heir, however, to whom the estate passed either as intestate, or by a last will, directly, or under the terms of a trust, shall cause the entire inheritance which was left to be divided into four parts, and lots shall be cast to determine whether the *curia*, the heir, or beneficiary of the trust shall have the right to select the fourth or the three-fourths of said estate respectively, so that in this way the heirs of the deceased and the *curia* will be freed from the inconvenience of a joint and undivided ownership of the same.

It is a common fault for property jointly held to be neglected, as it is considered that he has nothing who has not all, and hence each one suffers his share to be deteriorated on account of the grudge which he entertains against the others. Where, however, the fourth part of the estate of a deceased person must be transferred to the *curia*, We permit the immovable property which cannot easily be concealed, and whose production cannot injure anyone, to be appraised and divided in the presence of the decurions. We do not, however, permit movable property or that which is capable of moving itself, or implements, or anything else consisting merely of a right, to be publicly produced and divided; but We order that the statements of the heirs of the deceased (they having been first sworn) shall be believed, when they have made a careful estimate of the nature and value of the estate. For what is so harsh or inhuman as, by the exhibition and display of private property, to reveal the wretchedness of poverty, and expose wealth to envy? In the collection of debts, if the heirs refuse to pay the price of the fourth part of the claim to which the decurionate is entitled, after having publicly furnished proper security, each one shall be entitled to collect his share from the debtors.

Likewise, on the other hand, the heirs, as well as the *curia*, can be compelled to pay their proportionate shares of the indebtedness, if the deceased owed money to anyone. When the heirs, after having been frequently notified, refuse to take the oath, then a careful inventory of all the personal property shall be drawn up by the members of the *curia*, just as in the case of real estate, that is to say, all of the property belonging to the deceased having been produced in public, an appraisal and division of the same shall be made in the presence of the decurions. Moreover, We decree that in all cases where the *curia* is entitled to a fourth part of the estate, any transactions concluded by the parties in interest shall remain valid and incontrovertible.

(1) As in the case of sons, grandsons, and great-grandsons of decurions, to whom We have decreed that estates shall descend intact, We now order that the ownership of the same shall not be affected in the case of the daughter, granddaughter, great-granddaughter of a chief decurion of the same city from which her father, grandfather, or great-grandfather derived his origin, whether she is entitled to the estate as heir at law, or under the terms of a will. If, however, after the death of her father, she should marry, or become a widow, or be under or over the age of puberty, We desire that those who have passed that age or are widows shall wait for three years after their father's death, so that, during this period, the fourth of the estate due to the *curia* may remain in suspense; or if one of them should marry a decurion of the same city, within that time the entire estate shall vest in her permanently. But if, within the said time, she should marry a man not belonging to the *curia*, or should remain unmarried, the abovementioned portion of the entire estate, together with the profits of the urban and rustic property, shall be adjudged to the *curia*, after the said term of three years has expired. Provided, however, that the rule with reference to the choice of the fourth, or three-fourths of the estate, and the oath, as well as the appraisal of the movable property and the bringing of actions and pleading of exceptions (as has been already stated with reference to strangers)

is observed. Where the mother or grandmother of the deceased, at the time when the son or grandson died, married a decurion of the same city, We do not permit her to suffer the loss of the fourth part of the estate.

Again, We release a foreign heir who was not related to the deceased, but is attached to the city to which the latter belonged, from the loss of the fourth part of the estate above mentioned.

Given at Constantinople, on the seventh of the *Ides* of March, during the Consulate of Dioscorus and Eudoxius, 442.

### 3. *The Emperor Justinian.*

Where the member of a decurionate left but a small portion of his estate to several of his sons or daughters, who survived him, or bequeathed it to one son or several daughters (but still sufficient to exclude them from instituting proceedings on the ground that the will was inofficious), and left the remainder of his estate to others, so that

by this distribution of the same a very small part of it was transmitted to his child or children attached to the *curia*, We, for the purpose of remedying this injustice, and that the rights of a decurion may remain unimpaired, whether any children, grandchildren, or great-grandchildren are attached to the *curia*, do hereby decree that a testator cannot transmit less than the fourth part of his estate to his male heirs, whether there is one son or several; and that, where there are any sisters there shall be no diminution, so far as they are concerned, so that the *curia* may not only have the benefit of their services, but also of their property. In addition to this, We order that if any decurion should die, leaving several daughters, one of whom is married to a member of the *curia*, and received only a small portion of the estate, the remainder having been left to other daughters, or to strangers, the testator will not be considered to have complied with the terms of the law of the Emperor Theodosius, addressed to Apollonius; but on the other hand, the *curia* will be entitled to the fourth part of his estate, whether it is to be given to the daughter who married the decurion, or is to be collected from the other heirs.

There is no doubt that the daughter who married the decurion will be exempt from contributing any part of the fourth above mentioned, as the personal services of a husband, performed for the benefit of the *curia*, render this unnecessary.

This rule shall be observed not only where the testator, a decurion, left a will, but also when he dies intestate. If, however, an amount less than the fourth part of the estate of the father, or none at all, should be left, this must by all means be given or transferred to the son, who is a decurion, or to the daughter who married a decurion of the same city; and no objection should be raised by the *curia* if, in accordance with the law aforesaid, either the son, grandson, great-grandson, father, grandfather, or great-grandfather, left by the deceased decurion, should have been released from his obligations to the *curia*, on account of having been raised to any dignity, or for any other reason; as, in a case of this kind, We most certainly desire the Theodosian Law to be disregarded.

And, generally speaking, We decree that, in every instance, neither male nor female children belonging to the family of a decurion, who are married, shall receive less than the fourth part of the estate of their father. And, when there are no sons or daughters, or other heirs, the *curia* itself shall, in accordance with the terms of former laws, be entitled to the fourth part of the estate of the decurion, as a consolation for his loss.

## TITLE XXXV.

### CONCERNING THE CLAIM OF A CURIA TO PROPERTY WHICH HAS BEEN GRATUITOUSLY TRANSFERRED.

#### 1. *The Emperors Theodosius and Valentinian to Apollonius, Praetorian Prefect.*

We order that the penalty of four *siliquae* shall only be collected in the case of the gratuitous transfer of real property, and not for that of slaves or animals, or any other chattels, and if the

parties are not decurions We release them from liability, where ancestors make a transfer to their descendants, so that if a father, grandfather, or greatgrandfather, either by his last will, or by a donation *inter vivos*, should transfer any of his estate to his son, grandson, great-grandson, or his daughter, granddaughter, or great-granddaughter, and it makes no difference whether they are married to decurions or not), it shall not be subject to the imposition of the penalty aforesaid.

Likewise, on the other hand, where descendants convey property belonging to them to their ascendants, who are connected with them by ties of blood, liberality of this kind shall not be charged with any burden, for a natural debt is discharged under the designation of generosity, where a transaction like this takes place between persons nearly related to one another.

We also order that the authority of this law shall be enforced when, in case of intestacy, heirs in the degrees above designated succeed to an estate. In successions of this kind the transaction is rather the payment of a debt than the tender of a gift, as the transfer is made rather on account of relationship than from motives of generosity. Other persons, however, even though they may be united by ties of blood, shall never be entitled to enjoy property belonging to a decurion without payment of the above-mentioned imposition, unless he who obtained the property gratuitously is a member of the decurionate of the same city, and who, although he is classed as a stranger, is released from the payment of the tax on the property given to him; for as long as the condition of the person remains the same, that of the property should not be altered.

We desire that a transfer of property should only be called gratuitous, and be exempt from the burden aforesaid, when it comes into the hands of anyone by inheritance, as a legacy, a bequest subject to a trust, a donation *causa mortis*, or is acquired under the terms of a will by any person whomsoever. A donation *inter vivos*, which is gratuitously bestowed, deserves this name, and is subject to the penalty. Where, however, a future father-in-law makes a donation in consideration of his prospective relationship by marriage to the betrothed of his son, grandson, or great-grandson; or her father should endow his daughter, granddaughter, or great-granddaughter, whether she was about to marry a decurion or a stranger, even though it may have been agreed that, in case of death or divorce, the property which was given as dowry should belong to the person who received it, it shall not be classed as gratuitous, or be subject to the penalty; for it is not sanctioned by law that marriage, which is surrounded with so many and such great difficulties, should be loaded down with additional burdens. Moreover, the property which, in the cases above mentioned, has once obtained the name of being gratuitously bestowed, even though it may have been transferred by him or her who received it to someone else either under the terms of a sale, or of any other kind of contract, is undoubtedly conveyed subject to the above-mentioned penalty; so that the person who knowingly received it encumbered in this manner will have only himself to blame; or, if he accepted it ignorantly, he will be entitled to recover any damages which he may have sustained.

On the other hand, if an agreement of any kind was not, in the beginning, to be classed as a gratuitous transaction, and the title to the property should afterwards vest in anyone under a lucrative title, it will not be subject to the above-mentioned imposition; for in such cases there is no occasion for merger, even though the latter title may be based on the former one, unless what came into his hands in the course of trade belonged to a decurion, and was transferred to another either under the terms of a last will through an intestate succession, or by virtue of a donation *inter vivos*; for then, because it once belonged to a decurion, it will acquire the condition and be subject to the penalty of property gratuitously conveyed, without reference to any prior title.

Given at Constantinople, on the seventh of the *Ides* of March, during the fifth Consulate of Dioscorus and Eudoxius, 422.

TITLE XXXVI.

CONCERNING THE PAYMENT OF SALARIES.

1. *The Emperor Constantine to Marcellimis, Governor.*

A salary shall not be paid to anyone out of funds belonging to the State, unless he has been especially authorized by Us to receive it.

Given at Constantinople, on the fifth of the *Nones* of October, during the Consulate of Liminius and Catullinus, 349.

TITLE XXXVII.

WHERE A DECURION, HAVING LEFT THE CITY, PREFERS TO RESIDE IN THE COUNTRY.

1. *The Emperors Arcadius and Honorius to Eutychemis, Præ-torian Prefect.*

We order that all decurions shall hereby be warned not to leave or abandon their cities for the purpose of residing in the country, and they are notified that the land which they preferred to the city shall be confiscated to the Treasury, and that they will lose the property on account of which they have manifested such a neglect of duty by evading their civil obligations.

Given at Constantinople, on the eighteenth of the *Kalends* of January, during the Consulate of Arcadius, Consul for the fourth time, and Honorius, Consul for the third time, 396.

TITLE XXXVIII.

CONCERNING THE CITIZENS OF TOWNS AND NATIVES.

1. *The Emperor Alexander.*

As you allege that you are a native of Byblius, and a citizen of Berytus, it is but reasonable that you should be compelled to perform your municipal duties in both cities.

2. *The Emperor Gordian to Frontonus.*

If (as you state) she who manumitted you under the terms of a trust, and from whom you obtained your lawful freedom, derived her origin from the province of Aquitania, you also are of the same status, and a citizen of the same city as she who manumitted you, for it was long since decided that persons who have been manumitted under a trust follow the condition of those who actually gave them their liberty, and not that of those who requested that it be granted.

3. *The Emperor Philip.*

It is a well-established rule of law that sons can be compelled to accept offices and discharge civil duties, not in the city where their mother derived her origin (provided they have not retained their domicile there), even though they themselves may have been born there, but in the city of their father's birth.

4. *The Emperors Diocletian and Maximian.*

It is clear that no one can, merely by his own will, renounce his origin.

5. *The Emperor Constantine to Maximus, Vicegerent of the East.*

Where anyone who is a native of a large or small town desires to leave it, and become the resident of another, and attempts to offer a petition to Us praying for permission to do so, or is guilty of any other fraud in order to avoid the duties he owes to his own city, he shall be subject to the burdens of the decurionate in both the cities aforesaid; in one, on account of his choice, and in the other, on account of his origin.

Published on the eighth of the *Kalends* of January, during the Consulate of Paulinus and Julian, 325.

## TITLE XXXIX.

### CONCERNING RESIDENTS, AND WHERE ANYONE IS CONSIDERED TO HAVE HIS DOMICILE, AND CONCERNING THOSE WHO RESIDE IN OTHER CITIES FOR THE PURPOSE OF PURSUING THEIR STUDIES.

#### 1. *The Emperor Antoninus.*

No objection can be urged against you if, being the resident of a city, you have undertaken some public charge, provided that you have transferred your domicile before being called to accept another office.

#### 2. *The Emperor Alexander.*

Those who reside anywhere for the purpose of pursuing their studies are not considered to have established their domicile in that place, unless they remain there longer than ten years. According to an Epistle of the Divine Hadrian, a father who frequently visits his son, while the latter is pursuing his studies, cannot be considered to have established his residence in the town where the latter is sojourning. If, however, he can be proved in other ways to have his domicile in the magnificent City of Laodicea, the falsehood by which he attempts to avoid the discharge of his municipal duties will be of no advantage to him.

#### 3. *The Emperors Diocletian and Maximian.*

It is true that those who do not live in any city,- but in the territory subject to the jurisdiction of the same, will not, as residents, be required to perform civil duties, or accept municipal offices.

#### 4. *The Same Emperors and Caesars.*

As you state that you are either natives or inhabitants of the city in question, the authority of public law does not compel you to perform municipal functions, merely because you own a house or land therein, even though the said property may have been acquired from the estate of a decurion.

#### 5. *The Same Emperors and Caesars.*

If you have fixed your domicile in the country of your wife, or in any other place whatsoever, you will, as a resident thereof, be legally obliged voluntarily to discharge the municipal duties attaching to the same.

#### 6. *The Same Emperors and Caesars to MarceUinus.*

It is perfectly certain that where a special privilege with reference to a city does not exist, anyone can be compelled to perform municipal duties either by reason of his birth, or through his voluntary establishment of a domicile.

#### 7. *The Same Emperors and Caesars.*

Birth, manumission, a call to public office, or adoption renders a man a citizen, but his domicile makes him a resident, as the Divine Hadrian clearly stated in his Edict. There is no doubt that individuals have their domicile where they have placed their household goods and the greater part of their property and fortunes, and no one shall depart from thence unless something requires him to do so, and whenever he does leave the place, he is considered to be on a journey, and when he returns, to have completed it.

#### 8. *The Emperor Constantine.*

Senators are considered to have their domicile in the Imperial City where they enjoy the honors attaching to their position.

#### 9. *The Emperors Valentinian and Valens.*

We raise women to the dignity of their husbands, render them noble by birth, and establish jurisdiction over them, in accordance with their personal rank. If they should subsequently

marry men of inferior

station, having lost the rank of their first husbands, they will follow the condition of the second, and also change their domiciles.

Given at Constantinople, on the fourth of the *Kalends* of February, during the Consulate of Arcadius, Consul for the second time, and Rufinus, 392.

#### TITLE XL.

### CONCERNING THE NON-TRANSMISSION OF MUNICIPAL DUTIES AND HONORS FROM FATHER TO SON, AND THE INTERVALS WHICH EXIST.

#### 1. *The Emperors Severus and Antoninus.*

Just as municipal honors and offices cannot be continued in the same household, when both father and son are decurions, so the times when these are vacant can be of no benefit to others than those who are called to the same or other offices, or who are bound to discharge the same or other duties. Moreover, with reference to your son, who is an infant, and whom you desire to be a decurion, although you may have pledged your faith for him hereafter, still, you yourself cannot be compelled to perform the duties which would be exacted of him, as you appear to have given your consent only to what he can be ordered to do.

#### 2. *The Emperor Gordian.*

An interval of five years after the relinquishment of the duties of an office must elapse before the same can again be resumed, and where different offices are involved, the term of three years is required. To those who have been employed on an embassy, the term of two years is granted.

#### 3. *The Same Emperor.*

It has frequently been decided that the intervals of time which apply to one person do not, by any means, apply to brothers, even though they may hold property in common. Still, if the Governor of the province should find that you have discharged your civil duties with fidelity, those shall be appointed who have not yet performed their own, and are competent to do so, in order that you may not again be called upon to discharge them.

#### TITLE XLI.

### CONCERNING CHARGES UPON ESTATES.

#### 1. *The Emperor Antoninus.*

Civil functions must be performed in regular order, in proportion to the means of the parties concerned.

#### 2. *The Same Emperor.*

Civil duties which are imposed upon estates for the public welfare must be discharged by all persons.

#### 3. *The Emperor Alexander.*

Those who have obtained exemption from public office must still discharge the duties imposed upon estates, among which is that of entertaining guests.

#### 4. *The Emperors Valerian and Gallienus.*

It does not seem to be contrary to the spirit of the decision by which the Governor of the province decreed that the horses belonging to the decurionate must be supported, to hold that this is not a personal, but a patrimonial obligation; still, if it should be unjust, and you fail to appeal, the obligation will remain unaltered.

5. *The Emperors Cams, Carvnuus, and Numerianus.* No one can plead his age, or the number of his children, by way of excuse from charges imposed upon his patrimony.

6. *The Emperors Diocletian and Maximian.*

A discrepancy exists between your admission and your claim, for you say that you are a philosopher, and you have been conquered by avarice and rapacity, and you alone venture to refuse the performance of the duties imposed upon your patrimony. You can learn from the example of others that your attempt will be fruitless.

1. *The Same Emperors and Caesars.*

Even minors are ordinarily subject to patrimonial charges. Therefore, you will understand that it is in vain that you desire complete immunity, as it is necessary for you to perform those duties which involve the expenditure of money.

8. *The Emperor Constantine.*

The functions of the *protostasiat*, the priesthood, and the *decapro-tiat* are not corporeal ones, and there is no doubt that they are solely patrimonial.

9. *The Emperor Valentinian and Valens.*

Women, also, are liable to charges imposed upon estates.

10. *The Same Emperors and Gratian.*

We have notified the Governors of provinces to inform all possessors of property, and the other persons designated, of the amount of the extraordinary assessment which they will be expected to pay. These have been included among patrimonial charges, in order that they may be known to everyone, and the public necessities be the more readily provided for.

TITLE XLII.

IN WHAT WAY CIVIL OBLIGATIONS ARE DIVIDED.

1. *The Emperor Alexander.*

If, as you state, you have appealed from the decree by which you were appointed Superintendent of Couriers, and the Governor of the province should ascertain that you are a member of another *curia*, he will not permit you to be forced to perform the duties attaching to it, for the reason that you should only be liable to perform those of the one to which you say you belong.

2. *The Emperors Diocletian and Maximian.*

It is reasonable that persons who have been promoted to a higher office should not be compelled to perform the duties of a lower one.

3. *The Same Emperors.*

As you assert that you have performed all the duties required of you, the Governor of the province will see that you are not compelled to perform the same ones a second time, if there is a sufficient number of citizens qualified to do so.

4. *The Same Emperors and Caesars.*

The Governor of the province will not suffer you to be unreasonably oppressed by the performance of civil duties from which others have been released; but, being mindful of the law, as well as apprehensive of censure, he will see that equality is preserved, and appointments made in their regular order.

TITLE XLIII.

CONCERNING THOSE WHO VOLUNTARILY ASSUME THE DISCHARGE OF PUBLIC DUTIES.

1. *The Emperor Antoninm.*

Veterans who, while they are able to avoid the discharge of civil duties through the immunity

granted them, prefer to be made de-curions in their native country, cannot avail themselves of the excuse which they have once relinquished, unless they have given their consent conditionally under an agreement that they shall be entitled to exemption, or if they have only consented to discharge a part of the duties of the employment.

### 2. *The Emperor Alexander.*

Where anyone who is exempt from the requirements of public office has voluntarily accepted any position, except the decurionate, he shall not lose the privilege to which he is entitled, although he may not for a short time have availed himself of it, for the reason that he wished to be useful to his country, or was induced by the hope of distinction.

### 3. *The Emperor Leo.*

He who, while not a member of the decurionate, has voluntarily exercised the functions of a municipal office or employment in any city whatsoever, shall not, in any way, be prejudiced with reference to his fortune or his status, but he himself, as well as his children and their descendants, shall, together with their property, remain free from every obligation of this kind, so that if the performance of any duty should be enjoined upon them, with their consent, for which reason it was necessary for them to receive anything, and they refund the money which is proved to have been paid, they can depart without any anxiety or fear with reference to their status.

Moreover, when anyone of such persons voluntarily discharges all the duties or functions of a decurion, or accepts the honors of the office without being required to do so, We decree by this law that, on account of his generosity, he shall be appointed a father of the city of which he voluntarily became a citizen, if he should wish this to be done.

Given on the fifth of the *Ides* of November, during the Consulate of Basilicus and Armericus, 465.

### 4. *The Emperor Justinian.*

When persons who are free from the obligations of the decurionate afterwards join that order in any city, We desire that their children— not only those which have already been born, but any which may be born after their voluntary union with the decurionate—shall remain free from its obligations, whether their fathers joined the decurionate under the express condition that their descendants should remain exempt from its duties, or whether they made no mention whatever of this; and let no one venture to assert that they follow the condition of their father for the reason that they were born or conceived after his enrollment in the decurionate.

We hasten to establish this special privilege, in order that all persons may be the more ready to contribute their aid to bodies of this kind. In order that none of the heirs of such a decurion may suffer any uneasiness, We also decree that his property shall be exempt from all charges of the decurionate; and if any property of the deceased derived from the administration of the functions of the office, or from the fourth part of his estate, should be proved to be due to the same *curia* for any other reason, his heirs shall entertain no doubt that it must be transferred to that body.

Again, natural children whom their father gave, or might subsequently give to the *curia* under the condition that he would have them as his lawful heirs, not only under his will, but also in case of intestacy, are exempted from the operation of the present law; and they shall not only be excepted in accordance with the ancient enactments, but also under the present one, by Our express order; so that the natural children themselves, together with all males begotten by them, shall follow the condition of their father; or, in case there should be no surviving male children, the fourth part of the estate of the deceased shall pass to the decurionate.

## TITLE XLIV.

### CONCERNING THOSE WHO HAVE OBTAINED TEMPORARY EXEMPTION FROM THE DUTIES OF A DECURIONATE.

1. *The Emperors Theodosius and Valentinian.*

No one shall be entitled to temporary exemption from the duties of a decurionate unless, for good and sufficient reasons, a permit to that effect has been granted by Us.

Given at Constantinople, on the day before the *Nones* of June, during the Consulate of Theodosius, Consul for the third time, and Abundantius, 390.

TITLE XLV.

CONCERNING EXEMPTION FROM OFFICIAL DUTIES.

1. *The Emperor Gordian.*

It has very recently been decided that exemption from public duties only applies to those which have not been imposed by any law, Decree of the Senate, or Imperial Constitution. In accordance with this legal rule, if you should be summoned by the magistrates to the performance of extraordinary duties, and appeal to the Governor, you can be protected by law.

TITLE XLVI.

CONCERNING THE DECREES OF DECURIONS HAVING REFERENCE TO IMMUNITY GRANTED TO CERTAIN OF THEIR COLLEAGUES.

1. *The Emperors Diocletian and Maximian.*

Immunity from public service cannot be granted by decurions to any of their colleagues, with the exception of such as are instructors in liberal studies, or are practicing the healing art.

2. *The Same Emperors and Caesars.*

Unwarranted decrees issued by the Order of Decurions are reprobated by the Imperial Constitutions.

TITLE XLVII.

CONCERNING EXCUSES FROM THE DISCHARGE OF PUBLIC DUTIES.

1. *The Emperors Diocletian and Maximian, and the Caesars.*

Those who are employed as Our attorneys are required to perform civil functions which are suitable to their dignity.

2. *Extracts from the Acts of the Emperors Diocletian and Maximian, and the Caesars.*

The Emperor Diocletian spoke, as follows, to Firminus, Apollinarius, and the other Chief Decurions of the City of Antioch, who were present: "Exemption from civil and personal functions has been granted to certain officials, that is to say, protectors and commanders, and therefore persons of this kind shall not be called to discharge either personal or civil duties."

3. *The Same Emperors and Caesars.*

Responsibility for guardianship does not excuse anyone from the discharge of civil duties, nor will three guardianships of different households, imposed at the same time, confer a benefit of this kind.

4. *The Same Emperors and Caesars.*

Performers on hydraulic organs cannot prove that exemption from civil duties is granted them by law.

5. *The Same Emperors and Caesars.*

The agents of persons absent on business for the State are not exempt from the performance of civil duties.

6. *The Same Emperors and Caesars to Gaius.*

Immunity on account of their profession alone cannot be established to have been granted to

hunters by any law.

7. *The Emperor Constantine.*

In accordance with an ancient constitution, it appears that merchants, tailors, linen-weavers, dyers of purple, and *parthiarii*, who furnish Us with clothing, are exempt from all civil duties.

8. *The Same Emperor to Taurus, Prsetorian Prefect.*

It is decreed that no judge shall, hereafter, under any circumstances, place a charge on the inhabitants of any province, but magistrates must sedulously exercise supervision over all those which have been established under the-name of tax, or have been imposed by Us directly or indirectly, or by virtue of Epistles. When, however, any urgent necessity for this exists, We decree that the question shall be referred to Your Highness and that you will become responsible; and while the levy may be made provisionally, it should be brought to Our knowledge, in order that it may be confirmed by Our order.

If anyone should, by a rash usurpation of power, attempt to violate this law, he shall be liable to quadruple restitution. This severity ought to strike terror into ordinary judges and their subordinates, and if any of them should either with connivance, induced by favor, or through base dissimulation, encourage the audacity of a decurion, they shall be punished with the penalty of simple damages.

Given at Constantinople, on the fourteenth of the *Kalends* of April, during the Consulate of Valentinian and Valens, 354.

9. *The Emperors Valentinian and Valens.*

Precautions must be taken to prevent anyone from thinking that this, which is a personal function, can be discharged by the payment of money.

10. *The Emperors Gratian, Valentinian, and Theodosius to Hypatius, Praetorian Prefect.*

The privileges attaching to Our private property remaining in full force, all lands which are rented by perpetual lease shall not be subjected to any extraordinary contributions, nor shall the original rental be increased, and lessees of this kind are exempt from any general impositions authorized by Us, and must not be classed with others who, besides their ordinary burdens, pay Us a certain fixed rent based upon the value of the land which they occupy.

Published at Carthage, during the *Ides* of April, after the Consulate of Syagrius and Eucherius, 382.

11. *The Same Emperors to Syagrius, Praetorian Prefect.*

We order that those who, having been invested with the dignity of Count, have, either by means of letters or petitions, been proposed to Us as eligible to the appointment of masters, as well as those who have performed their duties to Us by drafting and signing opinions, shall be exempt from all civil duties. Therefore, persons who have been attached to Our palace, and are of this rank, shall receive the privileges to which they are entitled, and those also, who have attained to higher dignities, shall rejoice in the enjoyment of the same privileges.

Read at Capua, on the third of the *Kalends* of September, during the Consulate of Antoninus and Syagrius, 382.

12. *The Same Emperors to Hypatius, Praetorian Prefect.*

The greatest dignitaries of the State, the Counts of the Consistory, Our notaries, Our *valets de chambre*, and the guards of Our bedchamber, shall all be exempt from ignoble services. Others who enjoy palatine or military privileges within the precincts of the palace shall, likewise, have the same advantage, if they can show that they are entitled to an exemption of this kind by former laws, not as having been granted to them individually, but to have been conferred upon the whole order or body of which they are members. The same privilege conceded by ancient custom shall continue to be enjoyed by rhetoricians and grammarians of

both languages.

Exemption from ignoble services signifies that persons of superior rank shall not be required to grind fine flour, bake bread, or perform any of the duties of a baker, as well as the labors imposed upon menials having charge of vehicles or post-horses, with the exception of those which, in accordance with custom, are performed on the frontier of Rhetia, or which the necessities of the expedition to Illyria may require.

No services shall be demanded of persons of this kind for the aid of certain classes of laborers, for instance, in the burning of lime. Nor shall the estates of those who are exempt be compelled to supply building material of timber or planks. The furnishing of charcoal, also, except where, in accordance with ancient custom, it is required for the coining of money, or the manufacture of arms, shall not be exacted of persons of this description. Nor shall they be obliged to provide anything for the construction or repair of public or sacred buildings.

Property protected by such privileges, which belongs to ambassadors and members of colleges, is not liable to these impositions.

This advantage, however, can only be enjoyed by estates which are considered to possess the dignity in their own name. By a grant of general privilege We also exempt from the rendition of ignoble services those who have already been invested with similar honors.

Given on the fifth of the *Ides* of December, during the Consulate of Antonius and Syagrius, 382.

13. *The Emperors Valentinian, Theodosius, and Arcadius to Neotherius, Praetorian Prefect.*

The exemption from ignoble labors granted to persons cannot pass to their heirs or successors, for it is not perpetual, and We have conceded it not to things but to persons, in consideration of their rank or military service.

Given at Milan, on the eighteenth of the *Kalends* of May, during the Consulate of Arcadius and Bauto, 385.

14. *The Same Emperors to Tatian, Praetorian Prefect of the East.*

We decree that the law by which certain dignitaries have been expressly exempted from extraordinary and ignoble services, shall, without doubt, apply to those who have been honored by Us, so that they may enjoy the same privilege, not merely while they are in office but as long as they live.

Given at Milan, on the eleventh of the *Kalends* of April, during the Consulate of Tatian and Symmachus, 391.

15. *The Emperors Arcadius and Honorius to Messianus, Count of Private Affairs.*

We decree clearly and absolutely that there shall not be imposed upon any land forming part of Our private domain, which is held under a lease, or by emphyteusis, any ignoble charge or imposition, under the name of a tax, except the ordinary ones, for this has been ordered by the Emperors, our predecessors, and confirmed by Us. Therefore, any judge who violates this law is hereby notified that he will be compelled to pay a fine of five pounds of gold out of his own property, and that his subordinates and the decurions who have executed his illegal commands will be fined an equal sum.

Given at Milan, on the seventeenth of the *Kalends* of July, during the Consulate of Olybrius and Probinus, 395.

16. *The Same Emperors and Theodosius to Melitius, Praetorian Prefect.*

We hereby release all illustrious persons from ignoble services, and the losses resulting from extraordinary impositions.

Given at Ravenna, on the fifteenth of the *Kalends* of March, during the Consulate of Honorius, Consul for the ninth time, and Theodosius, Consul for the fifth time, 412.

## TITLE XLVIII.

### CONCERNING CHARGES AND SERVICES FROM WHICH NO ONE CAN BE EXCUSED.

#### 1. *The Emperor Aurelian.*

All persons, without exception, are required to sell to the Government any commodities which they may have, in order to provide for the maintenance and transport of the armies in Illyria; since, with reference to this matter, We decree that no one shall be entitled to avail himself of any privilege whatsoever, but, when circumstances demand it, all will be compelled to contribute, not only those who are wealthy, but everyone from the highest to the lowest, in proportion to his possessions, shall be subject to this obligation.

#### 2. *The Emperors Theodosius and Valentinian to Taurus, Praetorian Prefect.*

As Our subjects in all the provinces should render Us ordinary service in the places through which We travel, We order that no one shall be exempt from any services connected with the furnishing of post-horses, transportation, or vehicles, which We may require at such times, but that no persons, whether they are attached to the retinue of the Emperor or the Empress, or to the Holy Church, or to any other illustrious house, shall be released by any law, Imperial decree, or rescript; and We order that they must obey any proclamation of Your Excellency issued during the time of Our journey.

#### 3. *The Emperor Leo.*

We order, by this most wise law, that no excuse shall avail, and that no personal rank shall be exempt, but when the construction of walls, the contribution of grain or any other commodities may be required in any place subject to your jurisdiction, these shall be furnished without any hesitation, so far as Your Highness may consider it to be proper and necessary.

## TITLE XLIX.

### WHO ARE EXCUSED BY REASON OF THEIR AGE OR PROFESSION.

#### 1. *The Emperors Diocletian and Maximian.*

As you allege that you are engaged in liberal studies, and especially such as have reference to the profession of the law, and are at present residing in the City of Berytus, in the province of Phoenicia, We, in consideration of the public welfare and your expectations, hereby decree that neither of you shall be interfered with while pursuing your studies, until you have reached the age of twenty-five years.

#### 2. *The Same Emperors and Caesars.*

As you allege that although your sons have been released from your control they are still minors, it is with reason that you request that they should not be molested while pursuing their studies. Hence We direct that they shall not be liable to personal charges having no connection with estates in which they are interested, if no lack of other citizens exists.

#### 3. *The Same Emperors and Caesars.*

It is a clear rule of law that persons more than fifty-five years of age cannot be compelled to perform personal services. Therefore, as you state that you are over seventy, if you appealed on account of your appointment, you can, in accordance with law, be protected by the Governor of the province.

## TITLE L.

### WHO ARE EXCUSED ON ACCOUNT OF DISEASE.

#### 1. *The Emperor Gordian.*

If your father, having lost his sight in battle, is blind in both eyes, he will be released from all

personal charges.

2. *The Emperors Diocletian and Maximian.*

As you allege that you are deaf, you will be exempt from personal charges by authority of the public law.

3. *The Same Emperors and Caesars.*

The gout does not afford a valid excuse from personal services, but as you say that you are so afflicted with disease in the feet that you cannot attend to your own affairs, the Governor of the province will not permit you to be subjected to personal charges, if he should find that your statements are true.

4. *The Same Emperors and Caesars.*

The bodily infirmities of a father do not afford a valid excuse for releasing his son from personal charges.

TITLE LI.

CONCERNING THOSE WHO SHOULD BE EXCUSED ON ACCOUNT OF THE NUMBER OF THEIR CHILDREN, OR BY REASON OF THEIR POVERTY.

1. *The Emperor Antoninus.*

The number of children does not exempt anyone from the burdens of a public office.

2. *The Emperor Philip and the Caesar Philip.*

It has already been decided that, where a son has been captured by the enemy and has not yet returned, this fact cannot be advanced by his father to excuse him from personal services.

3. *The Same Emperors and Caesars.*

Grandsons who succeed to their father confer the same benefits as the latter would have done, and therefore if he who you say is your father has under his control five grandchildren of sons whom he has lost, he should be excused from personal services in conformity with the laws.

4. *The Emperors Diocletian and Maximian.*

As you state that you have transferred all your property to your son, and have retained nothing, you will be required to perform civil services on account of property which has ceased to belong to you.

5. *The Same Emperors and Caesars.*

Where women, on account of their sex, are liable to personal services, the Divine Emperors, Our relatives, have decided that they shall be excused, just as males are, when they have five surviving children.

6. *The Emperor Constantine to Dalmatius.*

It is established that parents who have five children of either sex shall be exempt from personal services, but if among this number a son of lawful age should be found, he will immediately become subject to the performance of the services to which his father was liable. The exemption afforded by the laws shall, however, be granted to fathers who have five sons or daughters. If anyone should deserve exemption on account of being weak-minded, and this can be proved, he will enjoy this privilege; just as he could do if, when required to perform personal services, he had been declared exempt' on account of poverty.

Given at Sirmium, on the fourteenth of the *Kalends* of February, during the Consulate of Crispus, Consul for the third time, and Constantine, Consul for the second time, 324.

## TITLE LII.

### CONCERNING PROFESSORS AND PHYSICIANS.

#### 1. *The Emperor Antoninus.*

If, as you allege you are serving as the physician of the Second Legion, you cannot be compelled to perform civil services as long as you are absent on business for the State. After your connection with the army has ceased, however, and you have returned, you will be entitled to exemption, if you are included in the number of those physicians to whom this privilege has been granted.

#### 2. *The Emperor Gordian.*

It is a well-known fact that grammarians or orators, who have been authorized by a decree of a *curia*, can be deprived of their privilege by the same *curia*, if they do not make themselves useful to their pupils.

#### 3. *The Emperor Philip.*

Poets do not enjoy any privilege of immunity.

4. *The Emperors Diocletian and Maximian, and the Caesars.* By an address of the Divine Pius, professors of the liberal studies, but not accountants, are included among those who are exempt.

#### 5. *The Same Emperors and Caesars.*

It has been frequently decided that physicians shall not be included among those not liable to civil duties, against the will of the *curia*, as immunity must be granted them by a decree of the decurions.

#### 6. *The Emperor Constantine to Volusianus.*

We order that physicians, *archiatri* grammarians, and other professors of letters, as well as doctors of the law, together with their wives and children, and any property which they may possess in their own cities, shall be exempt from every function, and every kind of service, civil as well as public; and shall not be required to entertain guests in a province; nor perform any labor; nor be compelled to appear in court; nor be deprived of their property; nor be produced before any tribunal; nor suffer any injury; and if anyone should molest them, he shall be punished as the judge may decide.

We order that rewards and salaries shall be paid to them by which they may the more readily perfect themselves in their liberal studies and arts above mentioned.

Published at Sirmium, on the *Kalends* of August, during the Consulate of Crispus and Constantine, 321.

#### 7. *The Emperor Julian.*

Masters and doctors of the liberal arts should, first of all, excel in morality, and next in eloquence. But as I, Myself, cannot be present in the different cities, I order that anyone who wishes to teach shall not suddenly or rashly adopt this profession, but must not do so until he has been accepted by the Order of Decurions, and formally authorized by them under a decree, with the consent of the principal citizens of the community.

Given on the fifth of the *Kalends* of July, and adopted at Spolegium, on the fourth of the *Kalends* of August, during the Consulate of Martinius and Nevitta, 362.

#### 8. *The Emperors Valentinian and Valens to Probus, Praetorian Prefect.*

Every person who is known to have improperly and insolently adopted the profession of philosopher shall be sent back to his country, with the exception of those who, having been approved by the principal citizens of the town, should be separated from the above-mentioned

class. For it is shameful that he who professes to be able to endure the reverses of fortune can not discharge the duties which he owes to his country.

Given at Sirmium, on the fourteenth of the *Kalends* of February, during the Consulate of Valentinian and Victor, 370.

9. *The Same Emperors to Praetextatus, Prefect of the City.*

The attention of *archiaters* is called to the fact that, when contributions are made to them by the people, it is more honorable to aid the poor rather than to basely minister to the rich. We permit them to receive only what those whom they have cured offer for their services, and not what the latter, when in danger, may have promised for restitution to health.

Given on the third of the *Kalends* of February, during the third Consulate of Valentinian and Valens, 370.

10. *The Same Emperors to Olybrius, Praetorian Prefect.*

When any physician, who is deserving of promotion, is a candidate for the place of a deceased *archmter*, he shall not obtain it before he is pronounced to be qualified by seven or more of the principal practitioners to be found in the profession; and, moreover, anyone who is admitted shall not at once be placed in the first rank, but shall take his turn and be the last in order, following those who have preceded him.

Given on the sixth of the *Ides* of March, during the third Consulate of Valentinian and Valens, 370.

11. *The Emperors Honorius and Theodosius to Monachus, Praetorian Prefect.*

We order that grammarians, orators, and teachers of philosophy, as well as physicians, who, by the authority of previous laws which have been enacted, have obtained privileges and immunities, shall enjoy these privileges; and that all the physicians attached to the Imperial palace, whether they have attained to the rank of count of the first or second grade, or some more exalted dignity, shall not be molested by the officers of any municipality, or decurionate, whether they have ceased to perform, or have just begun to perform their functions, if they have obtained an honorable discharge; and they shall be exempt from all public employments and duties, hence their families, wherever situated, shall not be compelled to entertain either soldiers or judges.

We order that these rules shall apply, without exception, to their children and their wives. We also direct that the professors above mentioned, as well as their children, shall enjoy the same immunity.

Given at Constantinople, on the day before the *Kalends* of December, during the Consulate of Constantius and Constans, 374.

TITLE LIII.

CONCERNING ATHLETES.

1. *The Emperor Alexander.*

It is the custom to exempt from civil duties those athletes who are proved to have won not less than three crowns in formal contests during their entire lives (one of which must have been obtained at Rome, or in ancient Greece), and who have not been defeated, and deprived of their crowns by their competitors.

TITLE LIV.

CONCERNING THOSE WHO HAVE BEEN DISCHARGED FROM THE ARMY  
BEFORE COMPLETING THEIR TERM OF SERVICE.

1. *The Emperor Antoninus.*

Soldiers who have been dishonorably discharged must not become candidates for honorable

office, but should not be excluded from the discharge of civil duties.

*2. The Emperors Diocletian and Maximian.*

As you have been dismissed from the army on account of your advanced age, there can be no doubt that your discharge was honorable, and therefore you will be exempt from civil duties, but not from honorable dignities. Still, the law permits you to avail yourself of those privileges to which all are entitled who have completed their full term of military service, for you yourself acknowledge that you were discharged before having served the time prescribed by law.

*3. The Same Emperors and Caesars.*

Exemption from personal burdens and services is only granted to veterans where they are proved to have served twenty years in the army, either in a legion itself, or as members of a color-guard, and can show that they have obtained an honorable discharge for full service, or one to ill-health. Therefore, as you state that you have only Served in a cohort, you will understand that you have no ground for claiming exemption from civil duties.

TITLE LV.

FROM WHAT CIVIL SERVICES THOSE ARE EXEMPT WHO, AFTER HAVING COMPLETED THEIR TIME IN THE ARMY, OR THE DUTIES TO WHICH THEY HAVE BEEN ASSIGNED IN THE PROVINCES, ENGAGE IN THEIR OWN AFFAIRS AND BUSINESS AT HOME, AND THEIR PRIVILEGES, AND CONCERNING FARMERS OF THE REVENUE.

*1. This Law is not Authentic.*

*2. The Emperors Diocletian and Maximian, and the Caesars.*

It is certain that no others are exempt from civil duties and dignities than those who have leased the collection of taxes from the Treasury in their own names; and therefore no legal doubt can be entertained that persons who have been appointed by them as their deputies are not entitled to claim this privilege.

TITLE LVI.

CONCERNING FREEDMEN.

*1. The Emperors Diocletian and Maximian, and the Caesars.* The status of freedman does not afford exemption from civil duties, even in the city where the freedman has his domicile.

TITLE LVII.

CONCERNING INFAMOUS PERSONS.

*1. The Emperor Antoninus.*

Although infamous persons cannot be promoted to dignities which are only conferred upon those of honorable reputation, they are, nevertheless, not exempt from the performance of civil duties, or of those of the decurionate, but are required to make contributions demanded by the public welfare.

TITLE LVIII.

CONCERNING PERSONS ACCUSED OF CRIME.

*1. The Emperor Alexander.*

It has often been stated in rescripts by My ancestors, the Emperors, that persons accused of crime cannot be raised to any new dignities before having established their innocence.

TITLE LIX.

CONCERNING THOSE WHO HAVE BEEN CONDEMNED TO EXILE, OR  
SUSPENDED FROM THEIR ORDER.

1. *The Emperor Marcus Antoninus to Diogenes.* Decurions who have been suspended from their order for a certain time cease to be infamous after that time has expired.
2. *The Emperor Gordian.*

A decurion who has been sentenced to exile for a specified term, and returns after it has expired, will recover his former rank, but cannot be promoted to new honors, until as much time has elapsed as passed while he was absent in flight.

TITLE LX.

CONCERNING SONS UNDER PATERNAL CONTROL, AND TO WHAT EXTENT  
THEIR FATHER IS RESPONSIBLE FOR THEM.

1. *The Emperors Severus and Antoninus.*

It is a perfectly clear rule of law that a father is not responsible for his emancipated son, even if he has given his consent for him to be made a decurion, for where he has agreed to this, he will only be liable if his son is under his control. He, however, is considered to have consented, if he did not show any opposition to his appointment.

2. *The Emperor Antoninus.*

As you state that you have appealed, you must prove that your individual interests are involved, for you can only oppose the appointment of your son, and cannot consent that the responsibilities of the office shall be imposed upon you.

3. *The Emperors Diocletian and Maximian, and the Caesars.*

If those called by their father to perform the duties of the *pro-tostasiat* are still under paternal control, they will be released from the duties of the office, for it would appear extremely unjust if two persons belonging to the same family should be compelled, under such circumstances, to perform these duties. But you should, without hesitation, retain those sons who it is evident have been emancipated, and have left their father's family.

4. *The Same Emperors and Caesars.*

The magistrate appointed your son a curator, without your incurring any responsibility, and it will not be necessary for you to appeal; for he, without your consent, nominated your son, who was under your control, and he will be responsible for any loss which may result from the administration of the office, unless your son had previously been appointed decurion with your acquiescence.

TITLE LXI.

CONCERNING THE RESPONSIBILITY OF A PARENT FOR HIS HEIRS.

1. *The Emperor Alexander.*

If your father became responsible, and rendered his own property liable because of your appointment to the office of priest, the Governor of the province will not be ignorant of the fact that liability for the expenses incurred will pass to all his heirs.

TITLE LXII.

CONCERNING WOMEN AND WHERE THEY MAY BECOME RESPONSIBLE FOR  
MUNICIPAL SERVICES IMPOSED UPON OFFICES AND HONORS SUITABLE TO  
THEIR SEX.

1. *The Emperor Philip.*

It has frequently been stated in rescripts that where a woman was born in one place and married in another, and her husband does not reside in the City of Rome, she can be compelled to accept honors and offices which are personal, and those of her sex are capable of receiving, not in the city of her birth but where her husband resides. Women, however, must be responsible for charges attaching to estates in the places where those estates are situated.

#### TITLE LXIII.

#### CONCERNING EMBASSIES.

##### 1. *The Emperors Valerian and Gallienus.*

The father of three living children is exempt from public embassies.

##### 2. *The Same Emperors and Caesars to Valerian.*

After having received a certain sum of money in your own name for the public defence, that which your colleague received for his expenses his heirs will not be compelled to turn over to you, if it was intended for the same purpose, but if it should be absolutely necessary for it to be refunded, it must be given to the government. Where the amount was intended for the compensation of advocates, you, whose duty it is to pay them, can very properly demand to be reimbursed. Moreover, you can prosecute your colleague for having neglected his duty, as you allege that he desisted from the defence of his country, for which he was appointed.

##### 3. *The Emperors Diocletian and Maximian.*

It has been decided that those who have been appointed to an embassy to Us, from across the sea, are entitled to exemption from civil services and offices for the term of two years, but not those who have discharged their duties to the State from a place near at hand.

##### 4. *The Emperor Constantine.*

All counts of Governors who have obtained their dignities by suffrage shall be required to discharge civil duties, lest the public welfare may be injured through an agreement made with reference to services which had not been performed. Those, however, who are employed in public embassies, shall be exempt from the aforesaid burdens.

##### 5. *The Emperors Theodosius, Arcadius, and Honorius, to Apodemius, Praetorian Prefect of Illyria.*

If an extraordinary occasion arises which requires an embassy to be despatched to Us, or some communication to be sent to Our palace, whatever should be submitted to the consideration of all, or a majority of the authorities, shall not be brought before an ordinary judge for examination. We permit you to take cognizance of, and investigate the claims of inhabitants of the provinces, by whom this is frequently required in the case of unforeseen events, so that you may inquire into any matters which demand your immediate attention, and which ought to be brought to Our notice. Any decision, however, with reference to the general welfare of the people of the province, must be rendered in a public place, and that which has obtained the approval of a majority shall be formally confirmed.

Given at Constantinople, on the fifth of the *Kalends* of August, during the Consulate of Arcadius, Consul for the second time, and Rufinus, 392.

##### 6. *The Emperors Honorius and Theodosius to Monaxius, Praetorian Prefect.*

Whenever an embassy is sent to Us from the City of Alexandria, We order all the decurions of the city, if they are not prevented by illness, or for some other good reason, to assemble in their accustomed place, and having signed a decree to communicate it to the illustrious Augustal Prefect, so that, by his intervention, the demands may be brought to your notice, and the object of the embassy be determined by your examination.

Given at Constantinople, on the third of the *Nones* of October, during the Consulate of Our Lord the Emperor Theodosius, Consul for the seventh time, and Palladius, 416.

TITLE LXIV.  
CONCERNING THE EXCUSES OF ARTISANS.

1. *The Emperor Constantine to Maximus.*

We order that artisans engaged in the trades hereinafter specified, and who reside in different cities, shall be exempt from all civil duties, above all, if their leisure is employed in perfecting themselves in occupations by which they may become more skillful, and their sons be instructed. This enumeration is as follows: Architects, physicians, painters, sculptors, workers in marble, manufacturers of beds or chests, locksmiths, chariot-makers, builders, that is to say masons, woodcarvers, *musiarii*, gilders, workers in stucco, silversmiths, *bar-baricarii*, *diatretarii*, brokers, founders, *signarii*, manufacturers, *brochiarii*, engineers, potters, who in Greek are called ..... goldsmiths, glaziers, workers in lead, makers of mirrors, workers in ivory, furriers, fullers, carpenters, plasterers, *dealbatares*, *cusores*, *trigarii*, *cisarii*, and *bractearii*.

Given on the fourth of the *Nones* of August, during the Consulate of Felicianus and Titian, 337.

2. *The Emperors Constantine and Constans to Leontius, Praetorian Prefect.*

We require surveyors, geometers, and architects who are occupied in dividing land and other property, and whose duty it is to take measurements, and establish boundaries, as well as those whose business it is to conduct or remove water, to likewise employ their spare time for the purpose of teaching others, and extending their own knowledge. Hence they shall enjoy immunity from civil services and must take a certain number of pupils for the purpose of giving them instruction.

Given on the day before the *Nones* of July, during the Consulate of Leontius and Sallust, 344.

TITLE LXV.  
CONCERNING THE QUALIFICATIONS OF PERSONS APPOINTED TO OFFICE.

1. *The Emperor Antoninus.*

If, having been called to perform civil duties, you should think that someone else is better qualified, you can make a statement to that effect.

TITLE LXVI.  
WHERE AN APPOINTMENT IS MADE THROUGH ENMITY.

1. *The Emperor Alexander.*

If you have been appointed to a civil office on account of enmity entertained toward you, the justice of the Governor will prevent this appointment from being a source of injury to you; for it is not advantageous to the State for appointments to be made through enmity, as this should be done because of proper qualifications, and with a view to the public welfare.

TITLE LXVII.  
CONCERNING THE RECOVERY OF EXPENSES.

1. *The Emperor Gordian.*

You will not be required to perform the civil duties imposed upon persons, if you have five living children. If, however, in violation of this privilege, you should be called upon to perform the duties of public office, after having taken an appeal, you should state your right to exemption, and you can recover from those who appointed you the expenses which you have incurred in litigation.

## TITLE LXVIII.

### WHERE ANYONE DIES AFTER HIS APPOINTMENT.

#### 1. *The Emperor Alexander.*

If your father died before enjoying his dignity, or performing the duties of his office, the Governor of the province can entertain no doubt that his heirs cannot be held liable on his account.

## TITLE LXIX.

### CONCERNING BOOKKEEPERS, SECRETARIES, WRITERS OF SPEECHES, AND REGISTERS OF THE CENSUS.

#### 1. *The Emperor Alexander.*

No bookkeeper, scribe, writer of speeches, or their sons, shall discharge the duties of any other office, and if they should do so, they shall immediately be returned to their municipal employments, even if they are serving in Our palace, provided that they are discovered within the term of five years.

Given on the eighth of the *Kalends* of July, during the Consulate of Marcellinus and Probinus, 341.

#### 2. *The Emperor Gordian.*

Any decurion who voluntarily assumes employment in the administration of the census shall have the place which he himself has chosen; and if it should be found necessary to subject him to torture, he cannot plead the dignity of his order by way of exemption.

#### 3. *The Emperors Arcadius and Honorius to Hadrian, Praetorian Prefect.*

By this general law, We order that whenever it becomes necessary to appoint keepers of the archives for entire provinces, or for single cities, freemen shall be selected, nor can this office hereafter be filled by anyone of servile condition. If, however, a master should permit his slave or serf to have charge of public documents (and this must be done with his consent and knowledge), he will be liable for any loss or damage occasioned by said slave or serf, in matters connected with the public welfare, and the slave, after having been scourged, shall be confiscated to the Treasury. Hence it will be to the interest of masters, in the beginning, to see that their slaves do not concern themselves with public transactions.

Given at Milan, on the eighth of the *Kalends* of April, during the Consulate of Vicentius and Fabricius, 401.

#### 4. *The Emperors Theodosius and Valentinian.*

Philosophers, accountants, writers of speeches, *medogrammatici*, *diastolei* (which designations show that they are employed in the public service), or no matter under what other names they may pass, when they cannot plead any honor or other privilege by way of exemption, shall, by the provisions of the laws, inexorably be compelled to discharge the duties required by their station, so that the general welfare may not suffer or be injured by their failure to do so, and they shall be obliged to perform those personal services to which their fathers or ancestors were liable.

## TITLE LXX.

### CONCERNING RECEIVERS, SUPERINTENDENTS AND TREASURERS.

#### 1. *The Emperor Antoninus.*

We decree that public receivers of money should not delay their collections, so that no one may be obliged to incur expense on this account. For when anyone desiring to make payment is repulsed by the receiver, he ought to produce witnesses to prove the refusal, and, this having been done, he shall be released from liability for payment, and he who refused to

receive the money shall be compelled by the Governor to pay to the Treasury double the amount due.

If receivers should violate this law through the neglect of a judge who has jurisdiction of the case, the latter shall make good the amount out of his own property.

#### *2. The Emperor Alexander.*

Magistrates who appoint receivers and officials having the care of public warehouses and districts shall, under laws long in operation, be held responsible for their appointees, if the latter should prove insolvent, as well as be liable for any property which may fraudulently be lost through sales to persons who have been introduced for that purpose.

Given at Constantinople, on the third of the *Kalends* of August, during the Consulate of Valentinian and Valens, 365.

#### *3. The Emperors Valentinian and Valens to Mamertinus, Praetorian Prefect.*

Receivers of public moneys are hereby notified to collect not only what is due for the present year, but also any unpaid sums for other years which have already expired.

Given at Rome, on the day before the *Kalends* of November, during the Consulate of Valentinian and Valens, 365.

#### *4. The Same Emperors to Florentius, Count of the Sacred Largesses.*

No one who has completed his term of his office as public receiver shall be continued in the discharge of the same duties, unless he has first released himself from liability by rendering an account of his former administration; for it is unjust to hold those responsible who have performed their duty properly, and it is not wise not to call those to account who have failed to perform it. Therefore, after the expiration of a year, they shall be compelled to show what disposition they have made of what they have collected, so that if any of them should be found guilty of theft, he can the more readily be compelled to make good the loss.

Nor should collectors have the power to constantly molest the people of the provinces, as, for instance, by the practice of extortion, but they should be changed every year, unless either the custom of the city, or the rules of their order, require them to remain for the term of two years.

Given at Constantinople, on the day before the *Kalends* of December, during the Consulate of Our Prince Honorius and Evodius, 386.

#### *5. The Same Emperor.*

Whenever a certain sum of *solidi* is due, and an amount of gold or silver in bulk is tendered instead, it shall be accepted at the rate of seventy-two *solidi* to the pound.

Given at Rome, on the sixth of the *Ides* of January, during the Consulate of Lupicinus and Jovinus, 367.

#### *6. The Emperors Valentinian, Valens, and Gratian to Chilo.*

A record must be made of all grain stored in the public warehouses, and a receipt immediately given therefor, but only that belonging to the Treasury shall be placed in the Treasury warehouses.

Given on the fifth of the *Ides* of April, after the Consulate of Gratian, Consul for the third time, and Equitius, 374.

#### *7. The Emperors Gratian, Valentinian, and Theodosius to Hyptutius.*

Collections shall not remain a long time in the hands of the receivers, but shall immediately after being obtained from the inhabitants of provinces be deposited in the Imperial Treasury.

Given at Constantinople, on the third of the *Kalends* of May, after the Consulate of Antonius and Syagrius, 383.

8. *The Same Emperors to Cynegius, Praetorian Prefect.*

Public collectors and receivers shall be appointed at a full meeting of the decurionate, with the consent and approbation of all or a majority of those present, and Governors of provinces shall scrutinize the names of those who have been selected and charged with the performance of official duties, and always bear in mind that they will be responsible for all the acts of the administration of those whom they appoint.

Given at Constantinople, on the sixth of the *Kalends* of November, during the Consulate of Our Prince Honorius, and Evodius, 386.

9. *The Emperors Valentinian and Arcadius to Cynegius, Praetorian Prefect.*

We order that brazen or stone weights and measures shall be placed at each public station and city, so that everyone who pays tribute will have under his eyes the regular standards prescribed for all commodities, and ascertain what he is obliged to give to the receivers; so that if any of the latter should exceed the regular measure or weight, he may know that he will undergo the penalty prescribed for his offence, and having abolished everything which has heretofore been enacted contrary to the welfare of the people, We hereby decree that fifty measures of wheat, forty of barley, and twenty of wine and bacon shall be delivered to the receivers.

Moreover, being induced by motives of humanity, We order that, on account of the distance, forty measures of corn and barley, and fifteen of wine and bacon shall be delivered to the receivers in the province of Armenia.

Given at Constantinople, on the fourth of the *Kalends* of December, during the Consulate of Our Prince Honorius, and Evodius, 386.

10. *The Same Emperors to Cynegius, Praetorian Prefect.*

The receiver shall draw up and state in the presence of the defenders of the city the amount of the contribution to be paid by the possessors of land, as well as the different kinds of commodities, and the number and quantity of each.

Given at Constantinople, on the fourth of the *Kalends* of December, during the Consulate of Timasius and Promotus, 389.

11. *The Emperors Arcadius and Honorius to Benignus, Vicegerent of the City of Rome.*

We desire the receivers of wine to be responsible for the amount receipted for to the tributaries. The receipts must be produced in public, and, in order that their genuineness may be established, an account of them must be rendered by those who gave them.

Given at Milan, on the sixth of the *Ides* of June, during the Consulate of Stilicho and Aurelian, 400.

12. *The Same Emperors to their Friend, Pompeianus, Greeting:* If the owner of property should detect a receiver or an accountant in the commission of fraud, he who has been convicted shall not again hold the office during the administration of which he was guilty of dishonesty, even though he may, by clandestine means, have obtained an Imperial Rescript authorizing him to do so.

Given at Milan, on the day before the *Kalends* of January, during the Consulate of Stilicho and Aurelian, 400.

13. *The Same Emperors to Lucius, Count of the Sacred Largesses.*

We order that two registrars or accountants, and the same number of receivers, be appointed in every province. We desire, moreover, to give notice to the Praetorian Prefect that those who make collections for the Imperial Largesses have nothing in common with the officials charged with the accounts of the Treasury of the Prefecture, and provincial judges shall be fined five pounds of gold, and their chief subordinates be punished with death, if this law is

not observed.

Given on the sixth of the *Kalends* of February, during the Consulate of Bassus and Philip, 401.

14. *The Emperors Honorius and Theodosius to their friend, Euchwrius, Greeting:*

In order that the public welfare may not suffer, We do not permit decurions to fill inferior offices, or be subject to extraordinary burdens. Therefore it is better for the receiver of clothing to be appointed from among the officers of the Proconsul, or from among those who have already exercised the same employment. Still, it is important to be careful in this matter, and to examine the qualifications of candidates so as to select persons best qualified for the place; for it is inequitable for all the benefits to belong to the officials above mentioned, and for the decurionate alone to bear the loss of collection. Hence, We exempt all members of the decurionate from this injustice, with the exception of those who have either held the above-mentioned office, or are administering it at present.

Given at Ravenna, on the day before the *Kalends* of March, during the Consulate of Honorius, Consul for the ninth time, and Theodosius, Consul for the fifth time, 412.

15. *The Emperors Theodosius and Valentinian to Volusianus, Praetorian Prefect.*

The treasurer or the collector shall receive any gold and silver offered by a tributary, and We hereby notify the Governors of provinces and their subordinates that they will be responsible, if any injustice is sustained by the tributaries through incorrect weights; and We order that whatever is collected in the provinces for the benefit of Our Treasury shall be delivered to the illustrious Count of the Treasury.

Given at Ravenna, on the third of the *Kalends* of March, after the Consulate of Felix and Taurus, 429.

TITLE LXXI.

CONCERNING WEIGHERS, AND THE DELIVERY OF GOLD.

1. *The Emperor Constantine to Eufraxius, Receiver of Three Provinces.*

When anyone wishes to pay his taxes in money, or in a mass of gold, it shall be accepted in equal proportion and weight.

Published on the fourteenth of the *Kalends* of August, during the Consulate of Paulinus and Julian, 325.

2. *The Emperor Justinian to Mamertinus, Praetorian Prefect.*

It is settled that when any doubt arises with reference to the purity of the *solidi* paid, the dispute shall be decided by the officer styled *zygostat* in Greek, who is appointed in each city, and who shall render his decision to the best of his ability and information.

Given on the ninth of the *Kalends* of May, during the Consulate of Julian, Consul for the fourth time, and Sallust, 363.

TITLE LXXII.

CONCERNING THE COLLECTORS OF PUBLIC MONEY.

1. *The Emperors Honorius and Theodosius to Anthemius, Praetorian Prefect.*

Some collectors of public money presume to make their collections Without having previously obtained authority to do so (as is customary) and others retain for a long time what should have been immediately turned over to the Treasury. Therefore, We decree that no one shall collect any money without having previously been authorized by the Count of the Sacred Largesses, or shall retain it, after having once collected it.

Given on the thirteenth of the *Kalends* of August, during the Consulate of Honorius, Consul

for the eighth time, and Theodosius, Consul for the third time, 409.

TITLE LXXIII.

PUBLIC FUNDS WHICH HAVE BEEN COLLECTED SHALL NOT BE DISBURSED  
WITHOUT AUTHORITY.

1. *The Emperor Constantine.*

No judge shall permit any public money which has been collected to be loaned or disposed of in any other way.

Given on the day before the *Nones* of March, during the Consulate of Paulinus and Julian, 325.

2. *The Emperors Gratian, Valentinian, and Theodosius to Their Beloved Lampadius.*

No one shall dispose of any funds belonging to the Treasury, or any public property stored in warehouses, for any purpose whatsoever, unless he has first received permission to do so from the proper authorities.

Given at Constantinople, on the third of the *Ides* of April, during the Consulate of Antoninus and Syagrius, 382.

3. *The Emperors Arcadius and Honorius to Messala, Praetorian Prefect.*

All judges are hereby notified that they are not permitted to apply to other uses any funds which have been deposited in Our private Treasury, or which they may have collected for that purpose, unless they wish their audacity to be severely punished.

Given at Milan, on the sixteenth of the *Kalends* of June, during the Consulate of Theodore, 399.

TITLE LXXIV.

CONCERNING CORONARY GOLD.

1. *The Emperors Gratian, Valentinian, and Theodosius to Cynegius, Praetorian Prefect.*

It has been decided that no one can violate the custom which has been established with reference to coronary gold.

Given at Constantinople, on the fifteenth of the *Kalends* of February, during the Consulate of Richomer and Clearchus, 384.

TITLE LXXV.

CONCERNING IRENARCHS.

1. *The Emperors Honorius and Theodosius to Anthemius, Praetorian Prefect.*

Irenarchs, whose duty it is to preserve quiet and peace in the different territories and districts, shall be appointed by the Governors of provinces from among the most competent members of the de....

Given at Constantinople on the eighth of the *Kalends* of January, during the Consulate of Honorius, Consul for the eighth time, and Theodosius, Consul for the third time, 409.

TITLE LXXVI.

CONCERNING THE RATIO OF SILVER TO BE PAID INTO THE PUBLIC TREASURY.

1. *The Emperor Arcadius and Honorius to Eutychianus, Praetorian Prefect.*

We decree that anyone shall have the power to pay gold, instead of a certain amount of silver which he is obliged to deliver to the Public Treasury, in the proportion of five *solidi* to every pound of silver.

Given at Constantinople, on the eleventh of the *Kalends* of March, during the Consulate of

Csesarius and Atticus, 497.